



Terrorism Prevention in the United States

A Policy Framework for Filling the CVE Void

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Abstract: The absence of a terrorism prevention architecture represents a major strategic-policy vulnerability in efforts to counter terrorism within the United States. This policy paper offers a framework of institutional and policy recommendations to help inform such a Terrorism Prevention strategy. Non-partisan in its approach, this Terrorism Prevention framework is characterized by four interlocking policy principles: rule of law, the individual, proportionality and public outreach. With its focus on constitutionality and narrowing the scope of government involvement in pre-criminal interventions, the Terrorism Prevention approach proposed here calls for a focused government effort calibrated to the nuances of the national security, legislative and strategic-policy context of the United States. Its recommendations include changes to the United States Code related to ‘domestic terrorism’ offenses, the establishment of a multitiered interventions system, the assignment of Terrorism Prevention responsibilities to a lead federal department, and an expansion of private sector and civil society opportunities and responsibilities to counter violent extremism.

Despite the number and diversity of ideologically-motivated security threats in the United States, there remains no overarching prevention strategy to complement counterterrorism efforts. This was explicitly acknowledged in the *National Strategy for Counterterrorism of the United States of America* (October 2018) which stated that, ‘over the past seventeen years, we have built a robust counterterrorism architecture to stop attacks and eliminate terrorists, but we have not developed a prevention architecture to thwart terrorist radicalization and recruitment.’¹ While the United States has, under previous administrations, pursued countering violent extremism (CVE) objectives within the homeland, the strategic-policy void that has emerged represents a critical vulnerability that must be addressed. This policy paper offers a framework of institutional and policy recommendations to inform a ‘Terrorism Prevention’¹ strategy in the United States although its offerings may contribute to broader thematic debates in the fields of research and practice. Terrorism Prevention represents a reset opportunity in how the United States prevents ideologically-motivated political violence in the homeland. This policy framework addresses many of the common criticisms that are, fairly or otherwise, directed towards CVE practice (e.g. ill-defined, all-encompassing, subjectively applied) and offers a path forward that reflects an ongoing evolution in the research and policy fields; a need to learn from the past as well as break from it.

The Terrorism Prevention approach outlined here is founded on four interlocking policy principles: rule of law, the individual, proportionality and public outreach. It advocates for a narrower government scope in which a lead federal government agency is responsible for the *implementation* of a narrowly targeted intervention system and *coordination* of state and local government efforts to build and strengthen partnerships with communities, civil society groups and the private sector. The strategy emphasizes a proportionate and constitutionally sound approach to terrorism prevention that is calibrated to marginalize terrorist sympathizers and limit the range of psychosocial and

¹ For the sake of scope and clarity, this policy paper uses the term ‘Terrorism Prevention’ because it most succinctly and accurately captures the focus of this framework of policy principles. ‘Terrorism Prevention’ as it is used in this policy paper is entirely non-partisan and does not reflect any association with the views of any administration or party. The term ‘terrorism prevention’ is not new to the field’s lexicon. For example, since 2003 the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime has been responsible for providing legal support to Member States (<https://www.unodc.org/unodc/en/terrorism/>). Indeed, terrorism prevention’s origins in rule of law approaches to preventing terrorism and related offenses are reflected in how this policy paper applies the term. Moreover, terrorism prevention implies a narrower, more focused approach to prevention that is proactive rather than reactive.

strategic factors that fuel mobilization towards terrorism. Public outreach, especially via strategic communications, is afforded a key role in this approach not only to inform the public of the strategy's intent and raise awareness about federal, state and local initiatives but lessen the psychological impact and polarizing political effects of terrorist propaganda and actions.

The purpose of this policy paper is to offer a framework of strategic-policy recommendations to help inform a Terrorism Prevention strategy for the United States' homeland. While there is currently no overarching preventative strategy in the United States, the path towards formulating such a strategy requires careful consideration of three factors. First, the history of preventative efforts in the United States and beyond means that while there is currently a strategic-policy vacuum, it is not a 'clean slate'. Put simply, the architects of a Terrorism Prevention strategy will need to both learn from and break clear of that legacy while acknowledging how it has shaped the perceptions of not only practitioners but those communities most likely to be affected by its implementation. Second, the violent extremist threat environment in the homeland is diverse, volatile and fluid. Any preventative strategy will need to take this reality into account. Third, at the heart of any preventative strategy will be a system of pre-criminal interventions which are inherently contentious for democratic governments generally and particularly for the United States given its constitutional protections. The opening two sections of this policy paper— 'Countering Violent Extremism in Context' and 'Terrorism Prevention: Definition, Context & Contrast' – are devoted to exploring these dynamics and its implications for the approach to Terrorism Prevention proposed here. This policy paper concludes with 'Policy Recommendations' that detail the institutional and policy components of a Terrorism Prevention strategy in the United States. The *National Strategy for Counterterrorism* highlighted the need to 'institutionalize a prevention architecture to thwart terrorism' as a key priority action and this policy paper seeks to contribute to that effort.²

Countering Violent Extremism in Context

Twenty-first century CVE theory and practice emerged from a recognition that the traditional counterterrorism measures that typified the earliest salvos of the Global War on Terror required complementary preventative efforts. Initially this strategic-policy discourse focused primarily on the foreign fronts of the Global War on Terror.³ However, as the homegrown terrorism threat became the primary domestic security concern for many Western nations, CVE was soon seen as a requisite component of any comprehensive counterterrorism policy. While CVE thinking and practice has evolved and diversified considerably into its second decade, certain approaches have tended to be more dominant than others.⁴ For example, the PREVENT strand of the United Kingdom's CONTEST strategy⁵ has influenced CVE approaches in many other Western democracies. Indeed, PREVENT's evolution since 2005 has broadly mirrored shifting trends in the CVE field. Community-level initiatives and championing 'moderate' voices dominated its early iterations while more recent efforts, especially via CHANNEL, have tended to focus on individual interventions, the value of strategic communications and a broader spectrum of threats (e.g. extreme right). It is important to consider the criticisms that have been

levelled at the CVE field because these provide useful context for the Terrorism Prevention approach outlined here.

Four fundamental problems have contributed most to CVE's often maligned status, fairly or otherwise, in many scholarly and policy circles:⁶

- What constitutes CVE is often ill-defined while the fields of research and policy have tended to be built on poor conceptual and empirical foundations.⁷ Difficulties in disaggregating different types of threats and contexts have also hampered policy and practitioner application.
- CVE proponents have often championed wide-ranging, multisector, community-focused approaches resulting in practice that can be ambiguous in its scope, prone to mission creep (i.e. unplanned shifts in aims and sectoral responsibilities) which further drains finite funds and renders efforts susceptible to accusations of subjective application.⁸
- CVE practice has often been weakened by a lack of metrics to evaluate impact further compounding concerns about ambiguity, subjectivity and overreach.⁹
- The politicization of the CVE agenda has further exacerbated the impact of the aforementioned trends.

The American experience with domestic CVE has often mirrored many of these problems. While the Bush administration's *National Security Strategy* (2006) identified prevention as an important pillar of its approach to combating terrorism,¹⁰ the United States did not develop a domestic CVE strategy¹¹ until August 2011 with *Empowering Local Partners to Prevent Violent Extremism in the United States*.¹² Adopting a community-based approach, the strategy focused on three key areas:

- (i.) 'enhancing Federal engagement with and support to local communities that may be targeted by violent extremists',¹³
- (ii.) 'building Government and law enforcement expertise for preventing violent extremism',¹⁴ and;
- (iii.) 'countering violent extremist propaganda while promoting our ideals.'¹⁵

In December 2011 a strategic implementation plan was released which outlined the goals of the strategy's components and the responsibilities of government agencies, especially its four federal leads: Department of Homeland Security (DHS), Department of Justice (DOJ), the Federal Bureau of Investigation (FBI) and the National Counterterrorism Center (NCTC).¹⁶ As part of this effort, a range of pilot CVE programs were rolled-out in three cities with Los Angeles adopting a community-engagement model, Minneapolis a more holistically-focused societal approach and Boston implementing an individual interventions method.¹⁷ With an updated implementation plan released in October 2016, the fundamentals of the 2011 CVE strategy remained largely unchanged.¹⁸ With the release of DHS's similarly community-centric CVE strategy, followed months later by a call for CVE grant proposals from community groups, it seemed momentum may have

been building behind domestic CVE in the United States.¹⁹ Yet the criticisms of the United States' CVE strategy were broadly similar to those that dogged CVE practice in other democracies. Experts highlighted inadequate funding and the disjointed nature of its initiatives due largely to the absence of both a comprehensive overarching program and a single lead agency responsible for coordination, advocacy and oversight.²⁰ Civil liberty advocates and some members of America's Muslim communities accused the strategy of being disproportionate and subjective in its application, based on weak evidence, corrosive to constitutional protections, marginalizing and fueling disengagement from sectors coopted under CVE's umbrella.²¹ While the fairness of these criticisms may be debated, that they broadly mirror concerns in other democracies potentially pointed to a worrying pattern.

CVE was largely abandoned, at least as a term, by the Trump administration in 2017. And yet, halfway through the administration's first term and despite the release of its *National Security Strategy*,²² there remains little substantial strategic-policy implementation to fill the void. Overall, the assessment from experts and the response from communities has been that preventative efforts in the United States have significantly deteriorated in recent years.²³ What is positive, however, is that the October 2018 *National Strategy for Counterterrorism* highlighted the need to 'institutionalize a prevention architecture to thwart terrorism' as a key priority action.²⁴ Amidst years of stinging criticism by experts, legal scholars and local communities alike with problems that were as much about optics as substance, regardless of administration, it is clear that a policy reset on preventing ideologically-motivated violence in the homeland is required.

For a variety of reasons, CVE is often perceived in strategic-policy circles, as well as many of the communities in which it has been implemented, as problematic and unable to free itself from the optical and substantive issues that have come to be associated with it. While such perceptions are not always fair, it is an important contextual factor to consider in the development of strategic-policy recommendations. As John Horgan, one of the field's preeminent scholars on terrorist psychology and its implications for counterstrategies, asserts:

Countering Violent Extremism (CVE), for many, is more about preventing violent extremism from taking root in the first place. Because of this, those who espouse CVE quickly find themselves in a no-win situation. It is not unlike being shipwrecked with a tiny rowboat for survival. You may have the company of others but will face no end of disagreement about what to do. Once you realize that staying put is not a feasible option, it can be impossible to know in which direction you should row, and you might never know if you have succeeded. Worse, if rescued, it may not be because of anything that you actually did.²⁵

Horgan goes on to state, 'that we do not know precisely what we are preventing, let alone knowing how or whether we might have prevented it, does not make for a bright future. We cannot hide behind complexity.'²⁶ The United States is not the only country that is grappling with how and what to keep of the valuable lessons and practical tools from years of CVE thinking and practice. Indeed, it would be wrong to completely abandon all that falls under the 'CVE' umbrella. As Selim and Gartenstein-Ross argue, 'CVE isn't really a "paradigm" for approaching the problem of militancy, but rather a toolkit.'²⁷ Whatever it is called, priority needs to be given to identifying the mix of policy principles that can

maximize the efficiency and effectiveness of preventative efforts. As Glazzard and Rosand assert, ‘whatever one thinks of how it is practiced, a preventative approach to violent extremism is justifiable on ethical, financial, and practical grounds – and if prevention is possible, then we should continue to find more and better ways to achieve it.’²⁸ Years of CVE theory and practice should not be abandoned only to ‘reinvent the wheel’ when many of the strategic-policy components are already tried and tested. The question is how best to calibrate them into a cohesive institutional and policy architecture. That is ultimately the purpose of what follows: to critically consider how democracies engage in preventative activities targeting ideologically-motivated violent threats and to outline a set of Terrorism Prevention recommendations specific to the United States.

Terrorism Prevention: Definition & Context

In the proposed framework, Terrorism Prevention refers to a spectrum of government-led activities, central of which is a multitiered system of interventions, enacted to prevent individuals from breaking United States’ terrorism, hate crime and related laws, i.e. engaging in or supporting ideologically-motivated violence. Government-led preventative interventions thus occur under the conditions of reasonable suspicionⁱⁱ that an individual may commit terrorism (18 U.S.C. §§2331-2339),²⁹ hate crime and criminal civil rights offenses (18 U.S. Code § 2241-49)³⁰ as defined in the United States Code.ⁱⁱⁱ In the United States, individuals who engage in or support ideologically-motivated violence may be charged with more generic offenses (e.g. murder, assault) and this broad definition of Terrorism Prevention is designed to encapsulate related federal and state offenses. For instance, the criminal activity of domestic terrorism is not limited to ‘hate crimes’ (18 U.S. Code § 2249) but often may be addressed using a range of criminal civil rights offenses spanning 18 U.S. Code § 2241-49 as well as other federal and sometimes state charges. This approach is designed to provide appropriate legislative scope for a comprehensive approach to interventions spanning the full spectrum of threats.

In summary, government-led interventions occur under the conditions in which an individual is assessed to be at-risk of committing terrorism related offences and involvement in an intervention program offers an alternative to being charged. Some legislative changes are necessary to strengthen domestic counterterrorism and Terrorism Prevention efforts. Reasonably and consistently distinguishing between those treated as Terrorism Prevention targets and those ‘elevated’ to criminal subjects, especially given the standard of ‘reasonable suspicion’, will depend upon the nuances of each given case and, over time, the body of precedence that builds to inform such decisions. Overall, the narrower focus of federal authorities in a Terrorism Prevention approach creates more space for non-government initiatives (i.e. community, civil society and private sector) and facilitate a more sustainable and fiscally efficient long-term approach to prevention.

It is useful to highlight the underlying assumptions that underpin this conceptualization of Terrorism Prevention by considering:

ⁱⁱ Objectively justifiable suspicion based on facts and/or circumstances.

ⁱⁱⁱ This is not to imply that there is a hard distinction between ‘hate crime’ and ‘domestic terrorism’ offenses given these are often not mutually exclusive.

1. Where does Terrorism Prevention attribute responsibility for the problem it is seeking to address and therefore who is the primary target of intervention activities (source of the problem)?
2. Given the nature of the problem being addressed, what is required for the effective implementation of such a strategy (scope of application)?
3. What is the justification for intervening in the lives of democratic citizens (justification for intervention)?

Terrorism Prevention places responsibility on the individual for supporting or engaging in ideologically-motivated violence. This is a much narrower and tangible focus than the comparatively more ambiguous, broad-brushed and subjective notion of ‘extremist ideology’. While a crucial component, the role of ideology, particularly theological and jurisprudential arguments, is best addressed by non-government actors (e.g. civil society) operating in spaces protected by the responsibilities of democratic governments. Assumptions about *the problem* have clear implications for the scope and justification for interventions.³¹ Federal government-led Terrorism Prevention interventions would target individuals based on rule of law, i.e. reasonable suspicion that federal and/or state offenses may be committed by supporting or engaging in ideologically-motivated violence. This more focused government approach reflects an emphasis on proportionally narrowing government scope and intervention activities in a manner that protects democratic principles and values while rigorously targeting the problem at its heart.

Legislative Context

Tailoring a preventative strategy to the United States requires careful consideration of the legislative context within which the programs will be grounded. Democratic governments engaging in ‘pre-crime’ interventions has significant legal, particularly civil rights, implications. Given constitutional and civil rights protections, especially those protected under the First Amendment (i.e. freedom of religion, expression, association),³² these challenges are particularly acute in the context of the United States. The Terrorism Prevention strategy proposes a constitutionally sound approach to interventions based on law rather than opaquely defined ideological and religious factors. Consequently, Terrorism Prevention focuses specifically on measures designed to prevent individuals from committing acts of international or domestic terrorism within the borders of the United States as defined in 18 U.S. Code §§2331-2339,³³ hate crime and criminal civil rights offenses as defined in 18 U.S. Code § 2241-2249³⁴ and potentially a range of related, but non-specific, federal and state offenses. What emerges is a variety of legal mechanisms that may allow authorities to disrupt terrorist-related activities within the United States. A constitutionally sound approach to preventing ideologically-motivated violence is not just important for protecting democratic principles and freedoms but ensuring an effective preventative strategy while further empowering counterterrorism efforts. For example, changes to the United States Code designed to bolster ‘domestic terrorism’ laws would sharpen the tools and strengthen the legal basis for both counterterrorism and Terrorism Prevention efforts [see ‘Policy Recommendations’ for details].

A multitiered interventions system

The Terrorism Prevention approach proposed here seeks to learn from the critiques of CVE and offer an alternative to those problems whilst avoiding ‘reinventing the wheel’. A key lesson to emerge from the evolution of CVE practice has been the importance of individually tailored and targeted interventions as an essential preventative mechanism to be applied both preemptively (i.e. prior to engagement in offenses) and responsively (i.e. after engagement in offenses). Consequently, a multitiered interventions system has a central role in a Terrorism Prevention approach. Top-down interventions by federal authorities would need to be based on reasonable suspicion (i.e. objectively justifiable suspicion based on facts and/or circumstances) that an individual may engage in criminal activities related to terrorism and/or hate crime offenses.

Constitutionally, participation in a federal intervention program would need to be voluntary. However, authorities would also have the option of directing individuals towards state level or non-government intervention programs *or* ‘kicking up’ the issue to a counterterrorism case based on risk and threat assessments. Regarding the latter, if an individual is deemed an imminent risk then counterterrorism authorities are likely best equipped to handle the case. On the other hand, under certain circumstances federal authorities may assess that an individual is best placed into intervention programs at local or state levels instead of a federal program. As stated earlier, the challenge of distinguishing Terrorism Prevention targets from criminal subjects in a manner that is reasonable and consistent will depend on both the nuances of each case and the precedence that builds over time to inform such decisions. There is neither the time nor scope to outline the sheer range of circumstances, potentially spanning a spectrum of complexity, in which an intervention may occur. However, as an example, circumstances in which an intervention occurs prior to sentencing while an individual is in-custody could take advantage of a range of factors such as (i.) the willingness of the individual to participate in an intervention program, (ii.) the potential for trade-offs between the individual and judicial system, and (iii.) the potential for that individual to then participate in intervention programming in the future.³⁵ In other circumstances, non-government programs may identify individuals that they recommend ‘up’ to participate in government interventions which, after an assessment, could be facilitated if the individual volunteers to participate in the federal program. However, for the most part, interventions that do not satisfy ‘reasonable suspicion’ to engage in criminal acts would not be addressed by government programs and instead left to non-government initiatives.

Overall, a multitiered interventions system is designed to ensure that individuals can move up or down, in or out, dependent on the availability of services, assessment of risks and the judgement of authorities. Moreover, non-government interventions from the civil society or private sectors may provide approaches that government authorities are unable to offer due to constitutional constraints. This reality should not be interpreted as a government limitation that needs to be addressed with more regulation but rather a necessary mechanism by which democratic governments are appropriately constrained and thus leaves space (and greater responsibility) for non-government actors. The simultaneous narrowing of government interventions and a broadening of non-government interventions may facilitate a quicker recognition of individuals

demonstrating behavioral indicators compared to a government-centric approach. This is especially important given narrowing ‘flash to bang’ periods in some terrorism cases. This approach is also designed to allow government intervention programs to focus primarily on the most concerning of cases.

A diverse threat environment

Any preventative strategy must consider the nuances of the United States’ diverse domestic threat environment. The picture that emerged from the *National Strategy for Counterterrorism* was of a complex environment in the homeland characterized by an ideologically diverse array of threats, many encouraged if not supported by foreign-based state and non-state actors, actively exploiting the Internet and new technologies to amplify the reach and impact of their words and actions.³⁶ Three trends are particularly pertinent. First, terroristic violence committed by a variety of right-wing and racially-motivated extremists remains the most common form of ideologically-motivated violence in the United States.³⁷ Second, the threat posed by homegrown jihadists, especially those inspired by Al-Qaeda or the Islamic State, persists as a major domestic security concern.³⁸ Third, the diversity of ideological-motivations driving violent extremist activism in the United States represents a significant challenge in itself.³⁹ Indeed, this diversity may be even greater given the motivations of some lone shooters.⁴⁰ Moreover, this diversity contributes to a volatility within the security environment as threats posed by certain groups and actors (e.g. extreme right) may contribute to the mobilization of other groups and actors (e.g. the extreme left) in a ‘counter-movement’ dynamic. Consequently, there is no typical demographic profile of an American violent extremist. The *Program on Extremism*’s database of Americans charged for Islamic State related offenses paints an ethnically and socio-economically diverse picture of mostly males who are US citizens or permanent residents in their twenties.⁴¹ According to FBI reporting, hate crime offenses are increasing with a little over 40% of offenders being white and just over a quarter African-American with the rest from a range of ethnic backgrounds.⁴² It also needs to be highlighted that terrorism is a category of crime that remains miniscule compared to other criminal and public policy concerns. Proportionality of response is important for not only maximizing the efficiency and effectiveness of government and non-government efforts but minimizing the potential for ‘blowback’.

Reducing the appeal & impact of terrorist words and actions

One of the great challenges associated with confronting the threat of terrorism is how to minimize the unintended negative repercussions of counterterrorism and preventative efforts. After all, there is little value in implementing policies and strategies that, even if inadvertently, increase the pool of those susceptible to supporting or engaging in terroristic violence. As William Braniff argues,

Before crafting a strategy, articulating a policy, passing a law, conducting an operation, launching a community-based program, or even covering a terrorist attack on cable news, we should ask ourselves the following question: Will this effort help the majority community in question (for which the terrorist presumes to speak) further marginalize violent extremism in that community?⁴³

Due to the fringe nature of the terrorist threat, strategic-policy should be calibrated to ‘marginalize’⁴⁴ (i.e. ‘sideline’) those individuals, contextual factors and narratives that fuel the terrorism phenomenon. Such an approach has the additional aim of seeking to limit the political and psychological impact of the next attack. As detailed in the ‘Policy Recommendations’ section, Terrorism Prevention must calibrate its strategic-policy components to:

- (i.) Empower communities and individuals to sideline those who are championing terrorism or related offenses via a community safety campaign.
- (ii.) Protect and champion democratic freedoms and responsibilities to confront beliefs that violence is a necessary and legitimate means of exerting political influence.
- (iii.) Apply a proportional, rule of law based approach to prevention, augmented by public outreach and strategic communications, as a means to marginalize narratives of government persecution and undemocratic overreach resonating with at-risk individuals.
- (iv.) Using public outreach, especially strategic communications, to reduce the political and psychological impact of terrorist propaganda and violence itself (e.g. responsible media reporting and post-incident messaging guidelines) to decrease the incentives associated with supporting terrorist violence.

It is in these key ways that Terrorism Prevention seeks to proactively confront terrorist influencers as well as the psychosocial and strategic factors that contribute to the terrorist threat more broadly.

Policy Recommendations

The following recommendations offer a broad policy framework for a Terrorism Prevention strategy in the United States:^{iv}

First Principles

- Multifaceted preventative initiatives designed to thwart individuals from supporting or committing ideologically-motivated violence are a necessary corollary to counterterrorism efforts. Violence for political ends committed within democracies are particularly problematic given that a central feature of democratic political and legal systems is the protection of non-violent expressions of dissent (e.g. via freedoms of speech) and non-violent pathways for political change (e.g. via elections).
- It is imperative that acts of political violence are afforded severe punishments as both a deterrent and to demonstrate the government’s commitment to protecting non-violent means of dissent and political change. Equally, any initiatives that involve democratic governments intervening in the lives of its citizens prior to a crime being committed must ensure freedoms and rights are protected. The dilution or temporary removal of such protections risks undermining the population’s faith in the ability of

^{iv} Subsequent policy briefs will provide ‘deep dives’ into the various components of this issue including online interventions, prison interventions, strategic communications and public-private partnerships.

democratic systems to deal with criminal and national security issues. This is why a Terrorism Prevention approach narrows the focus of government interventions and grounds it in rule of law rather than more ambiguous notions of ‘extremism’ and ‘radicalization’. A narrower focus grounded in more tangible foundations may also enable a more rigorous approach to empirically gauging the efficacy and efficiency of Terrorism Prevention efforts.

- Terrorism Prevention offers a strategic-policy reset opportunity for the United States. Recognizing that democratic governments have unique responsibilities *not* to engage in certain activities, Terrorism Prevention is based on four overarching principles: rule of law, the individual, proportionality, and public outreach. Overall it recommends:
 - Legislative Change: A constitutionally sound approach to preventative measures (i.e. interventions) based on reasonable suspicion that individuals may break federal and/or state laws by supporting or engaging in ideologically-motivated violence. This would need to be based on risk and threat assessments as well as judgements regarding whether or not a case would be more appropriately handled by counterterrorism operators. Changes to the United States Code would strengthen ‘domestic terrorism’ laws and expand the tools and protections for counterterrorism and Terrorism Prevention practitioners.
 - Interventions System: The establishment of a multitiered interventions system characterized by initiatives at the federal, state and local levels.
 - Community Safety Campaign: Within communities, a Terrorism Prevention strategy calls for the roll-out of a ‘community safety’ awareness campaign training ‘frontline’ professionals to identify and respond appropriately to individuals demonstrating ‘warning signs’ or ‘indicators’ of someone vulnerable to self or other-directed violence of all varieties.⁴⁵ Terrorism is thus positioned within the context of other societal problems that may impact vulnerable individuals.
 - Federal Department and Agency Responsibility: At the federal level, a lead government agency should be responsible for the overarching implementation and coordination of the Terrorism Prevention strategy as a means of concentrating accountability and transparency. The Department of Justice has been identified as a potential lead agency with the Federal Bureau of Investigation (FBI) and Federal Bureau of Prisons (BOP) responsible for specific Terrorism Prevention intervention activities.
 - Public Outreach: Strategic communications are afforded a multifaceted and central role in a Terrorism Prevention strategy driven by three overarching aims. First, regular messaging is used to keep the public informed about the strategy’s intent for ensuring transparency and building goodwill.^v Second,

^v Much of the toxicity surrounding ‘CVE’ as even a label for certain activities, especially in local communities that were the target of these activities, was the lack of transparency around its focus and intent which contributed to a perception (rightly or wrongly) that it was being conducted under false pretenses.

- strategic communications are used to raise awareness about government, private and civil society efforts at federal, state and local levels as a capacity building mechanism. Third, targeted messaging is used to undermine the strategic logic and resonance of terrorist propaganda as well as reduce the psychosocial and strategic impact of terrorist words and actions.
- Partnerships with Civil Society & the Private Sector: The Terrorism Prevention approach facilitates an expanded role for civil society and the private sector. By limiting the scope of government to a narrower set of intervention activities, it opens broader space for non-government interventions that, for example, may target individuals at a much earlier stage in the radicalization process. Through a mix of ‘carrots and sticks’, governments can help to shape civil society and private sector efforts to counter violent extremism in ways constitutionally constrained for federal authorities.

Legislative Change

- Two changes to the United States Code are recommended:
 - Amend ‘domestic terrorism’ within the United States Code to include a criminal statute ensuring that such offenses will be subject to precise penalties.⁴⁶ This has several important implications. First, it broadens the range of tools available to federal counterterrorism and Terrorism Prevention units to confront ‘domestic terrorism’. Second, it secures the legal foundations for a robust and comprehensive Terrorism Prevention strategy for government and non-government entities. This would give the FBI the mandate to ensure nationwide consistency in the management of domestic terrorism cases. Third, such amendments would help to negate criticisms that Muslim communities are disproportionately targeted by such activities.
 - Update the list of proscribed foreign terrorist organizations to encapsulate the full spectrum of ideologically-motivated violent groups.⁴⁷ This would have the effect of providing federal authorities with more robust mechanisms to pursue domestic terrorist threats in the United States for counterterrorism and Terrorism Prevention purposes without the problems associated with establishing a list of domestic proscribed terrorist organizations.⁴⁸
- Legal coverage for not-for-profit, civil society and community-based initiatives is currently a hindrance for more active engagement in preventative efforts. Approved not-for-profit Terrorism Prevention intervention providers could receive ‘Good Samaritan’ coverage under their respective state laws. In states where ‘Good Samaritan’ laws do not provide civil immunity, federal or state governments may choose to offer partial or full insurance support.
- Deploy a public outreach campaign to explain changes to the United States Code highlighting its legal, operational and strategic implications for both Terrorism Prevention, counterterrorism and broader national security efforts. This messaging

should emphasize the importance the US government places on thwarting and punishing any type of ideologically-motivated violence while remaining committed to its constitutional responsibilities.

Interventions System

- A lead federal government agency, such as the Justice Department, should be responsible for the *implementation* and *coordination* of the Terrorism Prevention strategy into a systematic approach. This involves the establishment of a framework of minimum standards pertaining to Terrorism Prevention programs, training, legal cover and evaluation frameworks to guide state and local level initiatives. The interventions system would be characterized by macro, meso and micro level activities. At the macro-level a single federal government agency is responsible for oversight of implementation and coordination. Meso-level activities relate to the provision of training and funding to federal, state and local practitioners. Micro-level initiatives focus on targeted individual interventions offline, online and in prisons. State or federal government authorities may directly engage in targeted interventions.
- Given the federal government's constitutional responsibilities, this Terrorism Prevention approach broadens the scope for civil society and private sector engagement in preventative measures that are outside of the government's areas of focus. Targeted interventions enacted by federal authorities may be initiated either top-down (e.g. counterterrorism investigations identify at-risk individuals and channel them to an intervention program) or bottom-up (e.g. community, private, civil society or local/state authorities identify at-risk individuals and channel them to federal programs).

Community Safety Campaign

- Awareness is the key to prevention and targeted training will be essential at the community-level. Members of the community, especially professionals working in 'frontline' roles in the education, religious, health and social welfare sectors, need to be aware of 'warning signs' that an individual is at-risk of engaging in self or other-directed violence *and* the options for getting them help.^{vi} Prevention requires a diversity of intervention options across civil society, private sector and government. A generic 'community safety' campaign is the foundation upon which the interventions system is established. At the community level, preventing terrorism is merely a facet of building stronger communities rather than its central aim. This approach seeks to maximize the efficacy and efficiency of government efforts by incorporating Terrorism Prevention into broader multisector initiatives, especially at the community level, which may already exist or emerge in the wake of narrower government involvement. Providing more non-government options for intervention may help to reduce pressures and community concerns about recommending individuals for intervention.

^{vi} Given the frequency of non-terrorist mass violence in the United States (e.g. school shootings), such an initiative would have great value well-beyond the comparatively rare issue of terroristic violence.

- The ‘community safety’ campaign has two aims. The first is to educate ‘frontline’ professionals about behavioral changes that may be indicative of future engagement in self or other harm. These ‘warning signs’ are not necessarily unique to individuals radicalizing towards terrorism. Indeed, indicators in the early stages of an individual’s trajectory towards violence tend to be more generic and subtler than indicators more commonly associated with someone at-risk of engaging in terrorism. For example, a recent FBI report highlights a suite of pre-attack behaviors and indicators that offers useful advice to community members.⁴⁹ Providing the education and awareness to professionals who operate in the community and are best positioned to identify these shifts promises overall benefits to community safety. Second, the ‘community safety’ campaign must raise awareness about the variety of government, civil society and private sector interventions available to help at-risk individuals, only some of which may relate to Terrorism Prevention. In doing so, it provides options for assessing and channeling vulnerable individuals towards appropriate intervention programs.
- Awareness is the key to prevention and communities are necessary to broaden the ‘net’ for identifying vulnerable people. Given the diversity of America’s violent extremism problem, focusing on ethnic or ideological indicators is likely to be ineffective or counterproductive. Instead, a focus on behavioral indicators, which often reflect shifts in ideological beliefs and/or psychosocial changes, offers a more comprehensive and empirically-grounded approach to identifying at-risk people. The FBI’s report on the pre-attack behaviors of active shooters offers an example of the type of training that could contribute to a ‘community safety’ initiative.⁵⁰ A generic ‘community safety’ approach should be rolled-out with a clearly articulated and enacted commitment to an equal dissemination of information and training balanced across all communities.⁵¹ Such an approach has several benefits. It broadens the net for identifying at-risk individuals in the community without fixating non-experts on niche behavioral and attitudinal indicators specific to a relatively rare type of violence (e.g. terrorism). This type of training should not only complement their roles as ‘frontline’ service providers in their communities but increase awareness of pre-existing initiatives to help at-risk individuals.^{vii} Ultimately, there may be an array of reasons why an individual is exhibiting ‘warning signs’ and identifying people who may be at risk of self-harm, harming others or may be victims of harm themselves has overall benefits to the community.
- When the interventions system operates efficiently, civil society, not-for-profit and private sector interventions may channel individuals ‘up’ to federal authorities if more specialized support is required while government authorities may channel individuals ‘down’ to non-government programs.^{viii} A diversity of non-government initiatives designed to help individuals at-risk of engaging in various forms of violence exist in many states and this interventions system must ‘plug in’ to these efforts. Equally,

^{vii} Many communities across the United States offer a range of support services for a diversity of psychosocial problems from suicide (e.g. National Suicide Prevention Helpline) to violent extremism prevention (e.g. Parents for Peace). Simply raising awareness about the existence and availability of these organizations is a cost-effective way to connect communities and individuals with support services.

^{viii} Building trust between federal authorities and communities will be essential for this to occur. The policy reset represented by the Terrorism Prevention approach may in itself help to mend such relationships by demonstrating that lessons have been learned.

government Terrorism Prevention programs may assess that law enforcement officials would be best suited to handling an individual's case.

Federal Department & Agency Responsibility

- A lead federal department should be responsible for the *implementation* of a narrowly targeted intervention system and *coordination* of state and local government efforts to build partnerships with communities, civil society groups and the private sector. Historically, multiagency leads for countering violent extremism have tended to dilute authority and responsibility. Placing authority for the implementation and coordination of a Terrorism Prevention strategy on a single lead agency reinforces a more streamlined and proportional government approach and concentrates accountability. Establishing a framework of professional incentives to work in Terrorism Prevention agencies would also help to attract the 'best and the brightest' applicants and contribute to a culture of a proportional, rule of law and evidence-based approach.
- The Department of Justice (DOJ) may be best positioned as the lead agency for Terrorism Prevention federally for three key reasons. First, the DOJ as lead reinforces a central principle of this Terrorism Prevention strategy: that rule of law is the justificatory mechanism for interventions. Second, the DOJ has the appropriate bureaucratic and jurisdictional reach given the range of agencies and offices within its remit.⁵² Third, the two agencies best equipped to take responsibility for Terrorism Prevention interventions are in the DOJ: the Federal Bureau of Investigation (FBI) and the Federal Bureau of Prisons (BOP). Given the importance of 'pre-radicalization crime' as a risk factor towards terrorist violence, the FBI and BOP are best placed to act as leads.⁵³ A potential criticism of this approach is that the pretenses of a 'soft', holistic and 'whole of government' approach to countering violent extremism are largely stripped away by concentrating federal prevention efforts in the DOJ, FBI and BOP. This is precisely the point of a Terrorism Prevention approach; there are no false pretenses about its aims, i.e. interventions are the consequence of individuals being identified as a risk of engaging in acts of terrorism and/or hate crimes under Federal and State laws.
- Different types of Terrorism Prevention interventions will be the responsibility of specific agencies which then engage across intervention types under the umbrella of the DOJ to maximize efficiencies and effectiveness:
 - Offline & Online Interventions: A specialist Terrorism Prevention unit within the FBI would be directly responsible for implementing interventions, coordinating across federal, state and local partners, and facilitating training and public outreach support. This specialist Terrorism Prevention unit could operate within similar frameworks to the FBI's Behavioral Analysis Unit by providing specialist support to Federal, state, local and even foreign agencies upon request in addition to overarching coordination and implementation responsibilities. Regular messaging to inform the public of ongoing efforts and

DOJ oversight will be crucial to building public trust that privacy and civil liberties are being appropriately protected.

- Prison Interventions: A specialist prison interventions team within the BOP would be directly responsible for implementing interventions for both preemptive (i.e. prisoners at-risk of supporting or engaging in ideologically-motivated violence inside prisons) or rehabilitative (i.e. those imprisoned on terrorism, hate crime or related offenses) interventions.

Public Outreach

- Strategic communications are afforded a multifaceted and central role in Terrorism Prevention for transparency, capacity building and broader strategic ends. Regular messaging is used to keep the public informed about the strategy's intent and reporting on the outcomes of Terrorism Prevention activities. Maximizing the transparency of Terrorism Prevention initiatives is crucial for building goodwill, encouraging public participation and preemptively confronting any efforts by 'spoilors' to discredit these programs. Strategic communications should also be deployed as a cost-effective capacity building mechanism by using messages to raise awareness about government, private and civil society initiatives across Federal, state and local levels. Enhancing connections across the various components of the intervention system increases opportunities for institutional learning and maximizes overall capacity to provide intervention services.
- Given the importance of propaganda in the strategies of terrorist groups,⁵⁴ the lead Terrorism Prevention agency at the Federal level should include 'strategic communications' specialist support that can be offered to a range of actors to minimize the psychological impact and undermine the strategic logic of terrorist propaganda.⁵⁵ For example, strategic communications specialists could direct and coordinate post terrorist incident messaging to amplify the efforts of counterterrorism authorities and minimize inadvertent 'blowback' from misguided responses.⁵⁶ Additionally, strategic communication specialists could offer guidelines to media outlets on how to avoid amplifying terrorist propaganda and minimizing the 'copycat effect'.⁵⁷ Regular evaluations of behavioral and attitudinal trends regarding Terrorism Prevention efforts will be an important means by which to gauge public trust and the efficacy of these initiatives.⁵⁸

Partnerships with Civil Society & the Private Sector

- Under a Terrorism Prevention model, there is significant scope for expanding civil society and private sector engagement. Indeed, communities and civil society could have greater scope and therefore responsibilities under a Terrorism Prevention approach. Overall, effective partnerships across government, civil society and private sectors should seek to take advantage of the comparative strengths of each sector in three respects: responsibility, resources and scope.

- **Responsibility:** Constitutional restrictions necessarily constrain government involvement in certain activities such as those protected by the First Amendment. However, those same constitutional responsibilities provide space for civil society and private sector engagements. For example, community groups may choose to engage in efforts that are more pre-emptive (i.e. intervene earlier in the radicalization process) and thus outside of the narrow focus of government responsibilities under this Terrorism Prevention approach. In short, with governments adopting a tighter focus on Terrorism Prevention it creates more space for civil society (and potentially the private sector) to be more active and therefore accept more responsibility for implementing preventative strategies.⁵⁹
- **Scope:** Government-private sector partnerships will be essential for maintaining a narrower government approach. For example, there is a tendency for governments to fund large scale initiatives over small-scale, localized efforts. The private sector often has greater flexibility to engage with a range of grassroots civil society actors compared to government authorities. Government tender opportunities could stipulate that successful grantees must partner with local civil society efforts to maximize the grassroots reach of preventative initiatives.
- **Resources:** A more involved civil society and private sector opens opportunities for greater efficiencies in government spending. For example, while direct government funding to support preventative initiatives must be constrained by constitutional responsibilities, a holistic approach to empowering the civil society and private sector should include alternatives to direct funding including tax benefits and not-for-profit status where applicable. However, rigorous evaluation processes are necessary to ensure that any government spending is contributing to approaches that are methodical and evidence-based.
- The Federal lead agency for Terrorism Prevention will need to play a proactive role in engaging across the civil society, not-for-profit and private sectors. Ultimately, it is the not-for-profit and civil society sectors that should be the primary focus of support as a typically more cost-effective, targeted and sustainable approach to non-government terrorism prevention efforts. Beyond being fiscally responsible, community-based initiatives using networks that are invested locally are more likely to produce better and more sustainable outcomes. Innovative approaches to enabling greater non-government involvement by grassroots local initiatives will be essential. For local groups who are already deeply invested in their communities, it is commonly a deficit of specialist training and concerns about appropriate legal cover that is more pressing than funding. The lead Federal Terrorism Prevention agency could play a central role in coordinating training programs for 'grassroots' organizations and working with the Department of Justice more broadly to ensure appropriate protections are established (e.g. 'Good Samaritan' laws as cover for local intervention programs).

- A narrower government involvement in preventative activities increases the space and responsibility that private sector companies must accept if their business is coopted by terrorists and their sympathizers. This must be based on the best available evidence. For example, current empirical studies suggest that the perpetrators of terrorist violence are rarely radicalized and recruited entirely online.⁶⁰ It is important, therefore, for counterterrorism and Terrorism Prevention authorities to focus their finite resources and time *proportionately* where the problem has tended to be concentrated, i.e. ‘offline’ social networks.⁶¹ This reality should increase the responsibility that falls on, for example, social media companies. With a combination of policy ‘carrots’ (e.g. tax concessions) and ‘sticks’ (e.g. fines and regulation), social media and other companies must actively demonstrate that their efforts at self-policing are evidence-based and substantive rather than superficial and symbolic. Indeed, under this Terrorism Prevention model the private sector has a prominent role in the overall multisector effort to protect communities and the homeland. Overall, governments should try to avoid over-imposing directly onto the private sector but rather use a balance of policy and regulatory ‘carrots and sticks’ to shape how markets engage with responsible and irresponsible companies.

Conclusion

The purpose of this policy paper was to outline a broad policy and institutional architecture for a Terrorism Prevention strategy in the United States. Its policy recommendations are designed to provide a set of interlocking principles and recommendations to help inform the development of an overarching preventative strategy that complements the United States’ already robust counterterrorism apparatus. Due to space and scope constraints, many of its recommendations require further elaboration. While many key ‘gaps’ will be addressed in subsequent policy briefs that cover prison interventions, online interventions, strategic communications, and the role of public-private partnerships, it is important to recognize that for all the strategic-policy issues this paper sought to clarify it has inevitably opened new ones for the field to critically debate. This policy paper does not pretend to offer anything particularly new to the field of theory and practice but rather a proposal for how lessons learned from many years of CVE thinking and practice may be best calibrated to fill the prevention void in the United States.

There are no ‘silver bullet’ answers to the issue of how best to prevent terrorism in democracies and the United States is no different. Ultimately, the strategic-policy answers to one of the most challenging national security questions of the 21st century will require an often-messy balancing act of strategic-policy components, government and non-government activities, the protection of democratic freedoms and rights, and national security responsibilities all of which will inevitably need to evolve over time. These realities need to be embraced as the inevitable and perpetual challenge of developing sound and sustainable national security and public policy while remaining committed to and nurturing the democratic system and its promises. Indeed, it is the protection of the latter that will prove most important for delegitimizing calls for political violence from within the homeland.

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References

¹ The White House, *National Strategy for Counterterrorism of the United States of America*, October 2018, <https://www.whitehouse.gov/wp-content/uploads/2018/10/NSCT.pdf>.

² The White House, *National Strategy for Counterterrorism of the United States of America*, October 2018, <https://www.whitehouse.gov/wp-content/uploads/2018/10/NSCT.pdf>.

³ For example see US Department of State, *National Strategy for Combating Terrorism*, February 2003, https://www.cia.gov/news-information/cia-the-war-on-terrorism/Counter_Terrorism_Strategy.pdf;

Council of the European Union, *European Union Counter-Terrorism Strategy*, November 2005, <http://www.consilium.europa.eu/en/policies/fight-against-terrorism/eu-strategy/>.

⁴ For analyses of the history and evolution of CVE thinking and practice see A. Schmid. 2013. 'Radicalisation, De-Radicalisation, Counter-Radicalisation: A Conceptual Discussion and Literature Review', *International Centre for Counter-Terrorism – The Hague* [https://www.icct.nl/download/file/ICCT-Schmid-Radicalisation-De-Radicalisation-Counter-](https://www.icct.nl/download/file/ICCT-Schmid-Radicalisation-De-Radicalisation-Counter-Radicalisation-March-2013.pdf)

[Radicalisation-March-2013.pdf](https://www.icct.nl/download/file/ICCT-Schmid-Radicalisation-De-Radicalisation-Counter-Radicalisation-March-2013.pdf); P. Romaniuk. 2015. 'Does CVE Work? Lessons Learned from the Global Effort to Counter Violent Extremism', *Global Center on Cooperative Security*, September 2015; P. Neumann. 2017. 'Countering Violent Extremism and Radicalisation that Lead to Terrorism: Ideas, Recommendations, and Good Practices from the OSCE Region', *OSCE Chairperson in Office's Special Representative on Countering Radicalisation and Violent Extremism*, September 28, 2017. <https://www.osce.org/chairmanship/346841?download=true>

⁵ For the 2018 version of the UK's CONTEST strategy see <https://www.gov.uk/government/publications/counter-terrorism-strategy-contest-2018>.

⁶ CVE advocates may argue that it is misleading to refer to CVE as if the term pertains to a single, even relatively coherent, body of thought and practice. Yet it is this ambiguity that is the root of many of CVE's perceived problems in both substance and optics. It is important to highlight the criticisms that dominant trends in the study and practice of CVE have received to both establish context for this policy paper and acknowledge those aspects, such as targeted individual interventions, that have been adopted in this Terrorism Prevention approach.

⁷ The issues associated with the study and practice of CVE have been covered *ad nauseum*. For examples see L. Vidino, 'Europe's New Security Dilemma,' *Washington Quarterly*, 32, no. 4 (October 2009): 61-75; S. Heydemann. 2014. 'State of the Art: Countering Violent Extremism as a Field of Practice', *United States Institute of Peace Insights*; P. Romaniuk. 2015. 'Does CVE Work? Lessons Learned from the Global Effort to Counter Violent Extremism', *Global Center on Cooperative Security*, September 2015 http://www.globalcenter.org/wp-content/uploads/2015/09/Does-CVE-Work_2015.pdf; S. Batten, W. Braniff, S. Hughes and M. Levitt. 2017. 'From CVE to "Terrorism Prevention": Assessing New U.S. Policies', *The Washington Institute for Near East Policy*, November 17, 2017 [Stein Counterterrorism Lecture Series] <http://www.washingtoninstitute.org/policy-analysis/view/from-cve-to-terrorism-prevention-assessing-new-u.s.-policies>; E. Rosand, E. Winterbotham, M. Jones and F. Praxl-Tabuchi. 2018. 'A roadmap to progress: The state of the global P/CVE agenda', *The Prevention Project*.

⁸ Ibid. Also see Endnote 3.

⁹ The compounding nature of these problems is significant. After all, how a policy problem is understood fundamentally shapes the strategy devised to address it. If understanding of a security threat is ill-defined and built on poor conceptual and empirical foundations, practice will tend to be ambiguous in application and poorly evaluated which, in turn, feeds a cycle of conceptually and empirically poor scholarly and policy understanding. The growth in CVE funding has merely acted as catalysts for this cycle where it has existed.

¹⁰ *National Security Strategy of the United States of America*, March 2006: <https://www.state.gov/documents/organization/64884.pdf>

¹¹ For more comprehensive analyses of US CVE strategies see J.P. Bjelopera. 2014. ‘Countering Violent Extremism in the United States’, *CRS Report*. Congressional Research Service (February 19, 2014); S. Batten, W. Braniff, S. Hughes and M. Levitt. 2017. ‘From CVE to “Terrorism Prevention”: Assessing New U.S. Policies’, *The Washington Institute for Near East Policy*, November 17, 2017 [Stein Counterterrorism Lecture Series]; M. Levitt. 2017. ‘Defeating ideologically inspired violent extremism’, *Transition 2017*. The Washington Institute for Near East Policy no. 37, March 2017; W. McCants & C. Watts. 2012. ‘U.S. Strategy for Countering Violent Extremism: An Assessment’, *Foreign Policy Research Institute*, December 2012; L. Vidino and S. Hughes. 2015. *Countering Violent Extremism in America*. Program on Extremism.

¹² *Empowering Local Partners to Prevent Violent Extremism in the United States*, August 2011, https://www.dhs.gov/sites/default/files/publications/empowering_local_partners.pdf.

¹³ Ibid. 5-6.

¹⁴ Ibid. 6.

¹⁵ Ibid. 6-7.

¹⁶ *Strategic Implementation Plan for Empowering Local Partners to Prevent Violent Extremism in the United States*, December 2011, <https://obamawhitehouse.archives.gov/sites/default/files/sip-final.pdf>

¹⁷ *The Los Angeles Framework for Countering Violent Extremism*, February 2015, <https://www.dhs.gov/sites/default/files/publications/Los%20Angeles%20Framework%20ofor%20CVE-Full%20Report.pdf>; *Building Community Resilience Minneapolis-St. Paul Pilot Program: A Community-Led Local Framework*, <https://www.justice.gov/usao-mn/file/642121/download>; *A Framework for Prevention and Intervention Strategies: Incorporating Violent Extremism into Violence Prevention Efforts*, February 2015, <https://www.justice.gov/sites/default/files/usao-ma/pages/attachments/2015/02/18/framework.pdf>.

¹⁸ *Strategic Implementation Plan for Empowering Local Partners to Prevent Violent Extremism in the United States*, October 2016, https://www.dhs.gov/sites/default/files/publications/2016_strategic_implementation_plan_empowering_local_partners_prev.pdf; *Factsheet: A Comprehensive U.S. Government Approach to Countering Violent Extremism*, <https://www.dhs.gov/sites/default/files/publications/US%20Government%20Approach%20to%20CVE-Fact%20Sheet.pdf>

¹⁹ The Department of Homeland Security developed its own CVE strategy titled *Department of Homeland Security Strategy for Countering Violent Extremism*, October 28 2016, https://www.dhs.gov/sites/default/files/publications/16_1028_S1_CVE_strategy.pdf

²⁰ L. Vidino and S. Hughes. 2015. *Countering Violent Extremism in America*. Program on Extremism; S. Batten, W. Braniff, S. Hughes and M. Levitt. 2017. ‘From CVE to “Terrorism Prevention”: Assessing New U.S. Policies’, *The Washington Institute for Near East Policy*, November 17, 2017 [Stein Counterterrorism Lecture Series].

²¹ For example, an open letter co-signed by two dozen organizations, including the American Civil Liberties Union, titled ‘Re: Federal Support for Countering Violent Extremism Programs’ (18 December 2014). <https://www.muslimadvocates.org/files/Countering-Violent-Extremism.pdf>; Open letter submitted by the Executive Director of the Muslim Justice League, Shannon Al-Wakeel, to the ‘National Security Subcommittee Hearing on Combatting Homegrown Terrorism’. <https://www.muslimjusticeleague.org/wp-content/uploads/2017/07/MJL-Letter-for-Hearing-on-22Combatting-Homegrown-Terrorism22.pdf>; Open letter co-signed by several dozen community organizations titled *Minnesota Muslims concerned about new ‘stigmatizing, divisive, and ineffective’ CVE Pilot Program*. <http://files.ctctcdn.com/bd15115b001/do68ad69-9ad8-46a0-bdcd-b9d57454ed20.pdf>; Press Release, 12 November 2014: *Los Angeles based groups serving American Muslim communities question Federal Government’s “Countering Violent Extremism” program as ill-conceived, ineffective, and stigmatizing*. This press release was co-signed by the Council on American-Islamic Relations (Greater Los Angeles Area), Asian Americans Advancing Justice (Los Angeles), American Civil Liberties Union of Southern California, Sikh American Legal Defense and Education Fund (Los Angeles) and Islamic Shura Council of Southern California. <http://www.muslimadvocates.org/files/CVE-letter.DHSJohnson.2014.11.13D22.pdf>; F. Patel & M. German. 2015. ‘Countering Violent Extremism: Myths & Fact’, *Brennan Center for Justice at New York University School of Law*. <https://www.brennancenter.org/sites/default/files/analysis/102915%20Final%20CVE%20Fact%20Sheet.pdf>

²² *National Security Strategy of the United States*, December 2017: <https://www.whitehouse.gov/wp-content/uploads/2017/12/NSS-Final-12-18-2017-0905-2.pdf>

- ²³ For example, see D. Byman. 2017. ‘Policy Series: Assessing Trump’s Emerging Counterterrorism Policy’, *ISS Forum* (September 12, 2017): <https://issforum.org/roundtables/policy/1-5ay-counterterrorism/>; E. Rosand & A. Millar. 2017. ‘Want a new counterterrorism strategy? Be careful what you wish for’, *Brookings* (May 23, 2017): <https://www.brookings.edu/blog/order-from-chaos/2017/05/23/want-a-new-counterterrorism-strategy-be-careful-what-you-wish-for/>; ‘Farah Pandith speaks about countering violent extremism in the wake of Trump Administration travel ban.’ *News, Future of Diplomacy Project, Belfer Center* (February 14, 2017): <https://www.belfercenter.org/publication/farah-pandith-speaks-about-countering-violent-extremism-wake-trump-administration/>; F. Patel, A. Lindsay & S. Den Uyl. 2018. ‘Countering Violent Extremism in the Trump Era’, *Brennan Center for Justice* (June 15, 2018): <https://www.brennancenter.org/analysis/countering-violent-extremism-trump-era>
- ²⁴ The White House, *National Strategy for Counterterrorism of the United States of America*, October 2018, <https://www.whitehouse.gov/wp-content/uploads/2018/10/NSCT.pdf>.
- ²⁵ J. Horgan. 2014. ‘Theory vs. Practice’, *United States Institute of Peace Insights* (issue 1, Spring 2014): p.2.
- ²⁶ *Ibid.* p.3
- ²⁷ G. Selim & D. Gartenstein-Ross. 2017. ‘Save the Terrorism Prevention Toolkit’, *War on The Rocks* (August 28, 2017): <https://warontherocks.com/2017/08/save-the-terrorism-prevention-toolkit/>
- ²⁸ A. Glazzard & E. Rosand. 2017. ‘Is it all over for CVE?’, *Lawfare* (June 11, 2017): <https://www.lawfareblog.com/it-all-over-cve>
- ²⁹ For details see Criminal Code 18 U.S.C. §§2331-2339 <https://www.law.cornell.edu/uscode/text/18/2331>
- ³⁰ For details see Criminal Code 18 U.S. Code § 241-249 <https://www.law.cornell.edu/uscode/text/18/249>
- ³¹ For example, studies have shown how opaquely defined notions of ‘radicalization’ have informed community-level outreach and multi-sector CVE initiatives adversely impacting intended outcomes. For an analysis of the relationship between ‘radicalization’ research and CVE policy see K. Hardy. 2018. ‘Comparing theories of radicalisation with counter violent extremism policy’, *Journal for Deradicalization* (Summer 2018). <http://journals.sfu.ca/jd/index.php/jd/article/view/150/119>
- ³² US Constitution, First Amendment, https://www.law.cornell.edu/constitution/first_amendment
- ³³ For details see Criminal Code 18 U.S.C. §§2331-2339 <https://www.law.cornell.edu/uscode/text/18/2331>
- ³⁴ For details see Criminal Code 18 U.S. Code § 241-249 <https://www.law.cornell.edu/uscode/text/18/249>
- ³⁵ The case of ‘John Doe’ in New York is an example of such an intervention. For more see: <https://images.law.com/contrib/content/uploads/documents/389/39981/Aug.-6-2018-Weinstein-John-Doe.pdf>
- ³⁶ The White House, *National Strategy for Counterterrorism of the United States of America*, October 2018, <https://www.whitehouse.gov/wp-content/uploads/2018/10/NSCT.pdf>.
- ³⁷ Far-Right Fatal Ideological Violence Against Religious Institutions and Individuals in the United States, National Consortium for the Study of Terrorism and Responses to Terrorism: https://www.start.umd.edu/pubs/START_ECDB_FarRightFatalIdeologicalViolenceAgainstReligiousTargets1990-2018_Oct2018.pdf; Also see, *Ideological Motivations of Terrorism in the United States, 1970-2016*, National Consortium for the Study of Terrorism and Responses to Terrorism, November 2017. http://www.start.umd.edu/pubs/START_IdeologicalMotivationsOfTerrorismInUS_Nov2017.pdf; ‘Murder and Extremism in the United States in 2017’, *Anti-Defamation League*: <https://www.adl.org/resources/reports/murder-and-extremism-in-the-united-states-in-2017>
- ³⁸ For details of ISIS related incidences see ‘The Cases’, *Program on Extremism*. <https://extremism.gwu.edu/cases>. Also see, *Ideological Motivations of Terrorism in the United States, 1970-2016*, National Consortium for the Study of Terrorism and Responses to Terrorism, November 2017. http://www.start.umd.edu/pubs/START_IdeologicalMotivationsOfTerrorismInUS_Nov2017.pdf; ‘Murder and Extremism in the United States in 2017’, *Anti-Defamation League*: <https://www.adl.org/resources/reports/murder-and-extremism-in-the-united-states-in-2017>
- ³⁹ Berger’s *Extremism* provides a nuanced analysis of the complex mix of psychosocial and strategic factors that drive extremist movements in all of their diversity. *Extremism* underscores the variety of threats that exist and the potential for responses to not only exacerbate extant threats but drive new ones. For more see J. Berger. 2018. *Extremism*. MIT Press.
- ⁴⁰ For example, the 2017 Aztec Highschool and 2018 Parkland Highschool shooters are believed to have held right-wing extremist sympathies, a left-wing extremist was responsible for the 2017 shooting of then House Majority Whip Steve Scalise while the 2014 Isla Vista shooter was reportedly motivated by a fringe ‘INCEL’ (involuntary celibacy) ideology. For more see ‘US Mass Shootings, 1982-2018: Data from Mother

Jones' Investigation', *Mother Jones*, updated May 18, 2018. <https://www.motherjones.com/politics/2012/12/mass-shootings-mother-jones-full-data/>

⁴¹ To access this database see 'The Cases', *Program on Extremism*. <https://extremism.gwu.edu/cases>. Also see B. Jenkins. 2017. 'The origins of America's Jihadists', *RAND*. <https://www.rand.org/pubs/perspectives/PE251.html>

⁴² 'FBI releases 2016 Hate Crime statistics', *FBI National Press Office*, November 13, 2017: <https://www.fbi.gov/news/pressrel/press-releases/fbi-releases-2016-hate-crime-statistics>

⁴³ W. Braniff. 2017. 'Recasting and Repositioning CVE as a Grand Strategic Response to Terrorism', *START* (November 14, 2017): <http://www.start.umd.edu/news/recasting-and-repositioning-cve-grand-strategic-response-terrorism>

⁴⁴ Ibid.

⁴⁵ M. Jensen et al. 2018. 'Pre-radicalization criminal activity of United States extremists', *National Consortium for the Study of Terrorism and Responses to Terrorism*: https://www.start.umd.edu/pubs/START_PIRUS_PreRadCriminalActivityofUSExtremists_Jan2018.pdf

⁴⁶ For details see Criminal Code 18 U.S.C. §§2331-2339 <https://www.law.cornell.edu/uscode/text/18/2331>

⁴⁷ For the State Department's list of proscribed foreign terrorist organizations see: <https://www.state.gov/j/ct/rls/other/des/123085.htm>

⁴⁸ The constitutionality of establishing a list of proscribed domestic terrorist groups is questionable. However, expanding the list of proscribed foreign terrorist groups to cover the full ideological spectrum sharpens the counterterrorism and terrorism prevention tools available to practitioners (e.g. neo-Nazi). This may prove an important mechanism to confront non-state actors who align with adversarial state actors to undermine (if not directly assault) the national interest of the United States. In such a case where non-state actors in the United States receive financial support from adversarial state actors then the Department of Treasury would be able to augment Terrorism Prevention measures. This hypothetical situation not only highlights the value of using the list of proscribed foreign terrorist organizations to enhance domestic efforts but the importance of inter-departmental coordination for the purposes of Terrorism Prevention.

⁴⁹ For example see 'Concerning Behaviors' (pp.17-21) and 'Concerning Communications' (pp.24-26) in J. Silver, A. Simons & S. Craun. 2018. 'A study of the pre-attack behaviors of attack shooters in the United States, Between 2000-2013', Federal Bureau of Investigations, U.S. Department of Justice, Washington D.C. 20535. <https://www.fbi.gov/file-repository/pre-attack-behaviors-of-active-shooters-in-us-2000-2013.pdf/view>

⁵⁰ J. Silver, A. Simons & S. Craun. 2018. 'A study of the pre-attack behaviors of attack shooters in the United States, Between 2000-2013', Federal Bureau of Investigations, U.S. Department of Justice, Washington D.C. 20535. <https://www.fbi.gov/file-repository/pre-attack-behaviors-of-active-shooters-in-us-2000-2013.pdf/view>

⁵¹ A common criticism of some CVE initiatives is that they disproportionately target certain communities increasing (a.) concerns about what criteria is used to assess whether a community should or should not be targeted, (b.) risks of missing emerging threats and, (c.) community perceptions of unfair targeting and treatment.

⁵² See 'Organizational Chart', *The United States Department of Justice*: <https://www.justice.gov/agencies/chart>

⁵³ M. Jensen et al. 2018. 'Pre-radicalization criminal activity of United States extremists', *National Consortium for the Study of Terrorism and Responses to Terrorism*: https://www.start.umd.edu/pubs/START_PIRUS_PreRadCriminalActivityofUSExtremists_Jan2018.pdf

⁵⁴ H. Ingram. 2015. 'The strategic logic of Islamic State information operations', *Australian Journal of International Affairs* 69(6): 729-752. <https://www.tandfonline.com/doi/full/10.1080/10357718.2015.1059799>

⁵⁵ For a framework of campaign and message design principles to inform a counterterrorism and terrorism prevention strategic communications approach see H. Ingram. 2017. 'The strategic logic of the "linkage-based" approach to combating militant Islamist propaganda', *International Centre for Counter-Terrorism* (The Hague) 8(6): <https://icct.nl/wp-content/uploads/2017/04/ICCT-Ingram-The-Strategic-Logic-of-the-Linkage-Based-Approach.pdf>

⁵⁶ For analyses of terrorist instructional material see B. Clifford. 2018. "'Trucks, Knives, Bombs, Whatever: Exploring pro-Islamic State Instructional material on Telegram', *CTC Sentinel* 11(5). <https://ctc.usma.edu/trucks-knives-bombs-whatever-exploring-pro-islamic-state-instructional-material-telegram/> For more on post-incident messaging see A. Reed & H. Ingram. 2017. 'Exploring the role of

instructional material in AQAP's *Inspire* and ISIS' *Rumiyah*', *Europol*, https://icct.nl/wp-content/uploads/2017/06/reeda_ingramh_instructionalmaterial.pdf

⁵⁷ H. Ingram. 2017. "That is what the terrorists' want": Media as amplifier or disrupter of violent extremist propaganda', *L'École nationale de la magistrature* [16 June 2017]. <https://icct.nl/wp-content/uploads/2017/06/INGRAM-paris-speech.pdf>

⁵⁸ For more on evaluating preventative initiatives see S. Beaghley, T. Helmus, M. Matthews, R. Ramchand, D. Stebbins, A. Kadlec, and M. Brown. 2018. 'Development and Pilot Test of the RAND Program Evaluation Toolkit for Countering Violent Extremism', *RAND*, Santa Monica: https://www.rand.org/pubs/research_reports/RR1799.html; C. Ambrozik. 2018. 'Evaluating Countering Violent Extremism Programs: Current Practices, Challenges, and a Means Forward', *Center for Global Policy - Policy Brief*: <https://www.cgpolicy.org/wp-content/uploads/2018/03/Caitlin-Ambrozik-Policy-Brief-final.pdf>.

⁵⁹ For example, the Global Community Engagement and Resilience Fund (GCERF) operates in this way.

⁶⁰ For example, see A. Meleagrou-Hitchens, S. Hughes & B. Clifford. 2018. *The Travelers*. Program on Extremism.

<https://extremism.gwu.edu/sites/g/files/zaxdzs2191/f/TravelersAmericanJihadistsinSyriaandIraq.pdf> It is important to recognize shifts in these trend lines in recent years. For more see: The National Consortium of for the Study of Terrorism and Responses to Terrorism. 2017. *The Use of Social Media by United States Extremists*:

https://www.start.umd.edu/pubs/START_PIRUS_UseOfSocialMediaByUSExtremists_ResearchBrief_July2018.pdf

⁶¹ S. Hughes. 2016. 'To stop ISIS recruitment, focus offline', *Lawfare*. <https://www.lawfareblog.com/stop-isis-recruitment-focus-offline>; L. Vidino & S. Hughes. 2018. 'America's terrorism problem doesn't end with prisons – it might just begin there', *Lawfare* <https://www.lawfareblog.com/americas-terrorism-problem-doesnt-end-prison-it-might-just-begin-there>; C. Clarke. 2018. 'Investigating & Prosecuting Cases of the Nexus between Organised Crime and Terrorism: Best practices and Lessons Learned for Practitioners', *International Centre for Counter-Terrorism – The Hague*. <https://icct.nl/wp-content/uploads/2018/07/ICCT-Clarke-Organised-Crime-Terrorism-Nexus-Report-July2018.pdf>.



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