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THESIS

**REDIRECTED RADICALS: UNDERSTANDING THE
RISK OF ALTERED TARGETING TRAJECTORIES
AMONG ISIL'S ASPIRING FOREIGN FIGHTERS**

by

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September 2016

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TARGETING TRAJECTORIES AMONG ISIL'S ASPIRING FOREIGN
FIGHTERS**

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ABSTRACT

Since the formation of the Islamic State of Iraq and the Levant (ISIL) and its so-called “Caliphate,” the terrorist organization has demonstrated its capability and willingness to project force beyond its immediate area of operations in the Middle East, extending to Western countries. Rather than solely dispatching trained foreign fighters, in the United States, ISIL’s strategy has involved homegrown violent extremists (HVEs) with a limited range of connectivity to the group. This thesis explores the threat posed by a subgroup of HVEs identified as “redirected radicals,” aspiring foreign fighters who, when prevented by counterterrorism actions from traveling overseas, decided instead to alter their targeting trajectory and commit violence in their home countries.

Through an extensive comparative case study analysis of recent ISIL-related violent incidents and plots in the United States, Canada, and Australia, common trends identified the prevalence of redirected radicals. This thesis found that policy responses to this phenomenon differed significantly across these three nations, using an array of legal authorities including undercover investigations, passport revocation, and preventative detention with varying degrees of effectiveness. Ultimately, this thesis determined that investigations involving potential redirected radicals offer unique opportunities for counterterrorism authorities to effectively decrease the likelihood of a domestic attack.

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LIST OF ACRONYMS AND ABBREVIATIONS

ABC	Australian Broadcasting Corporation
AFP	Australian Federal Police
AK-47	Avtomat Kalashnikova
AQ	al-Qa'ida
AQAP	al-Qa'ida in the Arabian Peninsula
AQEA	al-Qa'ida in East Africa
AS	al-Shabaab
ASIO	Australian Secret Intelligence Organization
CAF	Canadian Armed Forces
CI	confidential informant
CIA	Central Intelligence Agency
CSIS	Canadian Security Intelligence Service
CTC	combating terrorism center
CTU	counter terrorism unit
DHS	Department of Homeland Security
DNI	Director of National Intelligence
EU	European Union
FBI	Federal Bureau of Investigation
FTO	foreign terrorist organization
GPS	global positioning system
GWOT	Global War on Terrorism
HVE	homegrown violent extremist
IED	improvised explosive device
INSET	Integrated National Security Enforcement Team
ISIL	Islamic State of Iraq and the Levant
JI	Jemmah Islamiah
JN	Jabhat al-Nusra (al-Nusra Front)
JTTF	Joint Terrorism Task Force
LEO	law enforcement officer
MOS	members of service

MST	mobile surveillance teams
NCTC	National Counterterrorism Center
NYPD	New York City Police Department
PDO	preventative detention orders
PPSC	Public Prosecution Service of Canada
QLF	Quebec Liberation Front
RCMP	Royal Canadian Mounted Police
SWAT	Special Weapons and Tactics
TPIMs	terrorism prevention and investigation measures
UAV	unmanned aerial vehicle
UC	undercover
UK	United Kingdom
VBIED	vehicle-borne improvised explosive device

EXECUTIVE SUMMARY

For over two years, the Islamic State of Iraq and the Levant (ISIL) has demonstrated its willingness and increasing capability to project force beyond its immediate area of operations in the Middle East, carrying out complex attacks in Western nations, notably throughout Europe. Rather than solely dispatching trained foreign fighters, in the United States, ISIL's strategy has involved homegrown violent extremists (HVEs) with varying degrees of connectivity to the group. This thesis explores the threat posed by a subgroup of HVEs, who are identified as "redirected radicals," ISIL supporters who aspire to be foreign fighters abroad but, when prevented by the actions of counterterrorism authorities from traveling overseas, decided instead to alter their targeting trajectory and commit violence in their home countries. This thesis provides a model for understanding the prevalence of these extremist aspirants, the transformative danger they pose, and the counterterrorism strategies of several Western nations in response to this emerging threat.

Chapter I provides a general background and establishes a framework for understanding the threat posed by ISIL beyond the Middle East. It explains that the current phase of global terrorism stemming from ISIL has raised a significant issue, as the United States and allied countries seek to prevent potential ISIL sympathizers from traveling abroad, numerous counterterrorism policies appear to be keeping violent extremists in their home countries without charge, which may have the unintended consequence of encouraging acts of terrorism in the homeland. This chapter describes the sources and methodology of the research used in the thesis, including a comparative case study of three countries with a similar ISIL-related threat environment: Canada, Australia, and the United States.

Chapter II examines existing literature on the topic of ISIL's network of worldwide recruits. It makes the argument that a considerable knowledge gap exists on the issue of aspiring foreign fighters and the threat that this specific group of extremists poses beyond their risk of traveling abroad and returning home for attacks. It provides a breakdown of historical documentation for previous conflicts drawing Western fighters

and establishes patterns of behavior among those who returned to their homeland. The literature review concludes that research into the foreign fighter issue can be divided into optimistic and pessimistic camps, those who believe the threat is potentially overblown versus those who think it is severe.

Chapter III begins the first part of the comparative case study analysis by focusing on Canada's current foreign fighter issues, propaganda threats against the country made by terrorist groups, as well as its overall experience with ISIL. After exploring two high-profile cases of violent incidents carried out by ISIL supporters, it details the Canadian government's counterterrorism response. This chapter concludes by examining Canada's uncommon use of preventative detention, specifically legal measures called "peace bonds" to contain known or suspected terrorists.

Chapter IV continues by describing the Australian experience, the terrorism, and the new challenges it faces in confronting threats from ISIL, including a significant number of Australians who have traveled to join the group in Iraq and Syria. Three relevant cases involving individuals who joined ISIL overseas and two others who conducted violent attacks on their home soil are explored in great detail. This chapter concludes by reviewing the Australian government's counterterrorism response to these deadly ISIL inspired operations and the nation's use of preventative detention orders, as well as passport revocation.

Chapter V is the final part of the case study. It begins by explaining the implications of the current threat narrative regarding potential returned ISIL foreign fighters in the United States. It highlights the string of ISIL-inspired violent incidents that have been carried out by the group's ideological adherents in the United States and goes into detail on the role that redirected radicals have played in those operations. Detailed cases of extremists in several high-profile attacks and disrupted plots are covered in depth primarily using sources from unsealed court documents. Statistical information on terrorism prosecutions is provided to analyze the success of the U.S. counterterrorism approach, which has largely focused on undercover investigations.

Chapter VI concludes the thesis with the findings of a relevant literature review, and the key takeaways from an extensive comparative case study analysis of three Western nations determined to have a similar terrorism threat environment. It identifies that clear opportunities exist for reform at the counterterrorism policy level, which may make the process of identifying the extremists at greatest risk of turning their intended support for ISIL overseas into violent action at home more effective. While highlighting areas for improvement, it provides some validation for the current investigative counterterrorism approach of the United States. It sheds light on the inherently dangerous risks of the practice of preventative detention without the corresponding intensive monitoring demonstrated in Canada, and to a lesser extent, in Australia. This thesis has made clear that not all actions taken during the course of a counterterrorism investigation are guaranteed to result in a positive outcome, and even the best intentions of preventing an extremist from fighting abroad can trigger the unintended consequence of them choosing to attack their countrymen and die at home.

Ultimately, law enforcement agencies benefit by being able to control many of the levers that can alert an aspiring foreign fighter that their plans for overseas travel have been disrupted, altering their behavior. In these particular cases, the perception by a terrorism suspect of law enforcement inaction is likely a stronger preventative resource than overt action. It is paramount that counterterrorism authorities worldwide be aware of the danger posed by redirected radicals.

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DISCLAIMER

The ideas and opinions expressed throughout this thesis are exclusively those of the author, except where specifically stated otherwise, and do not reflect the official position or views of the New York City Police Department or the Naval Postgraduate School Center for Homeland Defense and Security.

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I. THE RISING RISK OF REDIRECTED RADICALS

Since September 2014, the Islamic State of Iraq and the Levant (ISIL) has threatened Western countries involved in counterterrorism operations against the terrorist organization, primarily in Syria and Iraq.¹ In furtherance of this objective, the group has embraced and built upon an operational strategy first developed by its predecessor and current rival al-Qa'ida, which encourages violent extremist sympathizers throughout Western Europe, the United States, and other countries it considers adversarial, to conduct attacks in their homeland.² Despite calls by the group for its supporters to follow this strategy, it has also stressed that its inspired adherents come to the so-called “Khilafah” (Islamic State/Caliphate) and fight alongside its ranks whenever possible.³ Significant numbers of young men and women in the United States and other Western nations remain committed to the goal of traveling overseas in an attempt to link up and connect with ISIL, receive training, and obtain combat experience in what has emerged as the principal global jihadist battlefield.⁴ Evidence supporting this goal flows from numerous counterterrorism cases, which have involved homegrown violent extremists (HVE) who were prevented from traveling to Iraq and Syria at various stages of action, preparation, and planning.⁵

According to recent reports, the Federal Bureau of Investigation (FBI) estimates that at least 250 American citizens have traveled or attempted to travel abroad to fight

¹ *Prepared Testimony to the House Armed Services Committee, The Islamic State: A Persistent Threat, July 29, 2014* (Brian Fishman, Counterterrorism Research Fellow International Security Program at the New America Foundation), <http://docs.house.gov/meetings/AS/AS00/20140729/102590/HHRG-113-AS00-Wstate-FishmanB-20140729.pdf>.

² Anne Speckhard, “ISIS and the Rise of Homegrown Terrorism in the West,” *Security Solutions Magazine*, April 2015, https://www.researchgate.net/publication/274072173_ISIS_and_The_Rise_of_Homegrown_Terrorism_in_the_West.

³ Liz Fields, “Islamic State Releases ‘Eid Greetings’ Video Purporting to Show Foreign Fighters,” *VICE*, August 3, 2014.

⁴ James Traub, “The Demonic Wellspring: Unlike Al Qaeda, Which Offers Victory in Some Remote Era, ISIS, in Occupying Territory and Declaring the Caliphate, Invites its Followers to Live in the Prophesied Paradise Now,” *The Wall Street Journal*, March 14, 2015, <http://libproxy.nps.edu/login%3Furl=http://search.proquest.com.libproxy.nps.edu/docview/1663209953%3Faccountid=12702>.

⁵ Karen Greenberg, “By the Numbers: ISIS Cases in the United States,” *Fordham Center on National Security*, June 25, 2015, <http://centeronnationalsecurity.org/node/1366>.

with Islamist extremists in Iraq and Syria.⁶ FBI Joint Terrorism Task Forces (JTTFs) in all 50 states reportedly have at least one ISIL-related case in their workload, according to Director James Comey.⁷ Many of these individuals, identified as “lone-wolves” or HVEs, are self-directed but often have indications of being recipients of ISIL propaganda and maintain at least some loose connectivity to the organization’s strategic goals.⁸ Additionally, in the United States, at least 101 terrorism cases and incidents have involved such individuals since the emergence of ISIL.⁹ Among Western nations, the United States, Australia, France, and Canada appear to have experienced the greatest frequency of attacks by aspiring foreign fighters, those who seek to travel abroad and join the terrorist group.¹⁰ Although the general national security threat posed by ISIL to all of these countries is the same, each nation has taken a uniquely different approach to combatting this element, including but not limited to, undercover investigations, travel document revocation, and preventative detention measures.

When addressing the threat of ISIL’s aspiring foreign fighters, several nations have rapidly moved towards policies that overtly restrict the freedom of movement of suspected extremists through various forms of preventative detention measures. To date, the United States has not followed suit; however, the U.S. House of Representatives Committee on Homeland Security released an extensive report in September 2015, which called for limiting the mobility of known and suspected extremists via discretionary passport revocation authority, a powerful proposed legislative action that follows the

⁶ Peter Bergen et al., *ISIS in the West: The Western Militant Flow to Syria and Iraq* (Washington, DC: New America Foundation, 2016), 10, <https://www.newamerica.org/documents/1382/isis-in-the-west-march-2016.pdf>.

⁷ Jim Piggot and Scott Johnson, “Suspected ISIS Terrorist Arrested in Jacksonville,” *News4JAX*, February 25, 2015, <http://www.news4jax.com/news/local/suspected-isis-terrorist-arrested-in-jacksonville>.

⁸ Karen Yourish, Derek Watkins, and Tom Giratikanon, “Where ISIS Has Directed and Inspired Attacks around the World,” *New York Times*, July 27, 2015, http://www.nytimes.com/interactive/2015/06/17/world/middleeast/map-isis-attacks-around-the-world.html?_r=0.

⁹ Karen Greenberg, *Case by Case: ISIL Prosecutions in the United States* (New York: Center on National Security at Fordham Law, 2016), <https://static1.squarespace.com/static/55dc76f7e4b013c872183fea/t/577c5b43197aea832bd486c0/1467767622315/ISIS+Report++Case+by+Case++July2016.pdf>.

¹⁰ Michael Noonan and Phyl Khalil, “North American Foreign Fighters,” *Journal for Deradicalization*, 2014, <http://journals.sfu.ca/jd/index.php/jd/article/view/6>.

similar moves of several allied governments.¹¹ This possible course of action and response could be questionable and merits further exploration, especially when considering that several cases of ISIL-inspired Westerners who ultimately chose to commit violence against their home countries, rather than travel down the pathway to becoming a foreign fighter, appear to have included individuals who were made aware of limitations to their travel status.¹²

A. PROBLEM STATEMENT

The current new phase of global terrorism stemming from ISIL has brought to light a troubling problem, as the United States and allied countries seek to prevent potential ISIL sympathizers from traveling abroad, numerous counterterrorism policies appear to be keeping violent extremists in their home countries without charge, which may have the unintended consequence of encouraging acts of terrorism in the homeland. A substantial amount of recent literature focuses on the quantity and composition of Western foreign fighters traveling to Syria and Iraq for jihad with ISIL. Overwhelmingly, the intelligence and U.S. law enforcement community appears heavily fixated on the risk of foreign fighter “returnees,” those who travel abroad, receive training from extremist groups, and have the potential to conduct attacks in the homeland. This fixation potentially risks outweighing or marginalizing the more imminent threat and proven danger of “aspiring foreign fighters,” who are extremists based in the United States who are either unable to, have failed, or are otherwise knowingly prevented from traveling overseas, and may alternatively choose to strike in the homeland.

The focus on returnees likely finds its roots within the Western European experience with ISIL to date. Numerous mass-casualty operations including the January 2015 Charlie Hebdo assault, the March 2016 Brussels bombings, and the November 2015 Paris attacks, all involved extremists, some of whom had previously traveled to foreign

¹¹ Michael McCaul et al., *Final Report of the Task Force on Combating Terrorist and Foreign Fighter Travel* (Washington, DC: Homeland Security Committee, 2015), <https://homeland.house.gov/wp-content/uploads/2015/09/TaskForceFinalReport.pdf>.

¹² Jason Trahan and Byron Harris, “Garland Suspect Had History with FBI Counterterror Unit,” *WFAA ABC 8*, May 4, 2015, <http://www.wfaa.com/news/local/investigates/garland-suspect-had-history-with-fbi-counterterror-unit/148894071>.

conflict zones and connected with terrorist organizations in Iraq, Syria, and Yemen.¹³ The prevailing narrative assumes that returned foreign fighters pose a threatening lethality orders of magnitude greater than those who do not travel abroad. However, the June 2016 shooting in Orlando, Florida, carried out by an HVE with no foreign combat zone training whatsoever, raises significant doubts about the accuracy of viewing the ISIL threat through the lens of being concerned primarily about those who travel abroad and return rather than those who stay home.

Determining how these threats are understood and prioritized is an important goal of current U.S. counterterrorism strategy against ISIL and is a central objective of this thesis. Unfortunately, a considerable knowledge gap exists about the domestic counterterrorism response to these threats at the operational and policy level, thus meriting greater investigation and graduate-level research. Most troubling, a consistent approach for counterterrorism authorities to respond to aspiring foreign fighters also does not appear to exist. In some instances, which are explored in greater detail, the actions taken by law enforcement agencies in the United States, Canada, and Australia may have actually played a significant contributing role in adversely impacting the behavior of an aspiring foreign fighter, resulting in the rapid trajectory course change of violent actions inward against their homeland rather than outward on a foreign battlefield. These cases represent the difficult counterterrorism challenge of “redirected radicals.”

B. RESEARCH QUESTIONS

In an effort to understand the dynamics of the potential risk of attack redirection among ISIL’s aspiring foreign fighters, this thesis attempts to answer the following key questions:

- What lessons have been learned from the recent wave of Islamic State of Iraq and the Levant-inspired attacks by returned Western foreign fighters and “redirected” aspiring foreign fighters?
- How can these lessons be applied for homeland security policymakers, as well as the U.S. intelligence and law enforcement communities?

¹³ Alan Yuhas, “How Yemen Spawned the Charlie Hebdo Attacks,” *The Guardian*, January 14, 2015, <https://www.theguardian.com/world/2015/jan/14/yemen-aqap-civil-war-extremism>.

- In the process of answering this primary inquiry, the thesis also explores several other subquestions, including:
 - Can the current examples of successful, failed, and foiled violent extremist attacks or plots in the West contribute to a deeper understanding and reevaluation of the foreign fighter returnee threat in comparison to the danger posed by aspiring foreign fighters who become redirected radicals?¹⁴
 - What are the implications a non-interventionist law enforcement approach to combating ISIL's sympathetic HVEs who seek to travel abroad and become foreign fighters? Would policies that do not aim to remove a suspect's ability overtly to travel increase or decrease the likelihood of domestic attacks against Western nations?
 - What is the most effective practice model by Western law enforcement in countering cases of ISIL-inspired aspiring foreign fighters that allows for maximum intelligence collection, minimal risk to officer safety, and leads to the greatest likelihood of decreased redirected homeland attacks?

1. Research Design and Objectives

This thesis seeks to study several different areas of homeland security interest. Principally, it is a thesis about a specific group of people, ISIL's homegrown violent extremists in Western nations who seek to travel abroad to Iraq and Syria, and become foreign fighters. With that in mind, this research centers on a subsection of multi-national law enforcement and intelligence cases involving some of these people as members of the broader terrorist organization ISIL. By developing a deeper understanding of these individuals, the analysis attempts to go from the micro-level to the macro-level, and research the response of several government counterterrorism agencies responsible for preventing these individuals from engaging in acts of violence.

This research attempts to understand the motivating factors that contribute to otherwise externally focused extremists altering the targeting trajectory of their violence internally against their homeland. To gain a strong comparative understanding of the current threat environment and its challenges, this thesis conducts a comparative analysis

¹⁴ Pieter Van Ostaeyen and Chams Eddine Zaogui, "International New York Times, July 30, 2014, <http://libproxy.nps.edu/login%3Furl=http://search.proquest.com.libproxy.nps.edu/docview/1549369115%3Faccountid=12702>.

of the experience of at least three similar Western nations currently facing the threat of HVEs in addition to aspiring foreign fighters, defined as individual residents or citizens of a specific country who seek to travel abroad to join ISIL or Jabhat al-Nusra (the al-Nusra Front/JN).

These nations studied are Australia, Canada, and the United States. The two nations, Canada and Australia, have been selected for the dataset because they both share distinct similarities that give their respective counterterrorism approaches to ISIL the greatest chance of compatibility and relevance with the current U.S. threat environment. By the numbers, these countries have a comparable quantity of suspected foreign fighters, ranging from 120 to 250.¹⁵ Most importantly, unlike members of the European Union, who are currently dealing with a significant aspiring foreign fighter threat, highlighted by several high-profile mass-casualty operations recently carried out in France and Belgium, none of these three selected nations share a contiguous overland border with Iraq and Syria. The geographical distance, and the absence of an overland travel route between ISIL's area of territorial control in Iraq and Syria and the three selected countries, is potentially a major limiting factor for aspiring foreign fighters. This distance requires Western ISIL supporters to travel by either ship or plane to reach their intended target destination at greater cost and difficulty than their Europe-based peers, which makes studying HVEs in these countries particularly interesting given their potential elevated susceptibility to redirection. Finally, the shared English language between these three nations will also help facilitate a clear analysis of the data.

2. Selection

The data sample consists of entirely opensource, unsealed terrorism cases from each of these three selected countries. With the assistance of public court documents, media coverage of investigations and incidents, as well as academic summaries of key trials, this thesis performs an inductive analysis to determine if any patterns, trends, or

¹⁵ This figure comes from the low estimate of the most recent media reporting on international foreign fighters. While the number is fluid and subject to change, it is estimated that 250 Americans have traveled to join ISIL in addition to 130 from Canada and 120 from Australia.

shared factors exist among investigative cases involving HVEs who ultimately decided to attempt, or successfully conduct, terrorist attacks against their home countries.

3. Limits

This thesis does not seek to explore the origin or evolution of ISIL. It also does not look to offer a policy solution for countering the group militarily in Iraq and Syria nor make an attempt to offer recommendations for countering the ideology of ISIL's recruitment propaganda, which has resulted in the phenomenon of tens of thousands of Westerners traveling abroad to connect with the terrorist organization. The data has been researched with a fixed beginning and an end point, established to ensure that the collection of cases and other information can have some degree of finality to it without constantly needing to amend the dataset with the most recent attacks. This thesis does not seek to understand how an individual ISIL sympathizer becomes radicalized. Much has been written on the jihadist radicalization cycle. More opportunity exists instead to provide needed insight into the reactions by ISIL-sympathetic extremists to the policy actions of Western governments.

4. Data Sources

The data sources include quantitative datasets featuring the number of attacks carried out by ISIL extremists in the West. One report, which features heavily, both because of the statistical data it provides but also for its policy recommendations, which can potentially be examined as beneficial or harmful, was published in 2015 by the U.S. House of Representatives Homeland Security Committee.¹⁶ Additional data sources include expansive lists of ISIL-linked arrests that have occurred in the United States, including one comprehensive statistical analysis by the Center on National Security at Fordham University Law School.¹⁷ Court documents from numerous cases involving ISIL-inspired extremists have been studied. These cases include incidents occurring between March 2014 and July 2016, spanning just over the current two-year existence of

¹⁶ McCaul et al., *Final Report of the Task Force on Combating Terrorist and Foreign Fighter Travel*.

¹⁷ Greenberg, "By the Numbers: ISIS Cases in the United States."

ISIL. This time frame was selected because it includes the period when ISIL first became prominently covered in Western media outlets. It also includes the initial wave of when the group's foreign operational attack strategy began to take shape, with the group's leadership more actively calling for attacks by supporters in the West if they are unable to travel to the lands of its self-proclaimed Caliphate in Iraq and Syria.

5. Type and Mode of Analysis

While a case study methodology has been applied to study each of the aspiring foreign fighters and redirected radicals' experiences with intelligence and law enforcement authorities, a policy analysis also follows in later chapters of the thesis to foster a clearer understanding of the response.

In support of this project, the research is aimed at answering the following key preliminary questions for each of the identified "subject nations."

- How many foreign fighters does the nation currently estimate have joined, are now fighting, or are believed to have died in combat with ISIL and affiliated jihadist organizations in Iraq and Syria?
- What proactive law enforcement and intelligence policies, if any, are currently being taken to prevent ISIL sympathizers from traveling abroad to link up with terrorist organizations?
- How many hostile incidents have been experienced by these governments in their respective homelands during the timeframe covered by the dataset?

C. RELEVANCE AND GOALS

Numerous federal, state, and local law enforcement agencies, including the New York City Police Department (NYPD), have conducted counterterrorism investigations over the last two years, some of which have led to successful arrests involving aspiring foreign fighters that adhere to ideology of ISIL. Analyzing the actions of the other Western nations, namely Canada and Australia, in responding to this problem may yield valuable benefits to assist in further preventing domestic attacks. These national policies and responses are evaluated using impact-based criteria, which examine violent incidents and analyze case details to determine if the individuals responsible for attacks were

redirected toward domestic operations. Using this approach, this thesis seeks to determine if a best practices model exists for intelligence-led law enforcement to apply when pursuing cases of aspiring ISIL foreign fighters and preventing the development of redirected radicals.

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II. LITERATURE REVIEW

ISIL is a foreign terrorist organization, based in Iraq and Syria, which has emerged as one of the primary threats impacting the national security of the United States over the last two years, rightly necessitating the increased research and study of this group by individuals throughout institutions of higher education, private-sector security firms, and the intelligence community. Despite only first receiving consistent national media attention in June 2014 with the group's launch of a massive offensive against military forces in western and northern Iraq, a substantial amount of literature has been written on this foreign terrorist organization, the actions it has taken, its place in the broader international jihadist movement, and the violent extremists who have traveled from dozens of countries to join its ranks.

This review is an in-depth analysis aimed at examining one portion of that literature, focusing on a major but narrow facet of ISIL, its deep bench of recruits from countries beyond its immediate area of operation in Iraq and Syria. These individuals, spanning a wide range of demographics, come largely from neighboring regional states in the Middle East, but increasingly have included young men and women from Western nations, including but not limited to Canada, Australia, France, the United Kingdom, and the United States. The generally accepted term used to describe these individuals comprising this exodus of jihadists has been "foreign fighters."

To date, numerous reports have identified the problem and inherent danger of foreign fighters. These documents tend to be running to catch up with the latest metrics, often culled from media statements or public testimony provided by intelligence community officials, with fluid approximated numbers for suspected Westerners who have traveled overseas to join ISIL. In spite of this abundance of information about the foreign fighter problem, research on the solution is lacking, specifically on what actions intelligence and law enforcement communities, both within and beyond the United States, have taken to combat this threat.

A. THE “ASPIRING FOREIGN FIGHTER” RESPONSE KNOWLEDGE GAP

Given the relatively recent nature of ISIL, an opportunity exists to create new knowledge through a comparative analysis of the counterterrorism policies, law enforcement operations, and legislative measures enacted by the Western governments that have been most severely impacted by the ISIL foreign fighter issue. Much attention has been paid to violent extremists who have joined ISIL and currently reside within its territorial boundaries in Iraq, Syria, and elsewhere; however, comprehensive research studies of individuals in the West who are exploring, openly expressed a desire to join, or have made attempts but failed to link up with ISIL overseas, are lacking.

These individuals are often referred to as “homegrown violent extremists,” a term which speaks to the location of these ISIL supporters but is lacking when it comes to describing their intent. In an effort to remedy this shortfall, the thesis refers to some HVEs as “aspiring foreign fighters,” individuals who represent a unique subsection of the ISIL threat picture in the West. Unfortunately, thorough research of this subsection and its implications on the intelligence and law enforcement community is virtually nonexistent. In pursuit of this research goal, the diverse pool of source material can be broken down into four key subcategories.

- Historical documentation and profile analysis of foreign fighters
- “Pessimistic” foreign fighter assessments (threat to the homeland is severe)
- “Optimistic” foreign fighter assessments (homeland threat is overblown)
- Law enforcement response actions for aspiring foreign fighter cases

1. Historical Documentation/Profile Analysis of Foreign Fighters

The majority of information on the ISIL foreign fighter threat falls into the first category of historical documentation and profile analysis of foreign fighters. Since the beginning of the Syrian civil war as part of the Arab Awakening in 2011, the U.S. government has issued several warnings, as substantial numbers of Westerners have traveled to combat the regime of Bashar al-Assad in Syria. Some of these individuals were called to defend the Muslim Umma (community of faithful believers) by fighting

with paramilitary groups and militia not allied with ISIL and al-Qa'ida, but many others joined foreign terrorist organizations (FTO) to answer that call. Numerous U.S. government reports primarily from the House and Senate committees on homeland security have identified this threat as a strategic concern.¹⁸ These government findings are helpful in establishing a longer history of foreign fighter concerns and can draw lines of similar connectivity to previous jihadist conflicts where foreigners surged to fight alongside mujahideen in conflicts like the Soviet-Afghan War and Operation Iraqi Freedom.¹⁹

In addition to more expansive strategic threat assessments and reports like those released shortly after the rise of ISIL by the U.S. Foreign Affairs Committee, senior-level government officials from the nation's primary counterterrorism agencies, including the Central Intelligence Agency (CIA), the Federal Bureau of Investigation (FBI), and the Department of Homeland Security (DHS), have regularly issued public statements at press conferences and provided testimony on foreign fighters. Unfortunately, most of this information provides a very limited dataset and is likely only accurate for the time immediately preceding and following when the statements were made in open-source media reports.

Beyond federal government reports, the private-sector security community has been heavily interested in the issue of foreign fighters, with entities ranging from private think tanks to security consulting firms providing in-depth, big picture, analytical products. These products tend to serve as a good entry point or an overall backgrounder on this issue. For example, an article published in the October 2014 issue of *Perspectives on Terrorism* used detailed metrics to determine that foreign fighters have traveled from at least 81 countries to join ISIL.²⁰ Of the thousands of foreigners that the group counts among its ranks, the author of this piece estimated that 2,500 are from Western nations.²¹

¹⁸ Dana Rohrabacher and Gregory Meeks, "Subcommittee on Europe, Eurasia, and Emerging Threats Hearing," *Foreign Affairs Committee*, September 19, 2014.

¹⁹ Ibid.

²⁰ Jeanine de Roy Van Zuijdewijn, "The Foreign Fighters' Threat: What History Can (not) Tell Us," *Perspectives on Terrorism* 8, no. 5 (October 2014): 1–15.

²¹ Ibid.

The unfortunate drawback of metrics, and virtually every analytical study examining this issue, is that the information is highly time sensitive. Quantitative analysis of foreign fighters is framed in the exact moment when the study was set for publishing and very few accurate unclassified real-time tracking sources are available for the current number of Westerners who have actually joined and are actively fighting alongside ISIL, as it shifts on a near-daily basis. For example, one *Bloomberg* report from December 2014 estimates that ISIL has a total of 15,000 total foreign fighters, 2,000 from “Western” countries and approximately 1,600 from the United Kingdom, France, and Germany combined.²² Alternatively, a more recent source, culling data from March 2015, estimates the number of ISIL foreign fighters at half of the 20,000 to 31,500 militants claimed by the CIA. It maintains that approximately 4,000 to 5,000 European foreign fighters are among the group’s ranks.²³ This range indicates either a massive influx of fighters or wide discrepancies in available and accurate data on this issue.

In December 2015, the Soufan Group amended its study of foreign fighters in Syria and Iraq and found that in less than two years since its earlier research, foreign fighter figures rose to between 27,000 and 31,000 people from 86 countries.²⁴ The figures in the updated study maintained that roughly 5,000 foreign fighters came from Western European nations while 4,700 originated in former Soviet Republics, with the majority traveling from North Africa and throughout the Middle East.²⁵ Unlike most reports, this study went so far as to speculate the percentage of foreign fighters who actually return to Western countries, claiming that 20–30 percent of foreign fighters have done so.²⁶ What it did not account for is the diversity in foreign fighter returnees, namely

²² Cam Simpson, “What Happens When Islamic State’s Foreign Fighters Return?” *Bloomberg Business*, December 1, 2014.

²³ Rik Coolsaet, “What Drives Europeans to Syria and to IS? Insights from the Belgian Case,” *Egmont-Royal Institute for International Relations*, March 2015.

²⁴ Richard Barret et al., *Foreign Fighters: An Updated Assessment of the Flow of Foreign Fighters into Syria and Iraq* (New York: The Soufan Group, 2015), http://soufangroup.com/wp-content/uploads/2015/12/TSG_ForeignFightersUpdate3.pdf.

²⁵ *Ibid.*

²⁶ *Ibid.*

those willing to participate in attacks against their homeland and those ostensibly disenchanted with the group's actions, ideology, and their experience upon returning.

Some of the reports in this subsection have included efforts to provide profile analyses of Westerners who have joined ISIL's ranks. Although well intentioned, the problem with these assessments is that they seek to find anecdotal commonality and run the risk of making broad generalizations to link the individual stories of hundreds of Westerners. The profiles of these individuals may include detailed information, such as socioeconomic status, age, race, etc., but with a group like ISIL, which has pulled extremist Muslim recruits from a broadly diverse spectrum of class, sex, and age backgrounds, this sort of information becomes less helpful, especially in a research effort geared towards providing a best practices approach to counterterrorism policy.

Reports in this category also tend to vary according to the analytical lens being used to study ISIL by the author. While the aforementioned documents are primarily from the perspective of private-sector analysts and academic research experts, documents have also been published by military-centric organizations, such as a 2014 report entitled *Confronting the Islamic State* by the U.S. Army Strategic Studies Institute. This report, which principally examines ISIL's actions on the battlefields of Iraq and Syria, only tangentially touches upon the ISIL foreign fighters' threat as a local issue that must first and foremost be addressed locally by the Iraqi military and vetted Syrian revolutionary forces.²⁷

2. Pessimistic Foreign Fighter Assessments

A preliminary review of the literature has confirmed a deep fissure in the terrorism analysis community over the danger posed by ISIL's roster of Western foreign fighters. This issue is significant, as illustrating this very real divide can challenge the way a reader thinks about the widely accepted and repeated narrative in the media over the severity of this threat for the United States. For the purposes of this research, the authors on both sides of this debate have been broken down into foreign fighter

²⁷ Andrew Terrill, *Confronting the 'Islamic State: Understanding the Strengths and Vulnerabilities of ISIS* (Carlisle, PA: U.S. Army Strategic Studies Institute, 2014).

“pessimists” and “optimists.” The pessimists tend to present the argument that Western foreign fighters, broadly described as young passport-holding Muslim males who adhere to ISIL and other extremist groups, from nations like Canada, France, Australia, the United Kingdom, and the United States, represent a clear and present danger to the national security of the United States.

The narrative that these sources affirm is one that portrays foreign fighters as temporary guests, individuals who seek to join ISIL specifically to gain fighting experience in a jihadist field of battle, who will then take their newly acquired skillset (small-arms training, explosives manufacturing expertise, tactical experience, etc.), return to their homeland, and conduct terrorist operations against their countrymen. It is understandable that this popular narrative has taken hold, as it was stated early on by U.S. President Barack Obama during a September 2014 address to the United Nations aimed at passing a resolution against ISIL. This address aimed at garnering the support of international leaders, came on the heels of the terrorist organization making a massive and swift territorial control sweep throughout much of Syria and northern Iraq. The address and the foreign fighter returnee narrative rightly helped drive home the urgency of the threat posed by the group beyond its immediate area of operations in the Middle East.²⁸

Numerous counterterrorism researchers hold this pessimistic view, which is to be expected given the natural tendency for intelligence specialists to think in terms of worst-case scenarios. For example, Evan Kohlmann, a private-sector analyst and founder of the jihadist monitoring and consulting company Flashpoint Global Partners, wrote an article in a September 2014 issue of the Combating Terrorism Center (CTC) at West Point’s *Sentinel*, which argued the pessimistic case. Kohlmann argues, via a detailed analysis of case studies and jihadist social media communications, the role that Western foreign fighters have played in both ISIL and Jabhat al-Nusra.²⁹ Kohlmann assesses that the likelihood of foreign fighters returning to commit attacks is high and expresses

²⁸ Howard LaFranchi, “President Obama Wins Broad UN Backing on Resolution to Curb Foreign Fighters,” *The Christian Science Monitor*, September 25, 2014.

²⁹ Evan Kohlmann and Laith Alkhouri, “Profiles of Foreign Fighters in Syria and Iraq,” Combating Terrorism Center at West Point, September 29, 2014.

skepticism about the theory that many Western recruits will be killed in jihadist combat abroad or be unable to re-enter their home countries because of watch lists or passport bans.³⁰

Testimony by Nicholas Rasmussen, Director of the National Counterterrorism Center (NCTC), before the House Homeland Security Committee in February 2015, shows the enduring message of foreign fighter pessimists even in spite of the lack of a documented case of a returned ISIL foreign fighter conducting an attack against the United States.³¹ He argues that the “flow of foreign fighters and the threat they could pose upon return to their home countries” is one of the “most pressing concerns” for the intelligence community.³² His testimony maintains that the rate of travelers who went to Afghanistan, Pakistan, Iraq, Yemen, or Somalia at any point in the last 20 years pales in comparison to the rates of extremist travel to Syria.³³ It provides insight into potential gateways that foreign fighters could use to facilitate an attack by highlighting Turkey’s visa-free travel agreement with 69 governments, limiting the requirement for traveler screening, and cites visa-free travel throughout the European Union (EU).³⁴

3. Optimistic Foreign Fighter Assessments

Assessments of the ISIL foreign fighter threat that are “optimistic” tend to be in the minority of current literature on the topic. These sources generally maintain that the threat of Westerners who aspire, or successfully manage to travel abroad to join the terrorist organization in Iraq and Syria, and return to the homeland to conduct attacks, is remote. Some authors, including Chams Eddine Zaougui and Pieter Van Ostaeyen, go as far as to state that the U.S. government’s obsession with this threat is overblown and

³⁰ Kohlmann and Alkhouri, “Profiles of Foreign Fighters in Syria and Iraq.”

³¹ Yourish, Watkins, and Giratikanon, “Where ISIS Has Directed and Inspired Attacks around the World.”

³² *Hearing before the House Committee on Homeland Security, Countering Violent Islamist Extremism: The Urgent Threat of Foreign Fighters and Homegrown Terror* (2015) (Nicholas Rasmussen Director, National Counterterrorism Center, Office of the Director of National Intelligence).

³³ *Ibid.*

³⁴ *Ibid.*

dangerous.³⁵ A common theme among the authors of this category is that foreign fighters are not visitors, rather, they are residents. These individuals seek to join ISIL to build lives in the so-called Islamic State, to establish homes for their families, and to take part in jihad against the immediate near-enemy that threatens the area ISIL primarily controls in Iraq and Syria.

Of the optimist subsection of literature, the strongest and most credible voice is Thomas Hegghammer in his piece “Should I Stay or Should I Go.” Hegghammer’s paper is extensive and thoroughly researched compared to the majority of other more narrowly focused pieces. He argues that most extremists do not leave their homeland for foreign jihadist battlefields with the intention of returning home for a domestic attack and attempts to turn the traditional narrative of foreign fighters on its side by providing empirical data.³⁶ Hegghammer creates a framework of “domestic fighters” and “foreign fighters.”³⁷ The most powerful statistical finding in his research is that only one out of every nine (11%) foreign fighters who return from conflict overseas, appear to commit attacks or plot violence.³⁸

4. Law Enforcement Response Actions for Aspiring Foreign Fighter Cases

The previous three subsections of the current literature on ISIL’s foreign fighters are necessary to provide context and establish the nations currently confronted with threats from violent extremists. Unfortunately, given the relatively short amount of time that ISIL has existed, and the unprecedented effectiveness of its social media recruitment campaign, many Western nations have not yet publicly articulated policy documents on the appropriate investigative procedures and actions to prevent aspiring foreign fighters from redirecting attacks against the homeland when unable to travel overseas to join

³⁵ Chams Eddine Zaougui and Pieter Van Ostaeyen, “Overblown Fears of Foreign Fighters,” *International New York Times*, July 30, 2014.

³⁶ Thomas Hegghammer, “Should I Stay or Should I Go? Explaining Variation in Western Jihadists’ Choice between Domestic and Foreign Fighting,” *American Political Science Review*, February 2013, 1–15.

³⁷ Ibid.

³⁸ Ibid.

ISIL. Government leaders and intelligence agency heads have broadly articulated the mission of combating ISIL supporters with any and all means necessary and authorized by law, but these general statements do little to provide clarity on the best practices that prevent terrorist attacks from occurring on domestic soil outside of ISIL's geographic sphere of influence.

One fissure point that appears throughout the responses of Western nations, such as Australia, France, the United Kingdom, and Canada, is whether or not aspiring foreign fighters, who have not committed any overt acts in support of terrorism, short of perhaps stating their desire to travel to Iraq and Syria, should be permitted to go or be prevented from leaving their home countries at all costs. These costs, in some cases, have included the extremists choosing to take violent action against their home country when prevented from leaving it. For example, some sources, including U.S. Congressman Tom Latham and FBI Director James Comey, have cited the value of preventing aspiring foreign fighters from traveling.³⁹

Due to the absence of clearly articulated counterterrorism policy guidelines, tracing specific case studies becomes an important way of understanding how impacted governments respond to the threat of aspiring foreign fighters. While some of these examples are more conventional forms of response, a subset of the literature advocates more unorthodox and controversial solutions to the ISIL foreign fighter issue. For example, a testimonial from retired General John Allen argues that outreach, rehabilitation, and reintegration of potentially thousands of young people who have joined ISIL is vital to countering the terrorist organization.⁴⁰

Limited but insightful literature is available regarding the experience of the British government to the ISIL foreign fighters' issue. The United Kingdom authorized the use of Terrorism Prevention and Investigation Measures (TPIMs) with enhanced limitations and "location constraints" to mitigate the threat posed by those aspiring to join

³⁹ U.S. House Committee on Homeland Security, *With Threats to U.S. Homeland Increasing, Latham Urges Limiting Travel of Those Americans Seeking to Help ISIS & Terror Groups* (2014) (Tom Latham, House Appropriations Homeland Security Committee).

⁴⁰ Sakar Dibya, "Countries Need to Rehabilitate Islamic State Foreign Fighters, Special US Envoy Stresses," *Fierce Homeland Security*, June 4, 2015.

ISIL.⁴¹ Ostensibly, this strategy may have been the most successful to date when compared to other selected Western nations including Australia, Canada, France, and the United States given that it has not suffered any significant attacks since ISIL's major offensive in June 2014, despite having a population of 760 foreign fighters and an estimated 350 known or suspected returnees.⁴² Beyond the United Kingdom's approach, the Canadian government's response to the foreign fighter issue is probably the most important to consider because it appears that Canada's domestic counterterrorism policies may have already resulted in at least two acts of "redirected" terrorism involving two aspiring foreign fighters who in October 2014 chose instead to attack their homeland when prevented from traveling overseas; cases that are explored in greater detail in Chapter III.⁴³

In conclusion, a comprehensive review of current literature highlights a broad spectrum of studies from the public and private-sector focusing on the threat posed by ISIL, including detailed analyses of foreign fighters who have been drawn to the terrorist organization. The review also revealed a debate in the academic community over the significance of the foreign fighter returnee threat. This one element of the ISIL threat environment, however, is rarely explored in greater depth when it comes to cases of aspiring foreign fighters and merits greater research. Historical pieces and strategic overviews provide detail on the origins of ISIL, but a clear knowledge gap remains for understanding the phenomenon of redirected radicals, cases where these individuals elected to pursue violence on their home soil rather than overseas when prevented from traveling abroad, and the response actions taken by governments to mitigate this danger.

⁴¹ Nicholas Watt and Alan Travis, "New Powers to Tackle ISIS Threat: Cameron Says Measures Needed to Combat 'Greater and Deeper Threat to Security Than We Have Known,'" *The Guardian*, August 30, 2014.

⁴² Barret et al., *Foreign Fighters: An Updated Assessment of the Flow of Foreign Fighters into Syria and Iraq*.

⁴³ Noonan and Khalil, "North American Foreign Fighters."

III. CANADA'S FOREIGN FIGHTER CONUNDRUM

The phenomenon of individuals leaving their countries of residence to engage in foreign conflicts is not new. Canada and many other countries have experienced this for decades. However, the need to address the threat these extremist travelers pose both to home countries and to the countries to which they travel has become more pressing, with their participation in conflicts such as Syria, Somalia, Iraq, and Afghanistan.⁴⁴

~Public Report on the Terrorist Threat to Canada, 2014

For every individual that we prevent, every extremist that we prevent from going overseas to engage in extremist activity, is one more individual that we have to investigate closely because they're radicalized to the point that they want to leave.⁴⁵

~Jeff Yaworski, Deputy Director of Canadian Security
Intelligence Service, 2014

A. THE ISIL THREAT TO CANADA

The first nation to be explored in this comparative analytical study is Canada. This chapter provides a historic overview of the terrorism threat faced by Canada and the new challenges posed by ISIL. Two high-profile violent incidents carried out by ISIL-inspired extremists are reviewed in great detail to understand the approach and response actions of law enforcement and intelligence authorities in addressing this threat. Finally, this chapter reviews the unique judicial tool of peace bonds, which have been utilized in several terrorism-related cases over the last two years.

The U.S.' friendly neighbor to the north is not commonly associated with the thought of terrorism, and violent extremism is rarely a phrase that first comes to mind when thinking of the country. Despite this perception, the nation of Canada has

⁴⁴ Public Safety Canada, *2014 Public Report on the Terrorist Threat to Canada* (Ottawa, Canada, 2014), <http://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/2014-pblc-rpr-trrst-thrt/2014-pblc-rpr-trrst-thrt-eng.pdf>.

⁴⁵ Laura Payton, "Martin Couture-Rouleau Case Underscores Dilemma," CBC News, October 21, 2014, <http://www.cbc.ca/news/politics/martin-couture-rouleau-case-underscores-passport-seizure-dilemma-1.2807239>.

experienced its fair share of violent extremist attacks, including a history of hostility against civilians from an array of malevolent actors including domestic terrorists, militant Sikh extremists, and nationalist entities, such as the Quebec Liberation Front (QLF).⁴⁶ However, in the nearly 15 years since the attacks of September 11, 2001, where 26 of the fatalities were Canadian citizens, the threat of violent extremism inspired by foreign jihadist terrorist organizations has grown to become the primary concern among Canadian law enforcement and intelligence authorities.⁴⁷

The most recent public reporting indicates that the Canadian Security Intelligence Service (CSIS) has tracked an estimated 180 Canadian citizens who are currently believed to be engaged with foreign terrorist organizations in conflict zones worldwide, including Iraq and Syria.⁴⁸ While these individuals bolster the often-discussed threat of foreign fighters overseas, a principal investigative priority for the Canadian government is at least 60 persons with previous foreign travel and potential contact with terrorist entities who have returned home to Canadian soil.⁴⁹ The background, geographical origin, and extent of activities among this group of extremists are not homogenous, with some individuals reportedly involved in direct combat, training, financial support, propaganda dissemination, social media promotion, and plot development.⁵⁰ Further, those allured to ISIL are not distinguished by their sex, as evidenced by a subset of eight to 12 Canadian young women who have, according to Canadian government reports, traveled to Iraq and Syria to become “jihadist brides,” in some documented cases, even giving birth to children of members of the terrorist group.⁵¹

⁴⁶ Alan Gomez, “A Look at Terrorist Attacks in Canada,” *USA Today*, October 22, 2014, <http://www.usatoday.com/story/news/world/2014/10/22/canada-terrorism-history/17726259/>.

⁴⁷ The Canadian Press, “The Canadians Who Died in 9/11: List of Victims of the September 11 Terrorist Attacks,” *Huffington Post*, November 5, 2011, http://www.huffingtonpost.ca/2011/09/06/list-of-canadians-killed-911-sept-11-terrorist-attack_n_949877.html.

⁴⁸ Robert Fife, “Spy Agencies See Sharp Rise in Number of Canadians Involved in Terrorist Activities Abroad,” *The Globe and Mail*, February 23, 2016, <http://www.theglobeandmail.com/news/politics/sharp-rise-in-number-of-canadians-involved-in-terrorist-activities-abroad/article28864101/>.

⁴⁹ *Ibid.*

⁵⁰ *Ibid.*

⁵¹ Laura Stone, “Canadian Women in IS Territory Having Children with Fighters: Researchers,” *The Globe and Mail*, February 17, 2016, <http://www.theglobeandmail.com/news/politics/canadian-women-in-is-territory-having-children-with-fighters-researchers/article28778264/>.

Foreign fighter returnees and homegrown violent extremists understandably pose a serious concern for the Canadian government, as these individuals represent the most proximal near-term threat. Speaking to the prioritization of domestic ISIL extremists versus foreign fighters, Michel Couombe, the Director of CSIS, recently stated, “By talking about the number of people who are overseas, we are not thinking about people who are either prevented from traveling or have no intention of traveling but are here in Canada and are actually involved in threat-related activities.”⁵²

Couombe’s statement recognizes that foreign intelligence monitoring and kinetic military operations in ISIL-controlled territory may be the assumed route for combating foreign fighters overseas, but proactively mitigating the threat of aspiring foreign fighters and individuals on Canadian soil who have been radicalized, inspired, or otherwise supported by ISIL, demands an innovative intelligence-led response wielding effective judicial tools. Some of these measures are explored later in this chapter; however, it is important first to understand that manner in which the threat of aspiring foreign fighters who become redirected radicals in Canada has manifested to date.

B. CANADA IN THE CROSSHAIRS OF ISIL PROPAGANDA

On September 21, 2014, major Western media outlets widely covered a propaganda statement released by ISIL. While the terrorist organization had been regularly promulgating extremist material in prior months, the message of this 42-minute statement received an unusual degree of attention for a group that at the time was a new player to most Americans. The video release, which was also translated into English, featured Abu Muhammad al-Adnani, the chief spokesperson of ISIL, who has been reported to be one of the highest priority targets for the ongoing military campaign against the group.⁵³ In his remarks, al-Adnani directly threatened Western nations, including Canada, stating:

⁵² Stone, “Canadian Women in IS Territory Having Children with Fighters: Researchers.”

⁵³ “IS Spokesman Rallies Fighters Against U.S.-Led Coalition, Threatens Enemy and Calls Individual Muslims to Launch Attacks,” September 21, 2014, <https://ent.siteintelgroup.com/Multimedia/is-spokesman-rallies-fighters-against-u-s-led-coalition-threatens-enemy-and-calls-individual-muslims-to-launch-attacks.html>.

If you can kill a disbelieving American or European—especially the spiteful and filthy French—or an Australian, or a Canadian, or any other disbeliever from the disbelievers waging war, including the citizens of the countries that entered into a coalition against the Islamic State...kill him in any manner or way however it may be.⁵⁴

The statement did not go unnoticed by the Canadian government; the nation's conservative Prime Minister Stephen Harper directed his administration to issue a press release, which condemned al-Adnani's remarks while affirming the nation's commitment to multi-national military efforts to degrade and destroy the group overseas.⁵⁵ Despite these efforts, propaganda in the modern age of social media is a stubborn and resilient thing. Once the message is out, it spreads rapidly. In Canada's case, it would appear that al-Adnani's call for attacks may have fallen upon the ears of exactly the audience he had hoped it would find.

1. Martin Couture-Rouleau

Less than one month after al-Adnani's statement, on October 20, 2014, an ISIL sympathizer named Martin Couture-Rouleau deliberately rammed his vehicle into two Canadian Armed Forces (CAF) members in Quebec, killing one before he was ultimately shot and killed by responding authorities. Rouleau was a 25-year-old Canadian who reportedly converted to Islam in 2013 and went by the name "Ahmad the Converted" on social media.⁵⁶ It is important to note that his conversion to Islam before the attack provides little specific understanding of when he came to adhere to the violent extremist worldview espoused by ISIL.

The two targeted military servicemen were identified as Warrant Officer Patrice Vincent who succumbed to his wounds and an unnamed soldier who was injured but

⁵⁴ Helen Davidson, "ISIS Instructs Followers to Kill Australians and Other Disbelievers," *The Guardian*, September 23, 2014, <http://www.theguardian.com/world/2014/sep/23/islamic-state-followers-urged-to-launch-attacks-against-australians>.

⁵⁵ "Stephen Harper Condemns ISIS Audio Urging Attacks on Canadians," September 21, 2014, <http://www.cbc.ca/news/world/stephen-harper-condemns-isis-audio-urging-attacks-on-canadians-1.2773636>.

⁵⁶ Johnlee Varghese, "ISIS Radical Who Killed Canadian Soldier Converted to Islam to 'Create a Perfect World,'" *International Business Times*, October 22, 2014, <http://www.ibtimes.co.in/isis-radical-who-killed-canadian-soldier-converted-islam-create-perfect-world-611984>.

survived the assault.⁵⁷ The attack took place in broad daylight and involved the assailant, surveilling his target, a shopping center in Saint-Jean-sur-Richelieu, Quebec, for roughly two hours before driving his vehicle into the military members, one of whom was in uniform.⁵⁸ The shopping center was located proximal to a Quebec government office that provided services to military personnel.⁵⁹ Following the vehicle strike, Couture-Rouleau fled the scene and led responding authorities on a chase before he ultimately lost control of his car. It is possible that Couture-Rouleau planned to continue his attack, as reports stated that he exited his vehicle brandishing a large bowie knife before police at the scene opened fire on him and killed him.

Unfortunately, dead men tell no tales, and in the case of Couture-Rouleau, no public record exists of the exact motivation behind his attack. No martyrdom video. No statement of intent meant to be discovered by authorities after the incident. Given that the only fatality in this incident was a uniformed member of the Canadian armed services, and the assailant's attempt to target officers following the car chase, it stands to reason that Couture-Rouleau acted with the clearest intention of deliberately murdering military and law enforcement personnel, two of the three specific target sets advocated by ISIL's al-Adnani in his earlier propaganda release.⁶⁰

In the aftermath of Couture-Rouleau's actions, once the likelihood of terrorism became apparent, it was later revealed that the attacker had been under what one account described as "sporadic surveillance" by the Canadian government, with the implication that Couture-Rouleau was one of an estimated 130 individuals in Canada suspected of

⁵⁷ Varghese, "ISIS Radical Who Killed Canadian Soldier Converted to Islam to 'Create a Perfect World.'"

⁵⁸ "Martin Couture-Rouleau, Hit-and-Run Driver, Arrested by RCMP in July," October 21, 2014, <http://www.cbc.ca/news/canada/montreal/martin-couture-rouleau-hit-and-run-driver-arrested-by-rcmp-in-july-1.2807078>.

⁵⁹ "Chapter 2: Country Reports: Western Hemisphere Overview-Canada," 2014, <http://www.state.gov/j/ct/rls/crt/2014/239409.htm>.

⁶⁰ "NYPD FBI Issue Alert after ISIS Puts Out Video Calling for Attacks on Law Enforcement," January 12, 2015, <http://www.foxnews.com/us/2015/01/12/nypd-fbi-issue-alerts-after-isis-puts-out-video-calling-for-attacks-on-law.html>.

being involved or linked to terrorism.⁶¹ Official statements by the Royal Canadian Mounted Police (RCMP) also claimed that he was one of 90 people being monitored by the RCMP as part of 63 national security investigations, which were ongoing as of October 2014. However, no clarification or further detail was provided after the attack as to of what that monitoring consisted.⁶² Fully understanding the extent of this monitoring, as well as the actions and tools involved ranging from listening to communications, viewing publicly available social media activity, tracking via a Global Positioning System (GPS) device, or performing 24-hour-surveillance, etc., is vital in determining how this attack was able to occur.

A review of post-incident press reporting on Couture-Rouleau also revealed an interesting detail about his case. While a well-established precedent of homegrown violent extremist lone offenders being viewed as “unremarkable” persons with little if any criminal history exists, Couture-Rouleau’s case appears to demonstrate a counter-example to that line of thought.⁶³ He was not an unremarkable person in the sense that he was not an unknown entity to law enforcement and intelligence authorities in Canada. As discussed earlier, at least four months prior to carrying out his vehicular assault, Couture-Rouleau was the subject of a counterterrorism investigation.⁶⁴ The RCMP was made aware of suspicious radical content on his Facebook and Twitter page, including the image of the black Shahada (Islamic declaration of faith) flag that has been coopted by ISIL, which along with other extremist postings, led authorities to determine that he was an aspiring foreign fighter, intent on traveling overseas to join a terrorist organization.⁶⁵

⁶¹ “Losing Your Immunity,” October 25, 2014, <http://www.economist.com/news/americas/21627692-attacks-soldiers-mainly-tranquil-land-stir-talk-global-action-against-terror-losing>.

⁶² Payton, “Martin Couture-Rouleau Case Underscores Dilemma.”

⁶³ Mitchell Silber and Arvin Bhatt, *Radicalization in the West: The Homegrown Threat* (New York: New York City Police Department, 2007), <https://www.brennancenter.org/sites/default/files/legacy/Justice/20070816.NYPD.Radicalization.in.the.West.pdf>.

⁶⁴ Steven Chase and Tu Thanh Ha, “Suspect in Quebec Attack Was Arrested by RCMP This Summer,” *The Globe and Mail*, October 22, 2014, <http://www.theglobeandmail.com/news/national/quebec-hit-and-run/article21187200/>.

⁶⁵ *Ibid.*

In July 2014, the RCMP arrested him at Montreal-Pierre Elliott Trudeau International Airport as he prepared to board a flight to Turkey.⁶⁶ Following his arrest, Rouleau was reportedly listed as a “high-risk traveler,” and had his passport revoked, an action of which he was made aware. Lacking sufficient evidence, Canadian authorities did not charge Couture-Rouleau with any terrorism-related crimes, and although it appears that authorities did keep tabs on him periodically, including a meeting with police on October 9, 2014, he was not the subject of constant surveillance.⁶⁷ During this meeting, RCMP authorities claimed that the discussion was “very positive” without any observable indicators that Couture-Rouleau was considering an imminent act of violence.⁶⁸ This discussion may indicate an effort on his part to deceive authorities deliberately who he knew were already aware of his extremist leanings. Alternative efforts by Canadian law enforcement included attempts to get Couture-Rouleau’s parents and a local religious leader to speak with him.⁶⁹ The important element of this approach is that in the absence of being able to charge the known terrorism suspect, the law enforcement strategy in practice was designed to wait and contain rather than to monitor continuously and interdict.

Although authorities initially determined that Couture-Rouleau was not connected to any other terrorists, a Canadian teenager from Montreal who was convicted on terrorism-related charges in December 2015 was found to be in contact with the attacker via Twitter before the assault.⁷⁰ Additionally, in Couture-Rouleau’s case, Canadian media reports claim he was embroiled in a child custody case with his ex-wife who was seeking to prevent him from seeing his child reportedly because he converted to Islam, although no reports indicate that he openly advocated violence. Financial circumstances

⁶⁶ Chase and Ha, “Suspect in Quebec Attack Was Arrested by RCMP This Summer.”

⁶⁷ Ibid.

⁶⁸ Ibid.

⁶⁹ QMI Agency, “No Indication Radicalized Quebec Man Was Violent, Lawyer Says,” *Winnipeg Sun*, October 22, 2014, <http://www.winnipegsun.com/2014/10/22/no-indication-radicalized-quebec-man-was-violent-lawyer-says>.

⁷⁰ “West Island Teen Gets 3 Year Sentence on Terrorism-Related Charges,” April 6, 2016, <http://montreal.ctvnews.ca/west-island-teen-gets-3-year-sentence-on-terrorism-related-charges-1.2847761>.

may have played a role in his decision to conduct the assault, as he had reportedly declared bankruptcy seven months prior to the attack.

Numerous Canadian government officials condemned the attack, and some, including the nation's Foreign Affairs Minister, went so far as to claim that that law enforcement officials could have done nothing to prevent the deadly operation; but is this statement accurate? Extensive continuous surveillance, while costly and time consuming, could potentially have picked up on unusual activity by Rouleau, specifically when he was performing hostile per-operational surveillance on the Canadian service members. The decision to pull his passport after being arrested in July 2014 may have also been an action, which at the very least, if done covertly, could have not made the individual feel that he was trapped in a country against which he had so clearly become radicalized. Finally, as some law enforcement leaders have claimed, inadequate budgetary funding for the nation's intelligence collectors and analytical entities likely forced a prioritization for individuals with clear and demonstrated indicators of imminent violent action rather than the more subtle signs apparent in Couture-Rouleau's case.

2. Michael Zehaf-Bibeau

Only two days later, another extremist espousing ISIL's ideology named Michael Zehaf-Bibeau staged an attack in Ottawa, opening fire at the Canadian National War Memorial where he killed one soldier before continuing his shooting rampage in the Parliament building nearby. Although armed with a rifle rather than a vehicle and a knife, the 32-year-old Canadian and Libyan dual citizen began his attack in a similar fashion to Couture-Rouleau, deliberately targeting a uniformed Canadian Armed Forces Corporal named Nathan Cirillo who was guarding the monument.⁷¹

Another shared element has emerged in Bibeau's case. On October 2, 2014, he visited the Libyan embassy in Ottawa to renew his passport, which had been issued in

⁷¹ Erika Tucker, "Soldier Killed in What Harper Calls 'Terrorist' Attack in Ottawa," *Global News*, October 22, 2014, <http://www.macleans.ca/news/canada/michael-zehaf-bibeau-addict-drifter-walking-contradiction/>.

2000 but expired while he was in Canada.⁷² A government official working at the Libyan embassy observed some general suspicious behaviors exhibited by Zehaf-Bibeau, mostly things being somewhat off about his attire and mannerisms but nothing outwardly indicative of extremism or violence.⁷³ Reports also stated that his personal identifying information had some suspicious irregularities. The most significant was that his Canadian driver's license listed him as "Michael" rather than his name, Abdel, which appeared on his original Libyan passport.⁷⁴ Due to these irregularities, it appears that Zehaf-Bibeau's name was forwarded to Canadian authorities, although the extent of that information and any follow-up action remains unclear.

Zehaf-Bibeau had previously traveled to Libya where he had family connections and had an explicit desire to return to the country, purportedly because he had family there. However, given the aforementioned issues, the Libyan embassy elected not to renew his passport at the time of his visit. This action, which effectively prevented him from traveling with Libyan documentation, was the exact opposite of what he had hoped for when he entered the embassy. Personnel at the diplomatic building informed him that it would take at least three to four weeks to move forward with his application, a position that he opposed. The RCMP's Commissioner, Bob Paulson, publicly stated that Zehaf-Bibeau was in the process of applying for a Canadian passport as well.⁷⁵

Also like Couture-Rouleau, Zehaf-Bibeau was not an unremarkable figure; he was a known entity to Canadian law enforcement with an extensive criminal background including multiple arrests in Quebec and Vancouver for various illegal drug charges, robbery, and other crimes.⁷⁶ In the days after the attack, conflicting accounts state that

⁷² Robyn Doolittle and Patrick White, "Ottawa Gunman Sought Libyan Passport Three Weeks before Attack," *The Globe and Mail*, October 24, 2014, <http://www.theglobeandmail.com/news/national/ottawa-gunman-sought-libyan-passport-three-weeks-before-attack/article21287097/>.

⁷³ Ibid.

⁷⁴ Ibid.

⁷⁵ "Ottawa Shooting: Michael Zehaf-Bibeau Wanted Libyan Passport," October 24, 2014, <http://www.cbc.ca/news/politics/ottawa-shooting-michael-zehaf-bibeau-wanted-libyan-passport-1.2811768>.

⁷⁶ Frances Perraudin and Lauren Gambino, "Ottawa Shooting Suspect Michael Zehaf-Bibeau: What Do We Know?" *The Guardian*, October 23, 2014, <http://www.theguardian.com/world/2014/oct/23/ottawa-shooting-suspect-michael-zehaf-bibeau-canada-parliament>.

Zehaf-Bibeau was also designated a “high-risk traveler,” although Canadian authorities discredited those claims. Although Zehaf-Bibeau clearly was not considered an imminent threat to Canadian national security, a distinct possibility existed that he had, on some lower level, triggered concerns about his potential extremism within the Canadian intelligence and law enforcement community. One of the most revealing details in this case is that residents at a shelter where the attacker stayed at in the days leading up to the shooting reportedly claimed that Zehaf-Bibeau believed that his ability to travel freely was limited and that he was on a no-fly list.⁷⁷

In the week following the terrorist attack in Ottawa, Zehaf-Bibeau’s mother published a letter that aimed to portray her son’s deadly actions as those of a person afflicted with mental illness rather than a methodical member of ISIL. Beyond the emotional depiction of an estranged mother’s loss, the letter also shed some light on Zehaf-Bibeau’s difficult experience obtaining travel paperwork. She specifically wrote of his passport application continuously “being held up,” implying a greater degree of scrutiny and difficulty in the handling of his Canadian passport than was previously discussed by the RCMP.⁷⁸ The words she used to describe why her son acted so violently were even more telling: “He was mad and felt *trapped* so the only way out was death.”⁷⁹

3. Canada’s Response

Although the deadly assaults by Martin-Couture Rouleau and Michael Zehaf-Bibeau were not connected, the attacks were the first successful ISIL-related terrorist operations to target Canadian soil directly since the emergence of the group and the first Canadian deaths from violent jihadist extremism since September 11, 2001. Furthermore, the proximity of Zehaf Bibeau’s operation in Ottawa, which put the lives of Canadian government leaders in peril, appears to have left a deep mark on the Canadian

⁷⁷ Michael Friscolanti, “Uncovering a Killer: Addict, Drifter, Walking Contradiction,” *Macleans*, October 30, 2014, <http://www.macleans.ca/news/canada/michael-zehaf-bibeau-addict-drifter-walking-contradiction/>.

⁷⁸ Douglas Quan, “Ottawa Shooting by Michael Zehaf-Bibeau Was ‘Last Desperate Act’ of a Mentally Ill Person, His Mother Writes,” *The National Post*, October 25, 2014, <http://news.nationalpost.com/news/canada/michael-zehaf-bibeau-mother-says-killing-was-last-desperate-act-of-a-mentally-ill-person>.

⁷⁹ *Ibid.*

government and motivated an increasingly aggressive prosecutorial approach with a greater willingness to combat terrorism in Canada with unconventional judicial measures.

4. Peace Bonds

In the nearly 15 years since the 9/11 attacks, the United States and Canada have responded to terrorism in different ways. In several areas, it appears that the Canadian government has had to play catch up in developing an effective organizational infrastructure able both to collect and analyze threat intelligence while coordinating with law enforcement agencies the resources necessary to take action against known or suspected violent extremists. For example, prior to the recently authorized Anti-Terrorism Act, which was passed in June 2015, the CSIS was essentially a disseminating organization, responsible for liaising and connecting intelligence partners without being legally empowered to take action. The new law now allows the country to take meaningful disruptive actions against terrorism suspects including limitations on an individual's travel, finances, and communications.⁸⁰ The escalated use of new judicial tools also appears to be a reaction to the two October 2014 attacks indicating the newfound emphasis within the Canadian government on countering possible threats with disruptive actions well before a typical attack plotting cycle begins.

Given the emergence of ISIL-related terrorist activities in Canada over the last two years, the government, specifically the Public Prosecution Service of Canada (PPSC), has taken several unprecedented steps in dealing with suspected sympathizers of the terrorist organization while on Canadian soil. These actions, however, have been based on a strategy of proactive action and prevention based on inchoate acts; prior to individuals traveling overseas to join and train with ISIL or taking other actions to further domestic attack plots.

One measure, which has increasingly been utilized by the Canadian courts, is a rather unusual tool known as a "peace bond" preventatively to limit a suspected extremist's activities. These tools are not without controversy and have been heavily

⁸⁰ Peter Zimonjic, "CSIS Using New Powers to Disrupt Terrorists since Bill C-51 Became Law," CBC News, February 23, 2016, <http://www.cbc.ca/news/politics/c51-law-disrupt-power-1.3460613>.

criticized by civil rights activists, some of whom view the measures as unduly “invasive strictures.”⁸¹ The concern is understandable, as the very concept of punishment, in any form and regardless of its severity, prior to a crime actually taking place has long placed a heavy burden of proof on law enforcement and intelligence agencies. Potentially as a nominal response to this concern, the Canadian government regularly refers to peace bonds, which are legally authorized under section 810.01 of the Canadian Criminal Code, as “preventative measures” rather than criminal charges.⁸²

Under the newly passed Bill C-51, a major piece of counterterrorism legislation ushered in by Canada’s former conservative government that has been the focus of intense debate over the last year, peace bonds were significantly impacted. Specifically, the new law moved to lower substantially the legal threshold necessary to request the implementation of a peace bond, moving from the criterion of certainty—the fear or suspicion that a person *will* commit a terrorism-related offense—to the criterion of determined possibility that they *may* commit a terrorism-related offense.⁸³ It may seem like a minimal change in the semantic text of the law, but it has the potential to have a sweeping effect on the frequency with which these bonds can be requested to the point where this legal tool now appears to be regularly used as an initial option during a counterterrorism investigation, rather than a last resort. Another semantic change of note in the legislation is that under the updated Criminal Code’s “fear of terrorism offense” statute, terrorist suspects may be arrested if the act of detaining an individual is determined to be *likely* rather than *necessary* to prevent violent extremist activity.⁸⁴

⁸¹ Kent Roach and Craig Forces. “Why Stripping Citizenship is a Weak Tool to Fight Terrorism,” *The Globe and Mail*, March 3, 2016, <http://www.theglobeandmail.com/opinion/why-stripping-citizenship-is-a-weak-tool-to-fight-terrorism/article29003409/>.

⁸² Michael MacDonald, “Peace Bonds Rarely Used in Canadian Terrorism Cases: Experts,” *Huffington Post*, March 25, 2015, http://www.huffingtonpost.ca/2015/03/25/peace-bonds-in-terrorism-_n_6942428.html.

⁸³ The Canadian Bar Association, *Bill C-51, Anti-Terrorism Act, 2015 Executive Summary* (Ottawa, Canada: The Canadian Bar Association, 2015), 4–5, <http://iclmg.ca/wp-content/uploads/sites/37/2015/03/15-15-eng-Executive-Summary.pdf>.

⁸⁴ Azeezah Kanji, “The Danger of Preventative Counter-Terrorism Powers,” *The Toronto Star*, April 6, 2016, <http://www.thestar.com/opinion/commentary/2016/04/06/the-danger-of-preventive-counter-terrorism-powers.html>.

The duration of peace bonds was also expanded from a maximum of two years to five years. Violation of the terms of the peace bonds may now automatically result in imprisonment of up to four years in prison.⁸⁵

Despite the ostensibly lower threshold for evidence collection when compared to a counterterrorism trial in the United States, the issuance of a peace bond under Canadian law is not arbitrary and the process is not taken lightly. Similar to the United States, the filing of terrorism-related legal measures is complex and requires multiple levels of official approval. Peace bonds require an intelligence or law enforcement lead for the initial request, followed by the consent and approval of the nation's Attorney General, and ultimately, the authorization of a provincial court judge to be implemented fully.⁸⁶

a. A Peace Bond in Action—Merouane Ghalmi

The simple fact is that peace bonds are a highly uncommon judicial tool, and as such, virtually every time they have been implemented in terrorism matters has been a high-profile development in Canada, generating justifiable public concern. Peace bonds offer the opportunity for the accused essentially to accept less severe, but by no means insignificant, limitations on their freedom for a temporary period of time. As opposed to a standard court process in the United States or a plea bargain where evidence of criminal activity is presented, the individuals accused willingly must agree to adhere to the peace bond based on unproven suspicion rather than go to trial facing imprisonment and a lifelong criminal record. Peace bonds were initially not the purview of terrorism and were mostly used in domestic violence and gang-related cases.⁸⁷ Under fear of facing far more severe criminal penalties, suspected violent extremists living in Canada have at several times, in high-profile “pre-crime” cases, been offered peace bonds as a form of plea-bargaining.

⁸⁵ Justin Ling, “New Powers to Combat Terrorism,” *CBA ABC National*, January 2014, <http://nationalmagazine.ca/Articles/January-2014/New-powers-to-combat-terrorism.asp>.

⁸⁶ Craig Forcese, “Antiterror Peace Bonds in a Nutshell,” *National Security Law*, April 1, 2016, <http://craigforcese.squarespace.com/national-security-law-blog/2016/4/1/antiterror-peace-bonds-in-a-nutshell.html>.

⁸⁷ *Ibid.*

The first terrorism-related peace bond linked to an individual suspected of being an ISIL sympathizer was signed in Quebec in March 2015, and since that time, they have been implemented on at least 10 occasions.⁸⁸

The case of Merouane Ghalmi, a 22-year-old male from Montreal, offers one example of how a peace bond is implemented and what the consequences are in an ISIL case. Following an investigation, which led Canadian intelligence and law enforcement authorities to believe that Ghalmi may commit a terrorism offense, he was offered the opportunity to sign a peace bond. Ghalmi ultimately decided to do so, and as a result, his movements were heavily restricted and he was willingly subject to and aware of continuing government surveillance. By agreeing to the terms of the peace bond, Ghalmi was also fully prohibited from travel, required to hand over his passport, and was banned from communication with anyone in Syria or any individuals known or suspected to be linked to terrorists.

Ghalmi was also barred from consulting or researching extremist materials for political violence or religious radicalism. Further, he was ordered to wear a GPS tracking device and submit passwords to all electronic devices to the RCMP's Integrated National Security Enforcement Team (INSET). Finally, for a period of 12 months, Ghalmi was prohibited from having a cellphone or making any contact with individuals with criminal records.⁸⁹

b. When Peace Bonds Fail—Aaron Driver

In terms of cross applicability for the United States, the Canadian use of peace bonds appeared to have been initially effective for several months at preventing attacks on Canadian soil, as none of the known individuals subject to these agreed upon mobility restrictions carried out an act of violence against their home country.

⁸⁸ Staff, "Montreal Man Signs Peace Bond amid RCMP Terrorism Fears," *The Canadian Press*, March 27, 2015, <http://www.ctvnews.ca/canada/montreal-man-signs-peace-bond-amid-rcmp-terrorism-fears-1.2300373>.

⁸⁹ Sidhartha Banerjee, "Montreal Man Signs Peace Bond, Won't Communicate with Anyone in Syria," *CTV News Montreal*, March 27, 2015, <http://montreal.ctvnews.ca/montreal-man-signs-peace-bond-won-t-communicate-with-anyone-in-syria-1.2300404>.

This dynamic changed dramatically on August 10, 2016 in Strathroy, Canada, when the FBI alerted Canadian counterterrorism authorities to an apparent martyrdom video featuring an ISIL supporter masked in a balaclava speaking fluent English and threatening an imminent attack against the country.⁹⁰ RCMP authorities acted on this information, identified the individual, and rapidly responded to a residence where the suspect entered a taxi and quickly detonated an improvised explosive device when confronted by authorities.⁹¹ He and the taxi driver were injured in the blast, and police officers, reportedly faced with the threat of another IED, ultimately opened fire and killed the suspect.⁹² The individual responsible for that video and the device was identified as Aaron Driver, a 24-year-old Canadian citizen, born and raised in the country; he agreed to the terms of a peace bond in February 2015.⁹³

While the investigation into this case is ongoing, several troubling details have already become clear. Aaron Driver was a known extremist who had previously made public statements of support for ISIL attacks against Western nations, and most importantly, had expressed a desire to travel abroad to join the ranks of the terrorist organization.⁹⁴ These overt actions likely brought him to the attention of Canadian counterterrorism authorities who ultimately determined that requiring Driver to comply with the restrictions of a peace bond was the best approach toward mitigating his potential threat.

Driver's final intent is also clear. He constructed an improvised explosive device and prepared a martyrdom video, an act, which in and of itself, demonstrates his full

⁹⁰ Associated Press, "Dead Canada Attack Suspect Prepared Martyrdom Video," *New York Times*, August 11, 2016, http://www.nytimes.com/aponline/2016/08/10/world/ap-cn-canada-terror-threat.html?_r=0&module=ArrowsNav&contentCollection=World&action=keypress®ion=FixedLeft&pgtype=article.

⁹¹ Ian Austen, "Mounties Cite 'Race against Time' in Thwarting ISIS Supporter's Attack," *New York Times*, August 11, 2016, <http://www.nytimes.com/2016/08/12/world/americas/canada-police-kill-terror-suspect.html>.

⁹² John Rieti, "Aaron Driver Autopsy Shows RCMP Bullet Killed ISIS Sympathizer," CBC News, <http://www.cbc.ca/beta/news/canada/toronto/aaron-driver-autopsy-1.3722972>.

⁹³ Alex Migdal, Kat Eschner, and Andrea Woo, "Who Was Aaron Driver? The Latest Updates about the Man Killed After Standoff in Strathroy," *The Globe and Mail*, August 16, 2016, <http://www.theglobeandmail.com/news/national/who-is-aaron-driver-what-we-know-so-far-about-the-man-killed-by-rcmp-instrathroy/article31374573/>.

⁹⁴ *Ibid.*

commitment and willingness to die in the operation he planned to carry out. Canadian media reports claimed that Driver sought to conduct a suicide bombing in a crowded urban public area, with the aim of causing a massive loss of life.⁹⁵

The most concerning elements in this case involve the specific details of Driver's peace bond limitations. Driver was not under 24-hour surveillance and his initial order to wear a GPS monitoring bracelet was withdrawn. While he was prohibited from operating a mobile device or a computer, he was only required to check in with authorities in person once during the middle, and again, at the end of every month.⁹⁶

Aaron Driver was killed while in possession of an explosive device, which means that despite being subject to a peace bond, he was able to acquire the precursor materials necessary to build a bomb. The terrorist plot that he sought to conduct was indeed prevented, but at the very latest stage possible, and at potential severe risk to the lives of police officers and civilians in the surrounding community. It is clear that, in this case, movement and behavioral limitations enforced by a peace bond were present; however, the requirement and mechanisms necessary for the continuous monitoring of a known extremist with prior overt support for violence and a willingness to travel to a conflict zone, were not.

It is difficult to determine if the Canadian authorities would have been able to prevent this attack without receiving timely intelligence from its counterterrorism partners in the United States, but considering the apparent lack of consistent monitoring or contact with Driver, that worst case scenario appears likely. Aaron Driver was unable to travel to support ISIL abroad; in fact, item six on his peace bond agreement clearly stated that he was "not to apply for any passport from Canada or any other country."⁹⁷ The peace bond measures clearly never diminished his support for ISIL's extremist worldview; it only narrowed the available directions for him to channel it. Rather than being viewed positively as a prevented attack, this violent incident in Canada represents

⁹⁵ Migdal, Eschner, and Woo, "Who Was Aaron Driver? The Latest Updates about the Man Killed After Standoff in Strathroy."

⁹⁶ Ibid.

⁹⁷ Ibid.

the first documented case of a redirected radical who was subject to a peace bond and still committed an act of terrorism, raising serious doubts about the inherent dangers of this counterterrorism policy.

C. KEY TAKEAWAYS

This chapter began by examining the demonstrated threat to Canada posed by ISIL-inspired extremists based in the country and some of the response strategies employed by Canadian intelligence and law enforcement authorities to counter it. Over the last two years since ISIL began calling for attacks in the West, Canada has suffered at least three violent incidents, all carried out by individuals who had previously sought to travel overseas but were prevented from doing so. An analysis of these cases revealed significant factors for consideration to be observed in ISIL aspiring foreign fighter cases including suspicious social media behavior, passport revocation, or other difficulty obtaining travel documentation, and catalytic triggers, such as mental illness or family issues, or financial adversity. Finally, in response to potential future aspiring foreign fighters and redirected radicals, Canada has pursued traditional counterterrorism investigations and has employed the tactic of preventative detention through the use of peace bonds.

The judicial practice of peace bonds is relatively recent and the Canadian government will undoubtedly face new challenges as it looks to learn more and remedy shortfalls brought to light by the Aaron Driver case in particular. It is important that reviews focus on the issue of effectively monitoring suspects while subject to peace bonds and how best to minimize the serious security risks posed by extremists when the terms of these agreements expire.

As a function of Canada's peace bonds, those subject to one are officially required to surrender their passport to the government, effectively prohibiting the possibility of foreign travel. While this action all but guarantees that an ISIL sympathizer will never become a foreign fighter overseas, as the cases in this chapter have demonstrated, it potentially has the unintended consequence of creating trapped terrorists, dramatically increasing the likelihood that aspiring foreign fighters may be more inclined to redirect

their targeting and carry out an act of violence on their home soil. Peace bonds have been used against numerous terrorism suspects in Canada as barriers, impenetrable walls meant to keep an individual from becoming more dangerous through training overseas. Without adequate monitoring and follow-up investigation, however, these legal structures run the dangerous risk of serving as walls that aspiring foreign fighters can ricochet off of to become redirected radicals in their homeland.

IV. ISIL'S APPEAL TO AUSTRALIANS

We have to do more work on community engagement on those who had their passports taken. These are troubled young men who are highly frustrated and the fact is they can cause a lot of trouble by running someone over with a car or attacking them with a knife...if left unattended, these people will become ticking time bombs.

~Professor Greg Barton, Australia's Monash University
Global Terrorism Research Center⁹⁸

A. THE OUTBACK OUT FRONT ON TERRORISM

The next nation to be analyzed in this comparative study is Australia. Similar to the previous chapter, this portion of the thesis provides a background on Australia's experience with modern terrorism and its increasing concern with the threat posed by ISIL. Findings from several reports are provided in this chapter to understand the foreign fighter dynamic in Australia. A deep dive into the details of two domestic high-profile violent incidents and one foreign fighter case will highlight the manifestation of ISIL's threat to the nation. The chapter concludes with a description of several of the counterterrorism policies and laws enacted by Australia as part of its effort to combat ISIL on the homefront.

Much like its Commonwealth sister Canada, the former British colony of Australia has also weathered the storm of deadly terrorism in a variety of forms over its history. Examples of modern terrorism have included attacks with improvised explosive devices, small arms, targeted assassinations, firebombing, and other forms of politically motivated violence carried out by a range of religious extremists, foreign terrorist organizations, single-issue assailants, and neo-Nazi groups, to name a few.

Australia lost 10 of its citizens in the terrorist attacks of 9/11, more than in any prior act on its domestic soil, and Australians have been killed in numerous deadly

⁹⁸ Ian Lloyd Neubauer, "A Teenage Terrorism Suspect is Shot Dead in Australia after Attacking Police," *TIME*, September 24, 2014, <http://time.com/3423975/isis-australia-melbourne-police-terrorism-suspect-abdul-numan-haider/>.

operations elsewhere overseas.⁹⁹ The most devastating example of this threat was the October 2002 bombing carried out by Jemmah Islamiah (JI) in Bali, Indonesia. The explosive blasts, which targeted a heavily populated tourist area, left 88 Australians dead and remain the deadliest act of terrorism in the country's history.¹⁰⁰

Between 2003 and 2014, Australia was the target of at least four high-profile terrorist plots involving individuals linked to or inspired by al-Qa'ida, al-Shabaab, and other extremist organizations. In the post-9/11 era, Australia has emerged as a critical counterterrorism partner and has been an engaged participant in support of U.S.-led global counterterrorism efforts, playing a key role in the Global War on Terrorism combat theaters of Afghanistan and Iraq. The nation's history and Southeast Asian proximity have helped build it into a trusted, valuable intelligence ally, and a member of the "Five Eyes" intelligence sharing network, which includes Canada, New Zealand, the United States, and the United Kingdom.¹⁰¹

This non-isolationist approach to counterterrorism has come at a high cost. With this background of consistent targeting, it should come as no surprise that the nation of Australia has not gone unnoticed or unscathed with the emergence of ISIL and the changing threat environment it has created by inspiring or directing violence against the Western world. Rising to meet this challenge, Australia has taken an active role in conducting military operations against the terrorist organization, and in October 2014, former Prime Minister Tony Abbott authorized Australian air assets to carry out targeted strikes against the group in Iraq while deploying Special Forces troops as advisors in the country.¹⁰²

⁹⁹ Ron Sutton, "September 11: The Australian Stories," *SBS News*, September 8, 2011, <http://www.sbs.com.au/news/article/2011/09/08/40september-11-australian-stories>.

¹⁰⁰ AAP, "Terrorist Attacks on Civilians," *The Australian*, July 18, 2014, <http://www.theaustralian.com.au/news/latest-news/terrorist-attacks-on-civilians/news-story/1c114ea2df4a7ce570ab1c50fac6c318>.

¹⁰¹ Margaret Warner, "An Exclusive Club: The 5 Countries That Don't Spy on Each Other," *PBS*, October 25, 2013, <http://www.pbs.org/newshour/rundown/an-exclusive-club-the-five-countries-that-dont-spy-on-each-other/>.

¹⁰² Peter Terlato, "Abbott: 'Iraq Shouldn't Be Alone,' Air Strikes Ordered against 'Death Cult,'" *Business Insider*, October 3, 2014, <http://www.businessinsider.com.au/australia-will-conduct-air-strikes-against-isis-in-iraq-2014-10>.

B. AUSTRALIA'S FOREIGN FIGHTER EXPERIENCE

In 2014, media reports estimated that roughly 60 Australians were “fighting in the conflict in Syria and Iraq,” but the specifics of those figures, namely which terrorist groups or anti-Syrian regime rebel factions and other armed entities these individuals were a part of, remained a difficult question.¹⁰³ A later report appeared to expand and clarify that figure, arguing that 120 Australians were active in Syria and Iraq either fighting or otherwise engaged with terrorist organizations.¹⁰⁴ The specific usage of the term “terrorist organizations” is likely meant to exclude the outlying category of individuals who may have traveled to a conflict zone but without any intention of taking part in the conflict; such as volunteers for humanitarian aid groups, freelance journalists, refugee charities, etc.

Additionally, an estimated 100 Australians were believed to be working in support roles for extremist groups within Australia and 20 foreign fighters who had previously traveled to take part in overseas conflict were thought to have returned to Australia.¹⁰⁵ Those figures have changed somewhat over the course of the last two years and generally are not as well publicized as accounts of Western foreign fighters from Europe or the United States. The Soufan Group in late 2015 determined that Australia had 120 foreign fighters and claimed the number may unofficially be roughly 255 known to the government.¹⁰⁶ However, the latest findings, published by New America Foundation in March 2016, maintain that Australia has an official foreign fighter count of 110 and of its total foreign fighter population, 20 are believed to have been killed over the course of their fighting overseas.¹⁰⁷ While these figures are comparable to those seen in Canada and the United States, the number of aspiring foreign fighters and homegrown

¹⁰³ Hilary Whiteman, “Lone Wolf? Australian Police Shoot Dead Teen ‘Terror Suspect,’” *CNN*, September 25, 2014, <http://www.cnn.com/2014/09/24/world/asia/australia-terror-shooting-laws/>.

¹⁰⁴ Lisa Curtis et al., “Combatting the ISIS Foreign Fighter Pipeline: A Global Approach,” The Heritage Foundation, January 6, 2016, <http://www.heritage.org/research/reports/2016/01/combatting-the-isis-foreign-fighter-pipeline-a-global-approach>.

¹⁰⁵ *Ibid.*

¹⁰⁶ Barret et al., *Foreign Fighters: An Updated Assessment of the Flow of Foreign Fighters into Syria and Iraq*, 7.

¹⁰⁷ Bergen et al., *ISIS in the West: The Western Militant Flow to Syria and Iraq*.

violent extremists living within the country is doubtless more difficult to quantify; however, over the last two years, several high profile cases highlight the consistent presence and danger of these individuals.

1. Numan Haider

The earlier mentioned ISIL call for attacks by Abu Muhammad al-Adnani was not limited to Canada and its people. The threat was aimed at several Western countries involved in multinational efforts to combat terrorism, designed as a propaganda call for rapid retaliation against Western nations with whatever methods were available to ISIL supporters. Australia was no exception. About three days following the propaganda release, and roughly one month before the previously discussed terrorist attacks transpired on Canadian soil in Ottawa and Quebec, Australia suffered an assault by an ISIL-inspired homegrown violent extremist.

On September 23, 2014, an 18-year-old man named Numan Haider was contacted by Australian counterterrorism police officers and instructed to meet with them later in the day to discuss concerning reports about his behavior and possible connections to extremism.¹⁰⁸ In the evening, Haider arrived outside of a police station in the suburb of Endeavor Hills in the outskirts of Melbourne, Victoria, Australia. He sat on his vehicle, which was parked in a dark area near the station and was then approached by the two police officers, one from the Victoria Police and the other from the Australian Federal Police (AFP).¹⁰⁹ After a brief exchange, Haider pulled a knife out and slashed the Victoria Police officer across the arm. He then quickly turned to the AFP officer and proceeded to stab him in the face, neck, and chest. When the officer was down, he continued to stab him causing further wounds to his stomach. The first officer who was stabbed was able to recover and opened fire on Haider after he failed to drop his knife. Haider was shot in the head and killed. Both officers were seriously injured but survived.

¹⁰⁸ Melissa Davey, "Police Had No Choice but to Shoot Numan Haider, Inquest Hears," *The Guardian*, March 6, 2016, <http://www.theguardian.com/australia-news/2016/mar/07/police-had-no-choice-but-to-shoot-numan-haider-inquest-hears>.

¹⁰⁹ AAP, "Abdul Numan Haider Was 'Stabbing a Police Officer' When He Was Shot Dead," *The Guardian*, October 2, 2014, <http://www.theguardian.com/australia-news/2014/oct/03/abdul-numan-haider-stabbing-policeman-when-he-was-shot-dead-court-hears>.

His attack followed a significant counterterrorism arrest operation, one of Australia's largest, which disrupted a plot to behead a person in Sydney earlier in September.¹¹⁰ Although the exact motive for Haider's attack timing is difficult to determine, it is possible that this high-profile arrest may have played a role in accelerating his violent action either out of a desire for vengeance or a fear of meeting a similar fate.

Haider was not unknown to law enforcement authorities, and in the days preceding his attack, he took several actions, which undoubtedly raised suspicions and alarm.¹¹¹ Reports state that he made threats to the Australia's former Prime Minister Tony Abbott, posted numerous remarks and content on social media, which made clear his support for ISIL, and even went so far as to wave the black and white Shahada flag at a local shopping mall prior to his assault.

The content of his Facebook page was neither subtle nor covert when it came to expressing his solidarity with the terrorist organization. Shortly before the attack, he changed his profile picture on the platform to a photograph of himself wearing a black ski mask, dressed in camouflage, again in front of the Shahada flag. Dressing in this manner was likely meant to mimic the appearance of numerous fighters seen in ISIL propaganda videos.

As information was made public in the press following the attack, it became apparent that Haider, who sought to leave Australia, at least temporarily, could be considered a homegrown violent extremist and an aspiring foreign fighter, who had latched on to the ideology of ISIL. A government investigation into his death revealed that prior to conducting his attack, he applied for a passport in the hope of traveling abroad to Europe and Afghanistan with the goal of finding a spouse. It appears Haider was particularly eager to travel, as he opted to apply for an express passport application. Following a delay, Haider inquired with a passport office in Australia and was informed that his application was placed on hold. On September 21, Haider was officially notified

¹¹⁰ Prosecutors, "IS Planned Beheading in Australia, PM Says," *Sky News*, September 18, 2014, <http://news.sky.com/story/1337718/is-planned-beheading-in-australia-pm-says>.

¹¹¹ "Australia Shooting: Teen Was 'Known Terror Suspect,'" September 24, 2014, <http://www.bbc.com/news/world-asia-29339120>.

that his passport was cancelled. Officially, the Australian Secret Intelligence Organization (ASIO) had taken the preventative action in mid-September due to national security concerns associated with him.

Haider was not the only figure of concern within Australia who had potential travel plans to link up with ISIL. Media reports from September 2014, during the time when the attack took place, estimated that approximately 40 to 60 people had their passports cancelled around the same time as Haider as part of an apparent counterterrorism initiative preemptively aimed at people who were at risk of joining ISIL in Syria and Iraq.¹¹² The fact that less than two days after he became aware of this action, Haider became even more overt in his ISIL support actions, almost guaranteeing an interaction with law enforcement personnel, raises the question of whether he planned and anticipated being summoned by police. Again, as with numerous other cases highlighted so far, the knowledge of his inability to travel likely shortened his fuse and lowered his threshold for acceptable violence against his home country. When prevented from becoming a martyr for ISIL abroad, he chose to die for the cause of the group in his own backyard.

2. Jake Bilardi

On March 11, 2015, a suicide bombing occurred in Ramadi, Iraq. According to reports from the Iraqi military, the bombing was unsuccessful, resulting only in the death of the individual driving the vehicle. Some accounts were conflicting, which maintained that this one bombing was actually part of a wave of 21 strikes that left 10 people dead and 30 injured.¹¹³ Occurrences of this sort have unfortunately occurred with tragic frequency throughout Iraq and Syria as a consequence of ISIL's rise throughout the region. Regularly, a low-to-no casualty incident, such as this bombing, would not garner a significant amount of media coverage or the attention of government officials beyond

¹¹² Neubauer, "A Teenage Terrorism Suspect is Shot Dead in Australia after Attacking Police."

¹¹³ Michael Safi, "Exclusive: Blog Shows Australian Teen Reported Dead in Iraq Suicide Attack Had Planned Bombings in Melbourne," *The Guardian*, March 11, 2015, <http://www.theguardian.com/world/2015/mar/12/exclusive-blog-shows-australian-teen-reported-dead-in-iraq-suicide-attack-had-planned-bombings-in-melbourne>.

the immediate area. However, one element of this attack was unusual, an outlier that quickly brought it to the forefront of news outlets worldwide. The individual driving the vehicle-borne improvised explosive device was an 18-year-old man from Australia named Jake Bilardi.

Numerous photographs of Bilardi show a young pale-skinned, long-haired boy, an ordinary Australian with the important exception of him holding an Avtomat Kalashnikova (AK-47) assault rifle in front of the black banners of ISIL while living in Iraq.¹¹⁴ Bilardi was born in Australia and went by the name Abu Abdullah al-Australi, a nom de guerre that incorporates his home country. The unfortunate end that befell Bilardi is not uncommon among Western fighters. A longstanding belief tends to be held that when Western foreign fighters who ultimately make the journey and are successful in reaching Iraq and Syria arrive, they are quickly trained and are then sent home to carry out stabbings, gunfire assaults, bombings, or other complex attacks in their countries. Nonetheless, the reality offers a contrary endgame. Often, these foreign fighters have a unique skillset that may not be viewed as being anything all that extraordinary in their home countries, but is valuable in a conflict zone, such as media production or even driving experience. These skillsets on one hand may make their lives more valuable and decrease the likelihood that they will be quickly repurposed for attacks without first serving ISIL in other ways. A significant number of Western foreign fighters have also died in combat with ISIL, either in fighting with warring armed factions or targeted coalition airstrikes.

While much is known about what took place when Bilardi left Australia, it was only after his death that details of what could have happened if he had stayed were revealed. Bilardi published a lengthy series of writings online, documenting his story and

¹¹⁴ Cindy Tran, "All Fun and Games until They Put the Vest on You," *Daily Mail*, December 1, 2015, <http://www.dailymail.co.uk/news/article-3341167/Jihadi-Jake-Bilardi-pictured-ISIL-fighters-smirking-poses-assault-rifle.html>.

his path to ISIL from his life in Melbourne, Australia, where he left in 2014.¹¹⁵ In his 4,400-word manifesto entitled “From Melbourne to Ramadi: My Journey,” Bilardi states:

Fearing possible attempts by the increasingly intrusive authorities in Australia to prevent my departure I began drawing up a Plan B. This plan involved launching a string of bombings across Melbourne, targeting foreign consulates and political/military targets as well as grenade and knife attacks on shopping centers and cafes and culminating with myself detonating a belt of explosives amongst the kuffar.¹¹⁶

Plan B was apparently in effect after Bilardi had an earlier failed attempt to travel to link up with ISIL. Australian authorities discovered several improvised explosive devices in various stages of assembly at his family’s home in Melbourne.¹¹⁷ Based on a review of both Bilardi’s blog, social media accounts, and open-source news coverage, it appears that he left Australia in August 2014, likely traveling to Turkey before linking up with the group in Syria.¹¹⁸ Australian Foreign Minister Julie Bishop publicly acknowledged that the Australian government was attempting to monitor his movements after being notified by his family that he had left the country and traveled to the conflict zone.¹¹⁹ In October 2014, the Australian government officially canceled his passport.¹²⁰

Bilardi’s case ultimately raises a strong moral policy issue and highlights the complexity emerging in many cases of homegrown violent extremists and ISIL’s aspiring foreign fighters. Governments have an inherent moral obligation to protect the lives of their citizens, even those who become entangled in the web of ISIL’s violent extremist worldview that may potentially pose a threat to others. For this reason, governments

¹¹⁵ Michael Bachelard, “Jake Bilardi, Reportedly Killed in Islamic State Suicide Bombing, Planned to Attack Melbourne, Blog Says,” *The Sydney Morning Herald*, March 12, 2015, <http://www.smh.com.au/world/jake-bilardi-reportedly-killed-in-islamic-state-suicide-bombing-planned-to-attack-melbourne-blog-says-20150311-141u9d>.

¹¹⁶ Ibid.

¹¹⁷ Ibid.

¹¹⁸ Safi, “Exclusive: Blog Shows Australian Teen Reported Dead in Iraq Suicide Attack had Planned Bombings in Melbourne.”

¹¹⁹ Jonathan Pearlman, “Australian Teenage ‘White Jihadi’ Left Stash of Explosives in His Home, *The Telegraph*, March 12, 2015, <http://www.telegraph.co.uk/news/worldnews/islamic-state/11466195/Australian-teenager-dies-in-Isis-suicide-attack-in-Ramadi.html>.

¹²⁰ Ibid.

increasingly invest significant resources in all manner of countering violent extremism and deraadicalization programs for those susceptible to ISIL's poisonous ideology. Individuals liking ISIL on Facebook, and stating how much they want to die as a martyr in Syria, does not give intelligence and law enforcement authorities a pass at taking every possible action to prevent that fate. If individuals are on the low end of the radicalization spectrum, it may be tempting to adopt a laissez-faire mindset about foreign travel, believing that authorities can wash their hands of responsibility once an extremist exits their borders and enters a conflict zone where they are likely to be killed. At the same time, this approach is pernicious because governments that willingly permit their citizens to support a terrorist organization by traveling abroad are, through inaction, knowingly aiding these extremist groups and allowing would be bombers to blow up overseas rather than at home. Facilitating the movement of foreign recruits to an ISIL conflict zone by not taking preventative law enforcement action through arrests or other measures could be considered tantamount to providing material support for terrorism, an act outlawed in virtually all Western nations.

Bilardi's case highlights the complexity and difficulty of this foreign fighter problem. He hoped to travel overseas and fight for ISIL. He hoped to die in combat for the group if the opportunity presented itself and went so far as to volunteer to become a suicide bomber. The Australian government remained committed to preventing his ability to travel to a foreign conflict zone by revoking his passport, but failed to do so before he was able to reach his destination successfully with the terrorist group. Paradoxically, given what is now known about Bilardi's "Plan B," the Australian government's inability to cancel his passport two months earlier appears to actually be the single greatest factor that prevented a deadly attack from taking place on the country's soil.

3. Man Haron Monis

So far, all the cases of homegrown violent extremist attacks in Australia by ISIL-inspired individuals have involved low-tech tactics, assaults with small arms, and edged weapons that require little-to-no tactical training to reap deadly results. However, the Australian experience is not limited to these incidents, and in one case, the attention of

the world was centered on a prolonged high-profile attack that appeared to show greater pre-meditation and had the potential for mass casualties.

During the morning of December 15, 2014, Man Haron Monis entered a Lindt Chocolate Café located in Sydney's central business district. Armed with a shotgun, the gunman held at least 18 people hostage. The hostage siege, coming on the heels of a string of domestic attacks in the West, was initially speculated in media reporting to be a terrorist attack, and shortly after it began, these early rumors were confirmed when a hostage was photographed while being forced to hold the black and white standard flag bearing the Islamic Shahada.

For nearly 17 hours, Monis held his hostages captive with the threat of executing those who tried to escape.¹²¹ The attack demonstrated elements of prolonged theatricality and spectacle designed to maximize media attention in contrast to the trend of the smaller scale previous attacks. Monis' actions were meant to show his adherence to the ideology of and affiliation with ISIL. At no point was this act clearer than when he made one of his demands, for the Australian Broadcasting Corporation (ABC) to publish reports that the nation was "under attack by the Islamic State."¹²² This action was one of several demands made by Monis who also told authorities that he wanted to speak to Australian Prime Minister Tony Abbott and demanded that officials cut the power to Christmas lights in Martin Place, a popular commercial district where the attack occurred.¹²³

Ultimately, following hours of unsuccessful negotiations with Monis, counterterrorism authorities decided to storm the café with the New South Wales Police Force's tactical operations unit at approximately 2:13 a.m. on December 16, after the gunman executed a kneeling female hostage, shooting her in the back of the head at

¹²¹ Adam Dolnik, "From Sydney to Paris: The Return of Terrorist Barricade Hostage Incidents?" Combating Terrorism Center at West Point, January 20, 2015, <https://www.ctc.usma.edu/posts/from-sydney-to-paris-the-return-of-terrorist-barricade-hostage-incidents>.

¹²² Krystal Johnson and Chris Reason, "Never-Before-Seen Images Inside Lindt Siege Negotiation Room," *7 News*, May 31, 2016, <https://au.news.yahoo.com/a/31733361/never-before-seen-images-inside-sydney-siege-negotiation-room/>.

¹²³ Jamelle Wells, "Sydney Siege Inquest: Lindt Café Hostage Angry at Police Negotiator's Response to Gunman's Demands," *ABC*, April 5, 2016, <http://www.abc.net.au/news/2016-04-05/sydney-siege-host-age-marcia-mikhael-angry-tony-abbott-comment/7300574>.

point-blank range.¹²⁴ An additional civilian lost her life in the crossfire from officers who shot and killed the hostage taker.¹²⁵

As with several of the cases discussed so far, Monis could be considered what counterterrorism analyst Patrick Poole and staff analysts from private-sector intelligence firms have referred to as a “known wolf,” an individual who had long been on the radar of Australian and American authorities for his well-publicized extremist beliefs and actions.¹²⁶ To say that Monis was a known element to authorities would be a major understatement. The Iranian-born Shi’ite Muslim, who had only recently converted to Sunni Islam and adopted a worldview supportive of ISIL, had numerous encounters with law enforcement dating back to 2009 where he overtly showed indicators of his growing extremism. Perhaps, the most notable and high-profile of these incidents came when he was found guilty of using postal services in a criminal manner to harass the families of Australian soldiers killed in Afghanistan.¹²⁷ Additionally, the 50-year-old Monis was charged with accessory to murder in the death of his former wife and faced charges for over 40 counts of sexual assault and other crimes.¹²⁸

His extremist indicators do not appear to have slowed or ceased in the time immediately preceding his attack, and the Australian government confirmed after the hostage siege that at least one person had called the nation’s counterterrorism hotline anonymously to file a suspicious activity report about Monis for pro-ISIL content posted

¹²⁴ Thomas Crystal, “2014 Sydney Hostage Crisis: Police Feared Man Monis Had Agent in Lindt Café,” *The Australian*, May 12, 2016, <http://www.theaustralian.com.au/news/nation/2014-sydney-hostage-crisis-police-feared-man-monis-had-agent-in-lindt-cafe/news-story/5daf0b5dd891e239607ab7799ad79b1a>.

¹²⁵ Australian Associated Press, “Sydney Siege: Primary Police Negotiator Had No Experience in Hostage Situations,” *The Guardian*, May 30, 2016, <http://www.theguardian.com/australia-news/2016/may/30/sydney-siege-primary-police-negotiator-had-only-role-played>.

¹²⁶ Kyle Shideler, “A Known Wolf” and the Black Flag,” Center for Security Policy, December 15, 2014, <http://www.centerforsecuritypolicy.org/2014/12/15/a-known-wolf-and-the-black-flag/>; “TSG Intel Brief, The Known Wolves of Terror,” January 16, 2016, <http://soufangroup.com/tsg-intelbrief-the-known-wolves-of-terror/>.

¹²⁷ Karl Vick, “ISIS Casts a Shadow over the Sydney Hostage Crisis, Connected or Not,” *TIME*, December 15, 2014, <http://time.com/3634037/isis-role-in-sydney-islamist-terror-attack/>.

¹²⁸ Reuters, “3 Dead, Including Hostage-Taker, After Sydney Siege Ends,” *Chicago Tribune*, December 15, 2014, <http://www.chicagotribune.com/news/nationworld/chi-sydney-hostages-20141215-story.html>.

on his personal website.¹²⁹ This content included a pledge to Abu Bakr al-Baghdadi, the leader and self-proclaimed Caliph of ISIL.¹³⁰ None of his earlier violent behaviors or recent extremist postings, however, was deemed sufficient enough for Australian intelligence and law enforcement authorities to believe he posed a potential national security threat and he reportedly did not rate as a high priority within the top 400 known or suspected violent extremists considered potential risks during the time of his attack.¹³¹

Another familiar element has appeared in the case of Man Haron Monis, limitations on his travel. Although the reason was linked to his numerous pending sexual assault charges rather than terrorism-related crimes, Monis was ordered to surrender his passport as part of the conditions of a bail agreement, for a time effectively preventing him from any foreign travel.¹³² However, conflicting reports state that his passport was returned back to him in the months prior to his assault.¹³³ It is unclear if Monis harbored a desire to travel abroad to link up with ISIL, the group that he sought desperately to associate himself with in his final days, but the fact that he was aware of being known to authorities may have played a major contributing role in his decision to direct violence against his homeland.

In the public discourse over the actions of the Sydney hostage-taker, attempts have been made to classify him as a largely incompetent individual whose actions were more the result of mental illness rather than ideological commitment to ISIL. One hostage who escaped from the siege later even went on to describe him as a “dangerous

¹²⁹ Michael Safi, “Sydney Siege: Anonymous Warning about Man Haron Monis Followed Up, Says PM,” *The Guardian*, December 21, 2014, <http://www.theguardian.com/australia-news/2014/dec/21/sydney-siege-anonymous-warning-about-man-haron-monis-followed-up-says-pm>.

¹³⁰ *Ibid.*

¹³¹ Courts, “Sydney Siege Report: Man Monis Bizarre Behaviour Questioned,” *News AU*, February 23, 2015, <http://www.news.com.au/national/courts-law/sydney-siege-report-man-monis-bizarre-behaviour-questioned/news-story/cb03de21aaa42350369922406ac4ebff>.

¹³² Candace Sutton, “Horror Crimes of Sleazy Sheik behind Sydney Siege—and Shameful Decision to Let Him Go,” *Daily Mail*, January 27, 2015, <http://www.dailymail.co.uk/news/article-2875816/Rape-woman-posing-spiritual-healer-50-sex-assaults-threatening-shoot-ex-wife-murdered-criminal-file-siege-gunman-revealed-bail.html>.

¹³³ Jessica Kidd, “Sydney Siege Inquest: Man Haron Monis, a ‘Radicalized Terrorist,’ Expert Tells Inquiry,” *Australian Broadcasting Corporation*, August 25, 2015, <http://www.abc.net.au/news/2015-08-25/sydney-siege-inquest-hears-monis-a-radicalised-terrorist/6723172>.

toddler.”¹³⁴ Others have described him differently. Notably, forensic psychiatrist Dr. Jonathan Phillips maintained in an official government inquiry exploring the attack that Monis was an intelligent man and a dangerous psychopath with a range of personality disorders including paranoia and narcissism who would have continued killing hostages if he was not shot by police.¹³⁵

Regardless of his potential medical preconditions, his case highlights the danger of emotionally disturbed persons when their adherence to the ideology of extremist groups that routinely espouse violence becomes clear. It is possible that intelligence and law enforcement authorities’ perception of Monis as just another unremarkable crazy person rather than an individual with a demonstrated proclivity for violent behavior led to a hesitation to take any action aimed at detaining him. The known ISIL sympathizer’s freedom of movement and ability to avoid drawing heavier suspicion ultimately proved deadly.

C. AUSTRALIAN RESPONSE

Similar to the experience of Canada, the uptick in ISIL-inspired attacks and plots in Australia, coupled with the outflow of foreign fighters from the country to jihadist fields of conflict abroad, prompted the government of former Prime Minister Tony Abbott in 2014 to propose a series of legal measures that resulted in enhanced arrest and surveillance authorities for security agencies in the country.¹³⁶ Although the Australian government continues to explore and implement a strategic whole of government counterterrorism response to ISIL in the area of countering violent extremism, it is clear that it has devoted a disproportionately larger amount of resources to more traditional approaches. For example, in 2014, the government of Australia authorized \$630 million

¹³⁴ Emma Reynolds, “Inside the Mind of a Hostage-Taker,” *News AU*, March 30, 2016, <http://www.news.com.au/national/crime/inside-the-mind-of-a-hostagetaker/news-story/a3240e9daab2edd8d71f14c2bd7b6d6>.

¹³⁵ Jamelle Wells, “Sydney Siege Inquest: Man Haron Monis Would Have Killed Multiple Hostages, Psychiatrist Says,” *Australian Broadcasting Corporation*, May 1, 2016, <http://www.abc.net.au/news/2016-05-02/man-haron-monis-would-have-killed-more-hostages-inquest-hears/7374938>.

¹³⁶ Peter Chalk, *Black Flag Rising: ISIL in Southeast Asia and Australia* (Barton, Australia: Australian Strategic Policy Institute, 2015), 6, https://www.aspi.org.au/publications/black-flag-rising-isil-in-southeast-asia-and-australia/Black-flag-rising_ISIL.pdf.

dollars in expanded funding to the nation's intelligence and law enforcement entities tasked with its counterterrorism mission.¹³⁷

Financing from this general pool of counterterrorism funds was marked for developing new programs or expanding upon existing national security efforts aimed at reducing ISIL-related threats to the Australian homeland. One of the more unique measures slated for increased funding was the recently established Border Force Counter-Terrorism Unit (CTU).¹³⁸ Border Force CTUs were set up as a joint interagency counterterrorism model aimed at first deploying officers at Sydney and Melbourne international airports to deter aspiring foreign fighters.¹³⁹ While at these airports, these teams perform investigative interdictions and screenings, which are designed to prevent would-be extremists from joining ISIL overseas. Presumably, the deployment of Border Force CTUs are meant as a final deterrent to send a message to those hoping to travel abroad that should they attempt to exit the country by air, they will be stopped and arrested. While arrests of suspected ISIL supporters have been made since the overt program's implementation, the sheer number of stops and inquiries in the nation's airports has also drawn significant criticism and concerns over its potential for racial, ethnic, and religious profiling.¹⁴⁰

Much like the Canadian Bill C-51 discussed in Chapter III, in late 2014, Australia approved its own expanded security legislation known as the Counter-Terrorism Legislation Amendment Foreign Fighters Bill with numerous legal provisions outlawing

¹³⁷ Peter Terlato, "Here is ASIO's Summary of the Changing Nature of Australia's Terrorist Risk That Everyone Should Stop and Read," *Business Insider*, August 13, 2014, <http://www.businessinsider.com.au/here-is-asios-summary-of-the-changing-nature-of-australias-terrorist-risk-that-everyone-should-stop-and-read-2014-8>.

¹³⁸ Lisa Cox, "Tony Abbott Announces New Counterterrorism Units for Major Australian Airports," *The Sydney Morning Herald*, August 27, 2014, <http://www.smh.com.au/federal-politics/political-news/tony-abbott-announces-new-counterterrorism-units-for-major-australian-airports-20140827-1091m6.html>.

¹³⁹ *Ibid.*

¹⁴⁰ Australia, "Australian Counter-Terror Police Stopping 400 per Day," *BBC*, March 16, 2015, <http://www.bbc.com/news/world-australia-31900876>.

support for ISIL.¹⁴¹ The bill also introduced specific crimes for visiting “declared areas” of territory, where factions affiliated with the group are active, on a list authorized by the government without sufficient pre-approved justification.¹⁴²

Comparatively, with the previously discussed legal tool of peace bonds used by the Canadian government in counterterrorism matters, Australia has been less willing to use similar preemptive enforcement tools. However, although their implementation is rare, it does have these legal resources at its disposal. In Australia, control orders and preventative detention orders (PDO) are designed to accomplish the same end as peace bonds, allowing for lawful limitations on an individual’s freedom of movement based on suspicion of a terrorist act rather than court determined evidence of a criminal offense. As of January 2015, control orders have been used on four occasions and PDOs have been employed in three cases.¹⁴³

Despite their limited use, one recent homegrown violent extremist attack raised the issue of the limitations of Australia’s peace-bond-esque detention orders. Until recently, significant age restrictions governed the use of these orders against young people, even in traditional terrorism-related cases. On October 2, 2015, a 15-year-old boy named Farhad Khalil Mohammad Jabar made his way to the headquarters of the New South Wales Police Force, located in Parramatta, Australia, a suburb of Sydney.¹⁴⁴ Jabar was armed with a .38 caliber revolver and arrived at the police facility at 4:30 p.m.¹⁴⁵ Around this time, at the end of the workday, a civilian police accountant named Curtis

¹⁴¹ George Brandis, “Counter-Terrorism Legislation Amendment Foreign Fighters Bill,” *Officer of the Attorney General for Australia*, September 23, 2014, <https://www.attorneygeneral.gov.au/MediaReleases/Pages/2014/ThirdQuarter/23September2014Counter-TerrorismLegislationAmendmentForeignFightersBill.aspx>.

¹⁴² Global Legal Monitor, “Australia: Foreign Fighters Bill Introduced in Parliament,” *Library of Congress*, September 30, 2014, <http://www.loc.gov/law/foreign-news/article/australia-foreign-fighters-bill-introduced-in-parliament/>.

¹⁴³ Michael Thawley, *Martin Place Siege Joint Commonwealth-New South Wales Review* (Commonwealth of Australia: State of New South Wales, 2015), http://www.dpmmc.gov.au/sites/default/files/publications/170215_Martin_Place_Siege_Review_1.pdf.

¹⁴⁴ Tom Allard and Nick Ralston, “Parramatta Shooting: The Last Minutes before Farhad Jabar Commits Murder,” *The Sydney Morning Herald*, October 10, 2015, <http://www.smh.com.au/national/parramatta-shooting-the-last-minutes-before-farhad-jabar-commits-murder-20151009-gk57dk.html>.

¹⁴⁵ *Ibid.*

Cheng exited the building and was ambushed by Jabar who shot and killed him. Three police officers responded to the gunfire and were able to shoot and kill Jabar.¹⁴⁶ The attack, which was likely aimed at killing a police officer, and linked to a larger group of ISIL-inspired individuals, was ultimately praised by the terrorist organization.¹⁴⁷ In the aftermath, and as a direct response to that single attack, the government of Australia under its current Prime Minister Malcolm Turnbull, authorized an expansion of the use of control orders. These tools, which once covered children as young as 16, are now legal to be implemented in cases of suspected terrorists as young as 14.¹⁴⁸

Although some measures like the changes to control orders and PDOs highlight the Australian government's awareness of the risk of domestic extremists in the homeland, overwhelmingly, the current counterterrorism enforcement model in Australia is geared towards identifying suspected extremists as early as possible and preventing them from traveling to connect with ISIL or other groups overseas. Australia is heavily focused on the foreign fighter threat, in the belief and fearful certainty that individuals will "return to Australia with enhanced terrorism capabilities and ideological commitment," and therefore, be more dangerous than individuals contained on its domestic soil.¹⁴⁹

Evidence for this approach, and the prioritization of the returnee threat by the Australian government, is best seen in the country's practice of regularly cancelling passports, not only for identified homegrown violent extremists, but also in some cases,

¹⁴⁶ Allard and Ralston, "Parramatta Shooting: The Last Minutes before Farhad Jabar Commits Murder."

¹⁴⁷ Sean Rubinsztein-Dunlop, "Parramatta Shooting: Fourth Alleged Islamic State Member Charged Over Police HQ Attack," *ABC*, April 27, 2016, <http://www.abc.net.au/news/2016-04-27/police-charge-fourth-alleged-is-member-over-parramatta-shooting/7363738>; Julian Robinson, "Brave Knight: ISIS Pays Tribute to Parramatta Police Shooter," *Daily Mail*, November 18, 2015, <http://www.dailymail.co.uk/news/article-3323211/Islamic-State-propaganda-sheet-praises-Parramatta-police-shooter-Farhad-Jabar-brave-knight-warns-attacks-Australia.html>.

¹⁴⁸ Chalk, *Black Flag Rising: ISIL in Southeast Asia and Australia*, 24.

¹⁴⁹ "Bill Targets Foreign Fighters before Departure and After Return," September 24, 2014, <http://theconversation.com/bill-targets-foreign-fighters-before-departure-and-after-return-30095>.

the associates of known Australian foreign fighters.¹⁵⁰ Passport cancellations have increased dramatically since the emergence of ISIL and well-publicized reports of Australian citizens based in Iraq and Syria calling for attacks in their home country on behalf of the terrorist organization. In 2014, ISIL's first official year of operation when it declared its so-called "caliphate," the Australian Security Intelligence Organization (ASIO) canceled at least 45 of its citizens' passports.¹⁵¹ During the previous year, that severe course of action was only pursued on 18 occasions.¹⁵² The most recent reporting on this subject from February 2015 indicates that the passports of at least 105 Australians have been cancelled, suspended, or otherwise prevented from being issued in response to terrorism-related concerns.¹⁵³

D. KEY TAKEAWAYS

Based on these cases, it is apparent that Australia has suffered at least two terrorist attacks carried out by redirected radicals over the course of the last two years. Again, similar to the Canadian experience, these attacks involved individuals known to law enforcement and intelligence authorities. Despite extremist postings on social media and public reports of suspicious activity, these individuals did not meet the threshold necessary for prolonged surveillance and further investigation raising serious analytical questions about the process by which ISIL cases are prioritized in Australia. On the surface, the limited number of violent incidents in Australia may serve as validation for the country's counterterrorism policies and their central focus on preventing domestic extremists from becoming foreign fighters. The fact that Australia has in the last two years canceled well over 100 passports for its citizens suspected of being involved in terrorism demonstrates how severe this threat is perceived. Unfortunately, this practice, which does not necessarily mean that those who have their passports canceled

¹⁵⁰ Andrew Zammit, *Australian Foreign Fighters: Risks and Responses* (Sydney, Australia: Lowy Institute for International Policy, 2015), 12, <http://www.lowyinstitute.org/files/australian-foreign-fighters-risks-and-responses.pdf>.

¹⁵¹ *Ibid.*

¹⁵² *Ibid.*

¹⁵³ Stephanie Anderson, "20 Australians Killed Fighting with IS, 90 Passports Cancelled: Bishop," *SBS*, February 10, 2015, <http://www.sbs.com.au/news/article/2015/02/10/20-australians-killed-fighting-90-passports-cancelled-bishop>.

automatically receive 24-hour surveillance, also poses a great long-term danger for the country. Without criminal prosecution, lawful detention, or continuous monitoring, every one of those suspects whose passports were canceled out of fear of them joining ISIL abroad, may now feel trapped, and be even more likely to redirect, supporting ISIL by carrying out an attack at home.

From a brutal assault on law enforcements officers, and a hostage siege in one of the nation's most popular tourism areas, to the assassination of a police employee, Australia has been faced with ISIL-inspired homegrown violent extremism. Although none of these incidents was carried out by an individual with training alongside the terrorist group in Iraq, Syria, or on any other overseas conflict zones, the foreign fighter issue has clearly become a key strategic concern for the Australian government and the focal point of the nation's counterterrorism policy. Some legal provisions in Australian counterterrorism law allow for a greater degree of covert action and remove the need to inform suspected terrorists of mobility-limiting actions taken against them, an improvement over the Canadian model. Nevertheless, the risk remains that homegrown violent extremists in Australia—particularly those, who for reasons of youth or mental illness, do not draw the highest prioritization of law enforcement and intelligence authorities—will be more likely to pursue a domestic attack trajectory rather than exclusively support terrorism overseas.

V. ISIL'S AMERICAN ADHERENTS

ISIL poses a threat to the people of Iraq and Syria, and the broader Middle East—including American citizens, personnel, and facilities. If left unchecked, these terrorists could pose a growing threat beyond that region, including to the United States. While we have not yet detected specific plotting against our homeland, ISIL leaders have threatened America and our allies. Our intelligence community believes that thousands of foreigners—including Europeans and some Americans—have joined them in Syria and Iraq. Trained and battle-hardened, these fighters could try to return to their home countries and carry out deadly attacks.

~President Barack Obama¹⁵⁴

President Obama's early assessment of the ISIL threat facing the homeland centered on the danger of returned foreign fighters. However, for the United States, this specific foreign fighter threat, which has proven lethal in parts of Western Europe, has not manifested itself in the homeland over the ISIL caliphate's two-year lifespan. Numerous factors may account for that lack of materialization; for example, the sheer number of American citizens known to be abroad in Iraq and Syria pales in comparison to the figures of some key U.S. allies in Europe, including France and the United Kingdom. Europe's proximity to the primary conflict zones of Iraq and Syria, and the far simpler transportation logistics of sending trained fighters home throughout Western European countries, has also likely played a major part as a driver of the heightened returnee threat across the continent.

Despite the lack of incidents in the United States involving foreign fighter returnees, the potential threat of this scenario remains. For counterterrorism authorities and policymakers, it is important to understand that ISIL's current inability to dispatch foreign fighters back to the U.S. homeland has not limited the reach of the terrorist group to inspire and enable violent attacks in America and elsewhere by pursuing other strategies. The United States was once tempted to believe that vast oceans on either side

¹⁵⁴ "Islamic State Crisis: Key Quotes from Obama," September 11, 2014, <http://www.bbc.com/news/world-us-canada-29152590>.

of the mainland could provide security and avoid the looming specter of war; today, the same flawed thinking cannot be applied to ISIL, given its proven ability to motivate domestically-based extremists to carry out violence within America.

As the last of the three comparative national cases, this chapter focuses on the American experience with the ISIL threat to date. Several high-profile violent incidents and attacks, including reactionary violence by extremists potentially triggered by law enforcement actions, are examined for strategic and operational takeaways. Additionally, given the significant number of counterterrorism cases within the United States, and the abundance of publicly available, courtroom information, numerous disrupted plots involving individuals, which can now be accurately classified as redirected radicals, are explored in detail. Finally, this chapter focuses on key aspects of the American law enforcement and intelligence response to ISIL over the last two years, using metrics from incidents and arrests to come to a clearer understanding of the strengths and potential drawbacks of the current U.S. counterterrorism strategy in the homeland.

A. VIOLENT INCIDENTS

FBI Director Comey has often discussed the danger of ISIL's current influential reach into the United States and its proven ability to radicalize young men and women to violence in support of its cause. He stated:

ISIL in particular is putting out a siren song through their slick propaganda, through social media, that goes like this: Troubled soul, come to the Caliphate; you will live a life of glory; these are the apocalyptic end times; you will find a life of meaning here fighting for our so-called Caliphate. And if you can't come, kill somebody where you are.¹⁵⁵

The cases and Western ISIL-related traveler metrics explored in Chapters III and IV demonstrate that the number of suspected attempted and successful foreign fighters between the United States, Canada, and Australia are similar. However, America has suffered a comparably higher amount of violent incidents involving homegrown violent extremists over the course of the two years since ISIL opened its doors and entered the

¹⁵⁵ Susan Jones, "FBI Director: 'I have Home-Grown Violent Extremist Investigations in Every Single State,'" *CNS News*, February 26, 2015, <http://cnsnews.com/news/article/susan-jones/fbi-director-i-have-home-grown-violent-extremist-investigations-every>.

business of global terror. A comprehensive review of current data has determined that at least 11 violent incidents involving either successful attacks against both civilian and non-civilian targets, or attempts on the lives of law enforcement personnel have occurred across eight states since the formation of ISIL’s so-called Caliphate. All these attacks appear to have a clear nexus to violent jihadists, and all but one was carried out by ISIL-inspired extremists. See Figure 1.

VIOLENT INCIDENTS BY HOMEGROWN VIOLENT EXTREMISTS IN THE UNITED STATES (JUNE 29, 2014-JUNE 29, 2016)				
Incident	Date	Perpetrator(s)	Casualties	Location
Pulse Night Club Shooting	6/12/2016	Omar Mir Siddique Mateen	49 Killed, 53 Wounded, Suspect Killed	Orlando, FL
Restaurant Slashing	2/11/2016	Mohamed Barry	4 Wounded, Suspect Killed	Columbus, OH
PPD Point-Blank Shooting	1/7/2016	Edward Archer Syed Rizwan Farook, Tashfeen Malik	1 Wounded, Suspect Arrested	Philadelphia, PA
Inland Regional Center Attack	12/2/2015	Faisal Mohammed	14 Killed, 22 Wounded	San Bernardino, CA
University California Merced Shooting	11/4/2015	Faisal Mohammed	4 Wounded, Suspect Killed	Merced, CA
Military Services Center Attack	7/16/2015	Muhammad Youssef Abdulazeez	5 Killed, 2 Wounded	Chattanooga, TN
JTTF Stabbing Attempt	6/17/2015	Fareed Mumuni	None, Arrest Made	NYC, NY (Staten Island)
JTTF Stabbing Attempt	6/13/2015	Munther Omar Saleh	None, Arrest Made	NYC, NY (Queens)
JTTF Stabbing Attempt	6/2/2015	Usaama Rahim	Suspect Killed	Boston, MA
Prophet Muhammad Drawing Contest Attack	5/3/2015	Alton Simpson, Nadir Hamid Soofi	1 Wounded, Suspects Killed	Garland, TX
NYPD Hatchet Attack	10/23/2014	Zale Thompson	Suspect Killed	NYC, NY (Queens)

Figure 1. Suspected HVE Attacks in the United States over ISIL’s Lifetime¹⁵⁶

The first attack by a specifically ISIL-inspired HVE in the United States occurred on October 23, 2014, when 32-year old Zale Thompson attacked a group of four New York City Police Department (NYPD) officers with a hatchet, leaving two injured, and one with a severe head wound.¹⁵⁷ The attacker was shot and killed by officers at the scene.¹⁵⁸ The most recent ISIL-inspired attack occurred on June 12, 2016, when a lone gunman named Omar Mir Siddique Mateen, opened fire with an assault rifle at the

¹⁵⁶ Tim Lister, Ray Sanchez, Mark Bixler, Sean O’Key, Michael Hogenmiller, and Mohammed Tawfeeq. “ISIS Goes Global: 143 Attacks in 29 Countries have Killed 2,043,” *CNN*, July 26, 2016, <http://edition.cnn.com/2015/12/17/world/mapping-isis-attacks-around-the-world/>.

¹⁵⁷ Michael Schwartz and William K. Rashbaum, “Attacker with Hatchet Is Said to Have Grown Radical on His Own,” *New York Times*, October 24, 2016, <http://www.nytimes.com/2014/10/25/nyregion/man-who-attacked-police-with-hatchet-ranted-about-us-officials-say.html>.

¹⁵⁸ *Ibid.*

popular gay Pulse Nightclub in Orlando, Florida, leaving at least 49 dead and 53 injured.¹⁵⁹ It was the single deadliest mass shooting in U.S. history and the most lethal act of terrorism on American soil since 9/11.¹⁶⁰ It is important to highlight that the casualty count in that one attack was greater than the total of all prior post-9/11 terrorist attacks in the United States.¹⁶¹ Both of these attacks came shortly after the release of separate propaganda videos by ISIL's Abu Muhammad al-Adnani, which called for operations by supporters in their home countries. Despite their rivalry, both ISIL and al-Qa'ida have continually praised the assailants as models for aspiring ISIL extremists to follow.

Recognizing the increased operational tempo of attacks of this sort by domestic extremists, Director of National Intelligence James R. Clapper, described ISIL as the "preeminent global threat" earlier this year.¹⁶² In additional briefings, he went on to add that "homegrown violent extremists...will probably continue to pose the most significant Sunni terrorist threat to the U.S. homeland in 2016."¹⁶³ He provided metrics to support this assessment, highlighting that approximately 60 HVEs with links to ISIL had been arrested in the United States in 2015.¹⁶⁴

1. Garland, Texas, Attack

No law enforcement agency ever wants to see the security response plans drawn up for a potential terrorist attack put into action in a real world situation. After all, an officer having to shoot and kill a suspect to prevent an attack is the worst-case scenario. While it ultimately ends up being the last line of defense, such incidents often highlight

¹⁵⁹ Gerardo Mora, "Deadliest Mass Shootings in U.S. History," CBS News, June 13, 2016, <http://www.cbsnews.com/news/orlando-nightclub-shooting-deadliest-mass-shootings-in-us-history/>.

¹⁶⁰ International Security, "Deadly Attacks since 9/11," New America Foundation, June 2016, <http://securitydata.newamerica.net/extremists/deadly-attacks.html>.

¹⁶¹ Ibid.

¹⁶² Brian Bennett, "Islamic State Is the 'Preeminent Global Threat,' U.S. Intelligence Director Says," *Los Angeles Times*, February 9, 2016, <http://www.latimes.com/world/middleeast/la-fg-terror-threats-20160209-story.html>.

¹⁶³ Mark Hosenball, "U.S. Intelligence Chief Warns of 'Homegrown Security Threat,'" *Reuters*, February 9, 2016, <http://www.reuters.com/article/us-usa-security-idUSKCN0V11AQ>.

¹⁶⁴ Ryan Browne, "Top Intelligence Official: ISIS to Attempt U.S. Attacks This Year," *CNN*, February 9, 2016, <http://www.cnn.com/2016/02/09/politics/james-clapper-isis-syrian-refugees/>.

that a previous opportunity to prevent an attack may have been missed. On May 3, 2015, that last line was put to the test when two heavily armed men wearing ballistic vests exited their vehicle at the Curtis Culwell convention center located in Garland, Texas, in what appears to be the first ISIL-related act of terrorism involving redirected radicals in the United States.¹⁶⁵ The two attackers sought to shoot their way into the building, which was hosting a controversial drawing contest featuring satirical images of the Prophet Muhammad.¹⁶⁶ Both of the American-born attackers, identified as Nadir Soofi and Elton Simpson, were shot and killed, and were unable to breach the security perimeter established during the event.¹⁶⁷ The attackers were the only fatalities in the operation, which left one security officer wounded.¹⁶⁸ While the attack was objectively a failure, with the assailants not reaching their intended target, or causing the mass-casualties they had hoped for, it was nevertheless claimed on behalf of ISIL and the group later praised the operation. Even a failed attack is a form of force projection that helps bolster the perception that ISIL is succeeding and readily able to conduct attacks in the United States.

The Garland, Texas attack demonstrated another element of ISIL's strategy in the West, using foreign fighters not exclusively for attacks upon return in their homeland, but instead as communications conduits. These Western foreign fighters, by virtue of posting online via social media, possess a certain battlefield bonafides that allows them to command a captive audience among eager aspiring foreign fighters in their home countries; a pool of potential redirected radicals.

Following the failed assault, it was revealed that Elton Simpson had an extensive social media footprint indicating his support for ISIL across Twitter.¹⁶⁹ He was in direct

¹⁶⁵ ASIS, *Case Study Analysis: Thwarted Attack at the Curtis Culwell Center in Garland, Texas During a 'Draw Mohammed' Event* (Washington, DC: ASERO Worldwide, 2015), <https://www.asisonline.org/About-ASIS/Who-We-Are/Whats-New/Documents/Attack%20at%20the%20Curtis%20Culwell%20Center%20in%20Texas%20final.pdf>.

¹⁶⁶ Ibid.

¹⁶⁷ Ibid.

¹⁶⁸ Ibid.

¹⁶⁹ Scott Shane, "Texas Attacker Left Trail of Extremist Ideas on Twitter," *New York Times*, May 5, 2015, http://www.nytimes.com/2015/05/06/world/middleeast/isis-texas-muhammad-cartoons.html?_r=0.

contact online with two well-known foreign fighters, a British national named Abu Hussain al-Britani, a.k.a. Junaid Hussain, and Mohamed Abdullahi Hassan, a.k.a. Mujahid Miski, a Somali-American who previously joined al-Shabaab but shifted his worldview and allegiance closer in line with ISIL.¹⁷⁰ The extent of the connections remains somewhat unclear, but it appears likely that these foreign fighters may have helped enable the Garland operation either by providing targeting guidance, encouragement, or other forms of support for the U.S.-based attackers from overseas conflict zones. The communication went beyond openly visible social media platforms. After more than seven months of investigation following the attack, FBI Director Comey publicly announced that one of the attackers exchanged 109 encrypted messages with a known, but unnamed, overseas terrorist during the morning prior to the operation in Garland.¹⁷¹

When examining the background of the perpetrators behind this attack, it is important to highlight some of the apparent parallels between these individuals and other HVEs responsible for attacks in Canada and Australia. Simpson, according to several reports, had been the subject of a counterterrorism investigation by the FBI since 2007 and was arrested in 2010 for a previous attempt to travel abroad to join al-Shabaab, the Somalia-based official affiliate of al-Qa'ida in East Africa, not ISIL.¹⁷² This reporting shows that while his extremist views and affiliations evolved over time, he had previously sought to engage in jihad overseas prior to committing to an attack at home. Simpson ultimately was not sentenced to extensive jail time on terrorism charges and instead was given probation and a minimal fine in 2011 for making false statements to authorities.¹⁷³ Despite the lack of a terrorism conviction, Simpson reportedly believed

¹⁷⁰ Shane, "Texas Attacker Left Trail of Extremist Ideas on Twitter."

¹⁷¹ David Sanger and Nicole Perlroth, "F.B.I. Chief Says Texas Gunman Used Encryption to Text Overseas Terrorist," *New York Times*, December 9, 2015, <http://www.nytimes.com/2015/12/10/us/politics/fbi-chief-says-texas-gunman-used-encryption-to-text-overseas-terrorist.html>.

¹⁷² Harriet Alexander, "Garland Shooting: Texas Gunman Named As Elton Simpson," *The Telegraph*, May 4, 2015, <http://www.telegraph.co.uk/news/worldnews/northamerica/usa/11581577/Garland-shooting-Texas-gunman-named-as-Elton-Simpson.html>.

¹⁷³ *Ibid.*

that he was on a U.S. government “no-fly-list” as early as 2010, all but assuring that he would be unable to leave the country in the future.¹⁷⁴

As the investigation into the incident in Garland continued, a third individual in Arizona, identified as Decarus Lowell, a.k.a. Abdul Malik Abdul Kareem, was convicted of being a co-conspirator in the Garland attack, responsible for encouraging the two gunmen and equipping them with firearms.¹⁷⁵ In yet another example of an extremist being more than simply an unremarkable person, he was also previously known to authorities and had been interviewed during a terrorism investigation in 2011.¹⁷⁶ During that investigation, various terrorism propaganda materials, specifically al-Qa’ida in the Arabian Peninsula’s (AQAP’s) English-language magazine *Inspire*, were found on his computer.¹⁷⁷

Beyond the government investigation, the Garland attack drew considerable attention in the media and private security sector. The use of multiple attackers and the social media connections to ISIL foreign fighters made it the second ISIL-related act of violence in the United States and a high-profile event that triggered a debate on the terrorist group’s ability to launch future American attacks. For example, the private-sector intelligence firm *Stratfor* maintained shortly after the attack that ISIL’s decision to claim responsibility for the operation was a sign of desperation, demonstrating how limited its capabilities were. Specifically, the *Stratfor* report claimed:

¹⁷⁴ Kristina Sitton, “Elton Simpson: 5 Fast Facts You Need to Know,” *Heavy*, May 4, 2015, <http://heavy.com/news/2015/05/elton-simpson-garland-texas-muhammad-cartoon-shooter-gunman-name-phoenix-arizona-terrorist-twitter-tweets-photos-fbi-dead-death-video-atawaakul/>.

¹⁷⁵ Office of Public Affairs, “Phoenix Man Convicted of Conspiracy to Support ISIL and Other Terrorism-Related Offenses,” Department of Justice, March 17, 2016, <https://www.justice.gov/opa/pr/phoenix-man-convicted-conspiracy-support-isil-and-other-terrorism-related-offenses>.

¹⁷⁶ Associated Press, “First US Terror Trial over ISIS Links to Begin in Phoenix,” *Fox News*, February 15, 2016, <http://www.foxnews.com/us/2016/02/15/first-us-terror-trial-over-isis-links-to-begin-in-phoenix.html>.

¹⁷⁷ *Ibid.*

The reliance on grassroots jihadists to conduct attacks means that the Islamic State lacks the capability to control, train and assist such operatives. As a result, many grassroots attacks are amateurish.¹⁷⁸

However, it is important to note that the “amateurish” nature of these two attackers is likely not what led to the attack being a failure. Rather, were it not for the preventative security resources at that location, which were in place specifically because of perceived threats to the controversial event, it is very likely that the United States could have suffered a mass-casualty attack with a fatality count similar to what was witnessed months later in San Bernardino, California, or more recently in Orlando, Florida.

B. THE AMERICAN REDIRECTED

An extensive review of public court data and open source media coverage on terrorism-related charges filed by the FBI, between the formation of ISIL and February 2016, determined that out of 56 identified ISIL extremists who wanted to travel overseas to link up with the terrorist organizations or provide material support to facilitate the travel of another supporter, at least seven also expressed an interest in carrying out an attack on U.S. soil. Several of these individuals listed as follows in high-profile domestic cases represent the presence of redirected extremists in America and a population, which if overtly led to believe that no limitations were placed against their freedom of movement, may have ultimately focused their violent actions outside U.S. territorial borders rather than internally.

1. Hasan and Jonas Edmonds

In March 2015, authorities with the Chicago JTTF arrested 22-year-old U.S. citizen Hasan Edmonds at Midway International Airport while attempting to board an Egypt-bound flight, which he planned to take on his journey to join ISIL.¹⁷⁹ On the same

¹⁷⁸ Scott Stewart, “U.S. Policies Succeed in Garland,” *Stratfor*, May 7, 2015, <https://www.stratfor.com/weekly/us-policies-succeed-garland>.

¹⁷⁹ Office of Public Affairs, “US Army National Guard Soldier and His Cousin Arrested for Conspiring to Support Terrorism (ISIL),” Department of Justice, March 26, 2015, <https://www.justice.gov/opa/pr/us-army-national-guard-soldier-and-his-cousin-arrested-conspiring-support-terrorism-isil>.

day, his cousin Jonas Edmonds was also taken into custody on material support for terrorism charges.¹⁸⁰ Hasan Edmonds, in conversations with an undercover asset, discussed that his cousin had a prior criminal record and had served time in prison making it unlikely for him to travel without being stopped. He stated “they try hard to keep people like him trapped in America.”¹⁸¹ Despite this obstacle, he made it clear that if his cousin were unable to join the group, he would carry out an attack to obtain martyrdom in the heart of the United States, which he referred to as the “kuffar state.”¹⁸²

According to court documents, at one point during a conversation with an undercover asset, Jonas Edmonds discussed the limitations on his ability to travel overseas. He had hoped to travel to Mosul, the de facto capital of ISIL’s territory in Iraq. He stated “Although I am currently working on it. I am unable to get my passport. If I find myself stuck here. I intend to take advantage of being so close to the kuffar.”¹⁸³

He outlined a very clear preference for foreign operations, but also a willingness to redirect his targeting toward his homeland if he was unable to travel overseas, saying:

The plans are made from two points. One consists of doing all I can to be able to make hijrah with my family. I already let you know that I would need for that. Two, if I can’t make hijrah then Insha’Allah. I can unleash the lion. What I would need...honestly nothing. I am prepared to go even if it’s with a rock. But a small team, no more than five, hardware and maybe a firecracker. I do have access to hardware.¹⁸⁴

As the investigation moved further along, Jonas Edmonds appeared to finally accept the fact that he would be unable to travel overseas and offered to an undercover asset his plan to purchase weapons including an AK-47 assault rifle and grenades for an attack on a military installation in the United States, with the hope of causing 100 to 150

¹⁸⁰ Office of Public Affairs, “US Army National Guard Soldier and His Cousin Arrested for Conspiring to Support Terrorism (ISIL).”

¹⁸¹ Morgan Spurlock, *United States of America v. Hasan R. Edmonds and Jonas M. Edmonds, Criminal Complaint, Northern District of Illinois, March 25, 2015* (Washington, DC: Department of Justice, 2015), 11–20, https://www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/26/edmonds_complaint_0.pdf.

¹⁸² *Ibid.*

¹⁸³ *Ibid.*

¹⁸⁴ *Ibid.*

casualties.¹⁸⁵ While this case successfully concluded with two arrests and no lives being endangered, had the two individuals both been led to believe that their travel abroad would in no way be limited, it may have removed entirely the option of targeting their homeland in the near-term altogether.

The key analytical takeaway from this case and several others is the element of risk that consistently accompanies investigations of individuals committed to joining ISIL in conflict zones overseas. Clandestine counterterrorism efforts, such as watchlisting, are an effective tool at preventing travel for terrorism suspects and preventing the long-term, less likely scenario of creating foreign fighter returnees. However, law enforcement and intelligence authorities involved in undercover counterterrorism investigations have a unique opportunity to recognize and mitigate the urgent risk of domestic attack redirection by leading suspects to believe that they are still able to move about the globe freely.

2. Akhror Saidakhmetov

Akhror Saidakhmetov, a Kazakhstan-born permanent resident of the United States who lived in Brooklyn, New York, has been described as a “would-be foreign fighter.”¹⁸⁶ In February 2015, counterterrorism authorities arrested him as part of a group of men who sought to conspire and provide material support to ISIL. According to court documents originally filed under seal but later made public, Saidakhmetov claimed that he sought to travel to join ISIL as early as September 2014 and made efforts to do so, with the intention of traveling to Russia, Turkey, and then to Syria in an effort to limit the suspicion accompanying a flight directly to a conflict zone.¹⁸⁷ However, he encountered a number of limitations, specifically the cost of air transportation and gaining access to

¹⁸⁵ Spurlock, *United States of America v. Hasan R. Edmonds and Jonas M. Edmonds, Criminal Complaint, Northern District of Illinois, March 25, 2015*.

¹⁸⁶ “Akhror Saidakhmetov,” February 2015, <http://www.counterextremism.com/extremists/akhror-saidakhmetov>.

¹⁸⁷ Ryan Singer, *USA v. Abdurasul Hasanovich Juraboev, Akhror Saidakhmetov, and Abror Habibov, Eastern District of New York, February 24, 2015* (Washington, DC: Department of Justice, 2015), 10–20, <https://www.justice.gov/file/344761/download>.

his passport, which his mother took from him out of fear that he planned on joining jihadists overseas.¹⁸⁸

As time moved forward, Saidakhmetov appears to have grown frustrated with being prevented from foreign travel. During that time, he discussed with another suspect his interest in joining the U.S. military to serve as an informant for ISIL and potentially carry out an attack against armed forces personnel. When he continued to have difficulty in obtaining his passport, Saidakhmetov was recorded telling a confidential informant that he planned to purchase an AK-47 assault rifle and “shoot all police” if he was unable to travel to Syria.¹⁸⁹

The co-accused other suspect mentioned earlier in this case, identified as Abdurasul Hasanovich Juraboev, also appeared to shift his targeting interests based on his travel limitations. Juraboev had been investigated by the FBI and questioned after posting numerous hostile statements including one that described his desire to assassinate President Obama. No formal charges were brought against Juraboev, but the meeting likely led him to believe that he was under law enforcement scrutiny. Excerpts from conversations by Juraboev in court documents exemplify this belief including, “If right now I decide to go anywhere, except for Uzbekistan (his home country), they may arrest me.”¹⁹⁰

At one point shortly before his arrest, Saidakhmetov was recorded in a conversation describing that if he were able to get to an airport to travel to Syria, and was detected and prevented by law enforcement, that he would kill a police officer at the facility, steal a firearm, and shoot other responding law enforcement personnel, with the aim of dying in the process.¹⁹¹ The commitment to violent action in the United States is a significant element that is vital to be considered in HVE cases, especially where an individual has expressed an interest in traveling abroad to fight with a terrorist group. In

¹⁸⁸ Ed Payne, Catherine Schoichet, and Ray Sanchez, “3 Men Try To Join ISIS: Here’s What We Know,” *CNN*, February 26, 2015, <http://www.cnn.com/2015/02/26/us/new-york-terror-plot-suspects/>.

¹⁸⁹ *Ibid.*

¹⁹⁰ *Ibid.*

¹⁹¹ *Ibid.*

several cases, other ISIL-inspired extremists have taken violent actions against law enforcement when contact was made with investigators; a final act of lashing out when it appeared that their intended plan would be disrupted.

3. Usaamah Rahim

On June 2, 2015, a 26-year-old ISIL supporter, Usaamah Rahim, was under 24-hour surveillance by counterterrorism authorities near Boston, Massachusetts.¹⁹² Recognizing that he was being watched, Rahim, armed with a military knife, lunged at a Boston police officer and an FBI agent before being shot and killed by JTTF authorities.¹⁹³ Rahim was part of a group of two other men who plotted to behead Pamela Geller, a controversial anti-Islam blogger and organizer, who founded the organization that hosted the previously mentioned Prophet Muhammad Drawing Contest in Garland, Texas.¹⁹⁴ Subsequent court reporting revealed that Rahim was previously in contact with Junaid Hussain, a Western ISIL foreign fighter described earlier as being in contact with one of the Garland, Texas attackers, and communicated with him prior to the failed operation.¹⁹⁵

Rahim also was likely involved in preparing a “demonstration killing,” a low-tech terrorist tactic intended to result in the murder of a law enforcement officer and a favored high-impact method of attack for ISIL. Rahim’s case highlights why HVEs who have confirmed contact with Western fighters likely pose a greater threat to counterterrorism investigators. During conversations with Hussain, Rahim was reportedly instructed to carry a knife in the event that federal agents attempted to take him into custody.¹⁹⁶

¹⁹² Evan Allen, Laura Crimaldi, and Lisa Wangsness, “Man Shot in Roslindale Was under 24-Hour Surveillance,” *Boston Globe*, June 2, 2015, <https://www.bostonglobe.com/metro/2015/06/02/boston-police-officer-shoots-and-wounds-man-roslindale/Akg16CkZJa719BLrBGFOdL/story.html>.

¹⁹³ Allison Manning, “Suspected Terrorists Communicated with ISIS Members, Developed ‘Sleeper Cell,’ Investigators Say,” *Boston.com*, April 22, 2016, <https://www.boston.com/news/crime/2016/04/22/suspected-terrorists-communicated-with-isis-members-developed-sleeper-cell-investigators-say>.

¹⁹⁴ *Ibid.*

¹⁹⁵ *Ibid.*

¹⁹⁶ *Ibid.*

Posing an ever-greater challenge, the budding abundance of encrypted communication techniques and applications continues to make this element of terrorist connectivity difficult for authorities to determine. For Western foreign fighters in overseas conflict zones, known direct contact with extremists in the United States appears to be a surefire way of increasing the likelihood of drawing not only the attention of domestic counterterrorism authorities but foreign deployed military assets as well. Junaid Hussain was killed in a U.S. unmanned aerial vehicle (UAV) strike in Syria two months after Rahim's plot was disrupted.¹⁹⁷

4. Munther Omar Saleh

On June 13, 2015, a college student in Queens, New York, identified as 20-year-old Munther Omar Saleh, was arrested.¹⁹⁸ Saleh had been the subject of an undercover counterterrorism investigation and was believed to be preparing an act of terrorism targeting landmarks in New York City using a pressure cooker improvised explosive device.¹⁹⁹ While traveling in a vehicle near the Whitestone Bridge, Saleh reportedly realized that he was under surveillance by undercover law enforcement investigators. He likely had been aware that he had drawn the attention and scrutiny of authorities as early as March 2015, when he was interviewed by JTTF investigators for prior suspicious activity. According to court documents, Saleh engaged in "anti-surveillance" maneuvers including driving with the lights off, erratic vehicular behaviors, and sudden braking and acceleration, in an effort to lose pursuing authorities.²⁰⁰

¹⁹⁷ Frank Garner, "UK Jihadist Junaid Hussain Killed in Syria Drone Strike, Says US," *BBC*, August 27, 2015, <http://www.bbc.com/news/uk-34078900>.

¹⁹⁸ "College Student in Queens Accused of Plotting Terror Attack in New York City," June 16, 2015, <http://newyork.cbslocal.com/2015/06/16/queens-college-student-terror-plot-nyc/>.

¹⁹⁹ Christopher Buscaglia, *United States of America v. Munther Omar Saleh*, "Criminal Complaint, United States Eastern District of New York, June 13, 2015 (Washington, DC: George Washington University, 2015), <https://cchs.gwu.edu/sites/cchs.gwu.edu/files/downloads/Saleh%20Criminal%20Complaint.pdf>.

²⁰⁰ Selim Algar, "Student Arrested in NYC 'Terror Plot,'" *New York Post*, June 16, 2015, <http://ny.post.com/2015/06/16/student-arrested-for-allegedly-plotting-terror-attack-in-nyc/>.

He and a co-conspirator, Imran Rabbani, eventually exited their vehicle and charged at the investigators before being taken into custody.²⁰¹ Saleh was armed with a tactical folding knife at the time, indicating a similar preparedness to take violent action against law enforcement if prevented from completing his mission.²⁰² Saleh and Rabbani were connected to at least four other men who similarly planned to join ISIL, one of whom was able to travel to Jordan before being arrested by authorities there.²⁰³ This case highlights that networks of support among domestic extremist can be important and telling indicators of intent and ability to carry out future violence. For example, according to court records, Saleh praised the failed Garland, Texas, attack on Twitter and likely sought to achieve the similar status and praise that those killed extremists received.²⁰⁴

5. Fareed Mumuni

One of the individuals who was part of Saleh's network was 21-year-old Fareed Mumuni. According to a criminal complaint, after Saleh was arrested, he provided information to authorities that Mumuni planned to travel overseas to join ISIL and also expressed an interest in attacking the law enforcement personnel that he was aware were monitoring him.²⁰⁵ Mumuni matches the profile of a redirected radical, and at one point, shortly before his arrest, he stated to Saleh "I decided to tell my parents I will be gone in much less than a year, in sha Allah, you have two choices, either you let me go to Darul Islam or you watch me kill non-Muslims here."²⁰⁶

²⁰¹ Nate Raymond, "New York Teen Pleads Guilty to Non-Terrorism Charge in Islamic State Case," *Reuters*, April 12, 2016, <http://www.reuters.com/article/us-new-york-security-islamic-state-idUSKCN0X91XW>.

²⁰² Buscaglia, *United States of America v. Munther Omar Saleh*, "Criminal Complaint, United States Eastern District of New York, June 13, 2015.

²⁰³ *Ibid.*

²⁰⁴ *Ibid.*

²⁰⁵ Christopher Buscaglia, *United States of America v. Fareed Mumuni*, "Criminal Complaint, United States Eastern District of New York, June 17, 2015 (Washington, DC: George Washington University, 2015), 6, <https://cchs.gwu.edu/sites/cchs.gwu.edu/files/downloads/Mumuni%20Criminal%20Complaint.pdf>.

²⁰⁶ *Ibid.*

On June 17, 2015, members of the New York Joint Terrorism Task Force (JTTF) executed a search warrant at the Staten Island home of this individual.²⁰⁷ While an FBI Special Weapons and Tactics (SWAT) team performed their duties, Mumuni approached one of the operators with a large kitchen knife concealed on his person and attempted to drive the blade into the investigator.²⁰⁸ Fortunately, the suspect's blade was not able to penetrate the operator's ballistic vest, and prevented serious injury and saved the agent's life. A subsequent search of a vehicle used by Mumuni led to the discovery of a second knife, leading to the likelihood that he also may have been prepared to target officers if stopped while driving.

After his arrest, Mumuni repeated a similar script that becomes increasingly apparent in violent incidents involving domestic HVEs. He claimed that he intended to travel to ISIL-controlled areas abroad to join the terrorist organization, and in the event that his efforts to do so were disrupted, he had planned and prepared to attack law enforcement personnel.²⁰⁹

C. AMERICA'S RESPONSE

As these previous cases all highlight, there has been no shortage of ISIL extremists in the United States who first looked outward with violent intent before redirecting within their homeland's borders. Proactive undercover investigations have been used on numerous occasions as part of the nation's response strategy to ISIL's domestic threat. Of the over 100 U.S. residents accused of supporting ISIL over the last two years, effective investigations of extremists have prevented many suspects from carrying out attacks on American soil.²¹⁰

²⁰⁷ U.S. Attorney's Office, "Two New York Residents Charged With Attempt and Conspiracy to Provide Material Support to ISIL," *Federal Bureau of Investigation*, August 11, 2015, <https://www.fbi.gov/contact-us/field-offices/newyork/news/press-releases/two-new-york-city-residents-charged-with-attempt-and-conspiracy-to-provide-material-support-to-isil>.

²⁰⁸ Ibid.

²⁰⁹ Ibid.

²¹⁰ Karen Yourish and Jasmine C. Lee, "What the Americans Drawn to ISIS Had in Common," *New York Times*, July 6, 2016, <http://www.nytimes.com/interactive/2016/07/06/us/isis-in-america.html>.

Recent reporting indicates that on the federal level, the use of undercover counterterrorism investigations (commonly referred to as “stings”) in ISIL-related cases in the United States has experienced an upward trend.²¹¹ According to findings from the *New York Times*, this approach has been used in two out of three ISIL cases on U.S. soil, demonstrating an institutional preference by the FBI for traditional early interdiction law enforcement investigations that result in arrest and sentencing rather than preventative measures that limit travel without formal charges like what has been used in Australia or the peace bond alternative found in Canada.²¹²

Evaluating the success of this response strategy is important to understand its effectiveness in mitigating the risk of redirected radicals and identify possible areas of improvement. A large amount of statistical data is available regarding current terrorism-related cases, which have resulted in arrests within the United States since the formation of ISIL and its declaration of a state. These metrics offer some insight into the approach of the U.S. intelligence and law enforcement communities in response to this threat. In the opening preface of a statistical study authored by the Fordham University Law School Center on Law and Security, researchers described the U.S. law enforcement approach as driven by two key goals. The first was to prevent individuals within the United States from joining ISIL’s ranks overseas. The second was to prevent individuals from mounting attacks in the American homeland.

As of July 2016, at least 101 cases involving ISIL-related extremists and a total of 94 indictments were in U.S. federal courts.²¹³ The strategy of federal law enforcement has relied heavily on the material support for terrorism charge, based on the figure that 80% of those indicted faced accusations of that crime.²¹⁴ From a prosecutorial standpoint of the 94 persons charged in federal court, 46 were convicted, with many of the cases

²¹¹ Eric Lichtblau, “F.B.I. Steps Up Use of Stings in ISIS Cases,” *New York Times*, June 7, 2016, <http://www.nytimes.com/2016/06/08/us/fbi-isis-terrorism-stings.html>.

²¹² *Ibid.*

²¹³ Greenberg, *Case by Case: ISIL Prosecutions in the United States*.

²¹⁴ *Ibid.*

awaiting trial.²¹⁵ Overwhelmingly, the evidence collected in these investigations has been compelling enough to result in guilty pleas in roughly 85% (46) of the cases, with 7% (7) being convicted in trials.²¹⁶

Furthermore, 14 ISIL-related extremists have been sentenced for their crimes, receiving an average of 9.2 years in prison.²¹⁷ Worth noting is that, at this time, not a single ISIL-related suspected charged with terrorism-related crimes has been acquitted. The prosecutions in these cases currently have a 100% success rate.²¹⁸

From a tactical standpoint, the preferred operation by federal authorities appears to be investigations that bring a suspect to the furthest point possible for an aspiring foreign fighter without endangering public safety. Evidence is shown by at least 25 known instances where an ISIL-related suspect was detained either while traveling to an airport, or the terminal or gate prior to boarding a plane.²¹⁹ While a precedent exists for individuals being arrested after having left the United States, these cases are rare, occurring on only five occasions.²²⁰

D. KEY TAKEAWAYS

This chapter explored the ISIL threat landscape in the United States, first detailing attacks and other incidents where redirected radicals were present before moving into how the U.S. law enforcement and intelligence community has responded to the issue. It is important to consider the context of the U.S.' post-9/11 experience with terrorism-related cases when viewing recent developments and response strategies surrounding the ISIL threat. As shown, over 100 terrorism-related cases occurred in the United States in the less than two years since the establishment of ISIL. Over the span of the 12 years between the 9/11 attacks, and the formation of ISIL (2001–2013), the United States had a

²¹⁵ Greenberg, *Case by Case: ISIL Prosecutions in the United States*.

²¹⁶ *Ibid.*

²¹⁷ *Ibid.*

²¹⁸ *Ibid.*

²¹⁹ *Ibid.*

²²⁰ *Ibid.*

cumulative total of 368 terrorism cases.²²¹ In only two years, ISIL has effectively been responsible for a significant portion of that prior figure; a development indicative of the group's increasingly wide appeal in the broader global jihadist community. This dramatic growth will likely continue to pose a resource challenge for U.S. law enforcement and intelligence authorities tasked with the nation's counterterrorism mission.

²²¹ Center on National Security at Fordham Law, *U.S. Prosecutions of Jihadist Terror Crimes: Jihadists by the Numbers, 2001–2013* (New York: Center on National Security at Fordham Law), 2013, <http://static1.squarespace.com/static/55dc76f7e4b013c872183fea/t/56b88ef1356fb0ff251aa15a/1454935794120/JihadistFactSheet2001-13.pdf>.

VI. CONCLUSION AND RECOMMENDATIONS

O slaves of Allah, O muwahhiddin! If the tawaghit have shut the door of hijrah in your faces, then open the door of jihad in theirs. Make your deed a source of their regret. Truly, the smallest act you do in their lands is more beloved to us than the biggest act done here; it is more effective for us and more harmful to them. If one of you wishes and strives to reach the lands of the Islamic State, then each of us wishes to be in your place to make examples of the crusaders, day and night, scaring them and terrorizing them, until every neighbor fears his neighbor. If one of you is unable, then do not make light of throwing a stone at a crusader in his land, and do not underestimate any deed, as its consequences are great for the mujahidin and its effect is noxious to the disbelievers.²²²

~Abu Muhammad al-Adnani, ISIL spokesperson and external operations figure

A. ISIL IN CHECK AND NO LESS DEADLY

A great deal can change in two years. For terrorist organizations like ISIL, that span of time may appear small, but it can represent an eternity for law enforcement and intelligence agencies. After the formal declaration of its so-called “Caliphate” by Abu Bakr al-Baghdadi on June 29, 2014, ISIL demonstrated to the world its ability to function not just as a jihadist movement but also as a proto-state with unprecedented amounts of territory in Iraq and Syria, access to revenue obtained from taxation and extortion within its area of control, illegal petroleum sales, and other criminal methods, such as hostage taking.²²³ In response to a sustained campaign of military airstrikes and counterterrorism support by a multi-national U.S.-led coalition, ISIL’s capability to project force directly into Western Europe and indirectly inspire violence in the United States has been demonstrated time and time again.

²²² Abu Muhammad al-Adnani, *That They Live by Proof* (Al-Hayat Media Center, 2016), <https://Pieter.vanostaeyen.files.wordpress.com/2016/05/al-hayat-that-they-live-by-proof.pdf>.

²²³ “Two Arab Countries Fall Apart,” June 14, 2014, <http://www.economist.com/news/middle-east-and-africa/21604230-extreme-islamist-group-seeks-create-caliphate-and-spread-jihad-across>.

Despite significant setbacks to the group involving leadership takedowns in Iraq and Syria, continued infighting among its ranks, internal defections, and adverse hits to its revenue stream, the group appears to have recently become even more aggressive in the tempo and scale of its external operations.²²⁴ Attacks like the November 2015 assault in Paris, which left 130 dead, and the March 2016 Brussels bombings that killed 32, demonstrated to the world the long-feared scenario of Western foreign fighters returning home and putting their deadly tradecraft and combat skills to use in their home countries.²²⁵

An intense public debate has centered on the proliferation of ISIL-related attacks in Western countries from Germany and Denmark to Belgium and France. Some question whether this dangerous development represents a sign of weakness for the terrorist group, or an indicator of renewed strength, an opening salvo versus a death rattle. Regardless of that debate, continued attacks of this sort aimed at the United States are likely even more valuable to the terrorist organization at this time than ever before. The group likely recognizes that its continued survival will not allow it to rest on its laurels as the premier global violent jihadist organization on the planet, resigned to holding and fending off attempts to take back its territorial gains in the Middle East. Rather, continued dramatic mass-casualty attacks involving lethal and theatric tactics including hostage taking and suicide bombing in the West help to bolster the group's powerful perception. One of the common refrains seen throughout scores of ISIL propaganda documents and videos is the phrase "remaining and expanding."²²⁶ Those two words offer insight into the group's strategy of either directing, supporting, or inspiring attacks by its supporters in the West, even while under increased counterterrorism pressure. This course of action helps to

²²⁴ Josie Esnor, "Two Years of Islamic State: Where Are We Now?," *The Telegraph*, June 29, 2016, <http://www.telegraph.co.uk/news/2016/06/29/two-years-of-islamic-state-where-are-we-now/>.

²²⁵ Larry Buchanan and Haeyoun Park, "Uncovering the Links between the Brussels and Paris Attackers," *New York Times*, April 9, 2016, http://www.nytimes.com/interactive/2016/03/23/world/europe/how-the-brussels-and-paris-attackers-could-be-connected.html?_r=0.

²²⁶ Joby Warrick, Will McCants, and Aaron Y. Zelin, "The Rise of ISIS: 'Remaining and Expanding,'" *The Washington Institute for Near East Policy*, November 12, 2015, <http://www.washingtoninstitute.org/policy-analysis/view/the-rise-of-isis-remaining-and-expanding>.

reaffirm its legitimacy among its adherents while demonstrating its relevance as an extremely influential force.²²⁷

The United States has experienced a substantially larger number of ISIL-related plots than Australia and Canada. Evidence is indicated by the number of total arrests, investigations, and suspects in Chapters III through V. As discussed earlier in Chapter V, with at least 11 violent incidents, the United States has also experienced a significantly higher number of attempted and successful attacks by homegrown violent extremists. All three countries have been impacted by violent incidents carried out by individuals described in this research as redirected radicals. One additional unifying trait is apparent in their shared experience, neither the United States, Canada, nor Australia have suffered a single attack by a returned foreign fighter from ISIL-held territory in Iraq and Syria.

B. A PROBLEM OF RESOURCES

FBI Director Comey went on record in May 2016 to provide an update on terrorism-related threats facing the United States. He described that the number of Americans successfully reaching or attempting to travel to ISIL-held territory is in decline, dropping from six per month to roughly one per month over the last year.²²⁸ Despite the observable decline in foreign fighters, the FBI currently has over 1,000 cases involving known or suspected extremists nationwide.²²⁹ Approximately 800 of those cases involve some degree of ISIL influence or connectivity.²³⁰ It appears that the propaganda released by ISIL, notably the statement by Abu Muhammad al-Adnani included at this chapter's opening is being well received in America. That recent message gave sanction to exactly the trend of activity observed in this research; HVEs wanting to go abroad but being prevented from doing so, and attacking their homeland not out of

²²⁷ Pamela Engel, "ISIS Just Passed a Major Milestone, but the Group Looks a Lot Different Than It Did 2 Years Ago," *Business Insider*, June 29, 2016, <http://www.businessinsider.com/isis-caliphate-declining-2016-6>.

²²⁸ AP, "ISIS' American Recruitment on Decline, FBI Director Says," CBS News, May 11, 2016, <http://www.cbsnews.com/news/isis-american-recruitment-on-decline-fbi-director-says/>.

²²⁹ *Ibid.*

²³⁰ Pierre Thomas, "FBI Tracking Nearly 800 ISIS-Related Cases Across US, FBI Director Says," *ABC News*, May 11, 2016, <http://abcnews.go.com/US/fbi-tracking-800-isis-related-cases-us-fbi/story?id=39037540>.

initial preference but instead out of limited circumstances, now with the blessing of ISIL's senior leadership.

In the aftermath of the June 2016 Orlando attack, and previous terrorist acts carried out by suspects previously known and investigated by U.S. counterterrorism authorities, some have raised the question of whether the FBI and other agencies face a crisis of resources amid the tremendous and unprecedented number of potential terrorism leads being generated.²³¹ Alternatively, perhaps the threshold of information required to open a full investigation and follow-up a closed case over the long-term needs reform in some areas. The prevalence of redirected radicals in the United States highlights that both may be the problem.

That post-Garland, Texas, attack report by *Stratfor* discussed earlier in Chapter V briefly discussed this issue and claimed the following:

The FBI will be criticized for not tracking Simpson more carefully and stopping the attack before it could be launched. But the truth is that there are simply too many potential attackers in the West for the government to keep them under constant surveillance. Furthermore, the efforts of the government are focused primarily on tracking and countering professional, trained terrorist operatives who pose a more severe threat.²³²

The figures of potential ISIL-inspired individuals within the United States at varying stages of radicalization and with wide degrees of willingness to commit violence are without historical equal in the post-9/11 era. The sheer number of open investigations has continued to rise without a commensurate increase in intelligence and law enforcement personnel to match that challenge. For example, in late 2015, it was reported that the FBI was using devoted surveillance personnel to track 48 individuals within the United States.²³³ This figure is relatively small when considering the sheer volume of ISIL-related cases reportedly being investigated at the time. These investigations have

²³¹ Garrett Graff, "The FBI's Growing Surveillance Gap," *Politico*, June 16, 2016, <http://www.politico.com/magazine/story/2016/06/orlando-terror-fbi-surveillance-gap-213967>.

²³² *Ibid.*

²³³ Catherine Herridge, "FBI Using Elite Surveillance Teams to Track at Least 48 High-Risk ISIS Suspects," *FOX News*, November 27, 2015, <http://www.foxnews.com/politics/2015/11/27/fbi-using-elite-surveillance-teams-to-track-at-least-48-high-risk-isis-suspects.html>.

reportedly used mobile surveillance teams (MSTs) to provide extensive tracking of the movements, activities, and associates of known or suspected terrorists.²³⁴ The resources involved are heavily taxing both in terms of manpower, technical assets, and financial funding, often requiring at least 12 investigators.²³⁵ The issue has led to some former officials in the U.S. intelligence community, notably former CIA Director, Air Force General Michael Hayden, to claim that the primary federal law enforcement agency charged with the country's counterterrorism mission, the FBI, is under-resourced.²³⁶

Whether or not the number of potential HVEs has reached a critical mass beyond the means of surveillance resources in the United States remains a subject of debate. However, looking out from beyond the Garland, Texas attack to the other violent ISIL-inspired incidents and counterterrorism cases in the United States and elsewhere worldwide, several common observed themes may help prevent known extremists from falling off the radar in the future and present opportunities to utilize current resources more intelligently while better preparing law enforcement personnel for potential hostile encounters with likely redirected radical suspects.

C. RECOMMENDATIONS

The objective of this research was to explore shared ISIL threat trends from the HVE cases experienced by the United States, Australia, and Canada. On a policy level, the findings have provided validation to some of the intelligence and law enforcement response strategies while raising serious questions about the risk of others. For counterterrorism analysts and officers, the research also has led to some key takeaways, which may positively inform future operational considerations and practices.

Future U.S. government intelligence assessments focusing on ISIL-related terrorism concerns and threats would benefit from greater specificity in detailing foreign fighter information. Chapters III, IV, and V explored the official foreign fighter metrics

²³⁴ Herridge, "FBI Using Elite Surveillance Teams to Track at Least 48 High-Risk ISIS Suspects."

²³⁵ Ibid.

²³⁶ Jason Devaney, "Gen. Michael Hayden: FBI Needs More Manpower in Terrorism Fight," *Newsmax*, June 15, 2016, <http://www.newsmax.com/Headline/michael-hayden-fbi-needs-manpower/2016/06/15/id/734102/>.

and data provided by government agencies of Australia, Canada, and the United States. While this information is valuable in developing a broad understanding of the increase or decrease in the number of Westerners from these nations traveling to ISIL conflict zones at particular points in time, it appears that all three nations produce the information in inconsistent ways that fail to provide the clearest picture possible of successful, attempted, aspiring, and returned extremist travelers.

For example, rather than using one broad metric for all extremists that have attempted or succeeded in joining ISIL and other terrorist groups abroad, reports should instead include the approximate number of individuals with an understood desire to travel abroad, those thwarted from doing so, individuals currently fighting or killed overseas, and the status of those who had returned. This important context at the strategic policy level can help guide the operational prioritization of investigations at the tactical level.

In numerous cases examined throughout Canada, Australia, and the United States, similarity was found among redirected radicals and the timing of their attacks, with at least four violent incidents occurring within close proximity to calls for violence in Western countries made by ISIL leadership figures. All these incidents involved the targeting of uniformed military or law enforcement personnel. For investigators charged with investigating terrorism suspects, or encountering individuals of undetermined extremist adherence, regular awareness of this threat-related information and familiarity with the tactics used by ISIL-inspired individuals has the potential to impact officer safety positively. Federal, state, and local security authorities including but not limited to military personnel, intelligence officials, law enforcement officers, and first responders must be regularly made aware of the current threat environment predominantly posed by ISIL and its network of ideological adherents. Statements that focus on encouraging extremist supporters in the West to conduct attacks on their homeland rather than overseas, especially if coming from proven influential figures who have inspired previous violence, like Abu Bakr al-Baghdadi or Abu Muhammad al-Adnani, should be immediately briefed to these communities to enable heightened vigilance. Awareness that suspected extremists have consumed propaganda from these and other similar figures should raise considerable investigative red flags. The potentially greater likelihood that

these individuals may redirect violence on domestic targets merits increased deployment of resources and threat mitigation measures by law enforcement authorities.

The significant uptick in ISIL-related cases within the United States since roughly September 2014 will continue to place a heavy burden on federal law enforcement and intelligence assets, principally those of the network of 104 JTTFs throughout the United States.²³⁷ Recognizing this threat, it is advised that additional direct hiring authority be provided to the FBI for the purpose of increasing the number of investigators tasked with executing its counterterrorism mission. A significant addition of resources will help alleviate the current unprecedented demand placed on investigators and reduce the number of cases being prematurely closed or deprioritized due to a lack of resources. A comparative analysis provided in Chapters III, IV, and V highlighted that the allocation of limited resources is an important factor for law enforcement and intelligence agencies across Canada, Australia, and the United States, in determining how to process and move forward with counterterrorism investigations. This shared struggle appears to have driven the need to create prioritization lists for terrorism cases that have centered heavily on individuals at risk of traveling overseas or with clear stated intent to carry out attacks on their home soil. The gray area that exists in between these two types of extremists is the domain of redirected radicals and additional resources may allow for greater scrutiny of this dangerous subgroup of ISIL-inspired extremists.

A comparative analysis revealed that within the United States, Canada, and Australia, those investigating counterterrorism cases focusing on ISIL-inspired extremists have encountered difficulty monitoring increasingly paranoid and security conscious terrorism suspects. In several of the reviewed terrorism cases, notably in New York City and Massachusetts, HVEs suspicious of being monitored by law enforcement personnel eventually took deliberate hostile actions, including arming themselves with knives and deploying counter-surveillance techniques, posing a greater and more imminent threat to authorities. Bearing this development in mind, coupled with an apparent increase in the

²³⁷ Federal Bureau of Investigation, *Protecting America from Terrorist Attack: Our Joint Terrorism Task Forces* (Washington, DC: Federal Bureau of Investigation, 2015), https://www.fbi.gov/about-us/investigate/terrorism/terrorism_jtffs.

willingness of ISIL's Western supporters to confront police openly, in addition to new staff at the federal level, it is vital that investigative coursework, specifically hostile surveillance and counter-surveillance detection training, be regularly expanded to state and local support partners in coordination with JTTFs. With adequate training, these auxiliary counterterrorism surveillance teams will be able to put the FBI in a better position to perform the resource-intensive 24/7 surveillance operations effectively on suspected violent extremists at greatest risk of redirecting violence. An abundant pool of trained and cleared surveillance officers will also place domestic counterterrorism efforts in a more agile position to grow and maneuver deployed resources during periods of increased threat. Investigators assigned to ISIL cases involving either suspected homegrown violent extremists with an interest in conducting domestic operations, aspiring foreign fighters with the likely imminent intention of traveling to Iraq, Syria, or other jihadist battlefields abroad, and standard material support for terrorism cases, must regularly be instructed to act with extreme caution in any interactions with terrorism suspects. Plainclothes investigators should be advised, regardless of assignment, to don ballistics vests while on duty, even if contact with an ISIL suspect is not planned or anticipated. SWAT team operators or those similarly equipped with full protective gear should be the only units authorized to conduct the execution of search warrants, suspect apprehensions, and other lawful investigative actions involving interactions with terrorism suspects.

From Montreal and Ottawa to Garland and Melbourne, violent attacks have occurred involving Western ISIL supporters who previously expressed an interest in becoming foreign fighters, but at some point, were made aware or came to believe that they were unable to travel. Rather than simply give up their desire to support the terrorist organization, containment policies, such as the revocation or denial of passports, appear to have acted as catalytic triggers, making the individuals feel trapped and turning a domestic operation into a more acceptable option of last resort. Considering this analysis, it has become clear that known or suspected ISIL extremists, particularly aspiring foreign fighters, who are the subject of ongoing and future counterterrorism investigations, should not be officially notified or otherwise made aware of any changes to their

immigration status, passport holding ability, or any other legal factor that could lead to the perception that they are not able to travel freely outside of the United States to Syria, Iraq, or any other foreign jihadist battlefield. This objective must be a key component of investigations from the opening of the case to either the successful facilitation on an arrest or the closing of the investigation. Legislative efforts in the United States, such as Key Finding Recommendation 21 of the House Committee on Homeland Security’s foreign fighters’ report, which explores the revocation of terror suspects’ passports, should not be hastily authorized, and may have negative security impacts.²³⁸ Rather, the United States must seek to strike a balance between containing the risk of an aspiring foreign fighter from traveling to receive training overseas and alerting said extremist to a point where they feel their only way of supporting ISIL is to conduct a homeland attack. Creative and covert law enforcement approaches, particularly clandestine additions to the “no-fly list” and other methods are likely counterterrorism alternatives with better odds of success.

A review of terrorist attacks by ISIL extremists over the last two years including the 2015 Garland, Texas attack, and the June 2016 Orlando shooting, reveals the persistent problem of terrorism suspects falling off the investigative radar or being deprioritized as security concerns in the months and years prior to a major operation. Similar cases, such as the December 2014 Sydney hostage crisis, highlight a similar problem faced by other Western allies. Given the number of attacks that have occurred in the United States, Canada, Australia, and elsewhere involving individuals previously known to counterterrorism authorities, and in some cases, investigated and contacted for their extremist connections, current policies regarding the length of time a terrorism case may remain open, the threshold for closing an investigation, or systemic structures that enable suspects to be periodically re-investigated should be explored for areas of reform. Considering the similarities of background and shared experiences of the redirected radicals observed in violent incidents throughout the United States, Canada, and Australia, a suspected extremist’s interest in overseas travel, connections to Western foreign fighters, and a range of personal aggravating circumstances including mental

²³⁸ McCaul et al., *Final Report of the Task Force on Combating Terrorist and Foreign Fighter Travel*.

illness, family disputes, and financial difficulties should all be weighted heavily in the decision to close an investigation. These factors may be interpreted as evidence of a suspect's lack of serious capability or ideological commitment to a terrorist group like ISIL, when in reality, the cases studied indicate that they may make an individual even more susceptible to rapid radicalization and violent redirection.

While the current domestic law enforcement counterterrorism strategy in the United States has largely proven successful, resulting in a 100% conviction rate in terrorism arrests brought to trial. The average sentence in ISIL-related cases has been roughly 10 years in prison, and the average age of those convicted is 26 years old.²³⁹ Excluding the possibility of early release, it means that the majority of current convicted ISIL extremists will be free from prison before their 40th birthday, making the need for research, development, and implementation of long-term programs to counter violent extremism and prevent recidivism more important than ever to prevent ISIL convicts from engaging in future acts of terrorism. This need is supported by cases, notably in Australia, but elsewhere in Western nations, when individuals previously adjudicated for crimes went on to commit extremist violence.

Over the last two years of ISIL's existence, the United States has suffered a greater number of violent incidents involving HVEs who adhered to the ideology of the terrorist organization or similar groups, compared to its allies Australia and Canada. However, of the cases reviewed in Chapters III, IV, and V, both these nations have experienced a comparably higher number of attacks involving ISIL extremists who could be classified as redirected radicals. This higher number may in part be due to the counterterrorism policy strategy adopted by both Australia and Canada that incorporates a combination of elements, such as passport revocation to ban travel. Terrorism suspects made aware of these limitations in numerous outlined cases were then more likely to conduct violence against their homeland and countrymen.

²³⁹ David Smith, "81% of ISIS-Linked Suspects Charged in US Are American Citizens," *The Guardian*, November 20, 2015, <https://www.theguardian.com/world/2015/nov/20/isis-suspects-us-citizens-syria>.

Chapters III and IV explored the unique use of preventative detention measures by the governments of Canada and Australia in the form of peace bonds and preventative detention orders, respectively. At present, at least one of the suspected ISIL extremists who have been subject to these judicial measures was responsible for an act of terrorism on their own soil. However, the use of these unique tools is a relatively new phenomenon and the detention measures for these individuals, who have not been convicted of a terrorism-related crime, are not indefinite. The increased monitoring, social media restrictions and other limitations are generally set to phase out after roughly a year for terrorism suspects, raising the threat of these ISIL-inspired extremists potentially to redirect violence as a result of feeling trapped in their home countries or simply delaying hostile actions until an opportunity presents itself when the mobility restrictions expire.

D. MAKING SENSE OF FOREIGN FIGHTERS

The current ISIL foreign fighter threat narrative in the United States is potentially flawed and broadly generalizes Western sympathizers as those who have traveled abroad successfully and are preparing to return home to conduct attacks or endeavor to join ISIL overseas with the sole intention of traveling back to their country to conduct attacks. This view overlooks the likely threat of aspiring foreign fighters, those who not only seek to join ISIL abroad, but also hope to live the rest of their days in Iraq and Syria, with no initial expressed desire or interest in conducting homeland operations. This thesis has provided a model for understanding these extremist aspirants and the transformative threat they pose. Ultimately, when prevented from becoming foreign fighters on the battlefield with ISIL, a significant likelihood then exists that these individuals will no longer be contented aspirants and will instead commit to attacking their homeland, and thus, becoming redirected radicals.

After a review of relevant literature, and an extensive comparative case study analysis of three Western nations with a similar terrorism threat environment, clear opportunities exist for reform, which may make the process of identifying the extremists at greatest risk of turning their intended support for ISIL overseas into violent action at home more effective. As programs that present alternatives to arrest and imprisonment

continue to be developed, the U.S. law enforcement community has a challenging responsibility to prevent attacks within the current system and deploy resources in an intelligent way that maximizes collection, facilitates prosecution, and effectively reduces the danger facing the public. This thesis has made clear that not all actions taken during the course of a counterterrorism investigation are guaranteed to result in a positive outcome, and even the best intentions of preventing extremists from fighting abroad can trigger the unintended consequence of them choosing to attack their countrymen and die at home.

Ultimately, law enforcement agencies benefit by being able to control many of the levers that can alert aspiring foreign fighters that their plans for overseas travel have been disrupted, which thus results in them altering their behavior. In these particular cases, the perception by a terrorism suspect of law enforcement inaction is likely a stronger preventative resource than overt action. It is paramount that counterterrorism authorities be aware of the danger that these individuals pose at every step of an investigation, and that officers are supported by government policies that aim not only to prevent the potential threat of foreign fighter returnees, but also the proven danger of redirected radicals.

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