

Radicalization in Custody

*Towards Data-Driven Terrorism Prevention in
the United States Federal Correctional System*

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Abstract: This policy paper explores radicalization and violent extremism in the United States federal correctional system. Federal correctional facilities currently host diverse populations of incarcerated extremists, and dozens of extremist inmates are scheduled for release within the next five years. While problems related to extremism in the U.S. correctional system may seem small, especially in comparison to other issues, the threat of in-custody radicalization and extremist recidivism are growing concerns for U.S. counterterrorism authorities. Despite this increased attention, there is a lack of data regarding the scope and nature of radicalization in custody in the U.S., and a concomitant lack of terrorism prevention programming in American prisons and jails. These two interrelated features create a feedback loop—practitioners are loath to implement programs without data, and researchers and analysts cannot generate data without programs. To break this cycle, U.S. federal correctional authorities should consider the implementation of a pilot intervention program for recently-incarcerated extremists, the adoption of a risk and needs assessment model, and the initiation of a long-term study exploring recidivism outcomes of released extremist offenders. These programs should draw from a reconceptualization of how policymakers approach “prison radicalization” to account for the complexity of the U.S. correctional system and individual inmates’ experiences with radicalization and extremism.

After a series of high-profile terrorist attacks involving previously incarcerated extremists during the last half-decade, “prison radicalization” is an increasing concern within many countries in Western Europe and North America. Many analysts and policymakers consider prison radicalization, the process by which detained or incarcerated individuals “increasingly adopt violent ideas and goals”¹ to be a major factor in how the threat of terrorism will unfold over the next decade.² The November 2015, March 2016, and December 2016 attacks in Paris, Brussels, and Berlin, perpetrated by formerly-incarcerated individuals who reportedly radicalized in prison, fueled concerns that prison systems were not adequately responding to the specter of violent extremism behind bars. In response, counter-radicalization programs targeting prison inmates are now considered major parts of many European countries’ overall counter-extremism strategies.³ These strategies aim to prevent the spread of violent extremism in prisons and jails and decrease the recidivism rate of prisoners incarcerated for terrorism-related crimes.⁴

Extremism within prisons has long been considered a crucial aspect of the U.S. domestic terrorism threat. Despite improvements in prison intelligence collection, collaboration between federal correctional authorities and relevant federal, state, and local entities, and enhanced information sharing within law enforcement, the United States lacks targeted and comprehensive terrorism prevention programming in its prisons and jails.⁵ In an August 2018 case, a federal court found that “the United States has yet to develop a unified strategy to address the problem of prison radicalization; there are few deradicalization programs or initiatives in place that are targeted to rehabilitate extremists and help them reenter society as lawful individuals.”⁶

After taking stock of key trends in the currently incarcerated extremist population in the U.S., this policy paper updates certain conceptualizations of “prison radicalization” that are popular within the research and policymaking communities. Building on these trends and re-orientations, it suggests several avenues for policymakers to guide data-driven approaches to terrorism prevention in the federal correctional system.

Trends in extremism and terrorism prevention in the federal correctional system

The Federal Bureau of Prisons' (BOP) working definition of "extremists" includes violent extremists, domestic and international terrorists, and sovereign citizens.⁷ While the BOP does not publicly release statistics on the number of extremist inmates in federal custody, cursory analysis of public records shows a cadre of extremist offenders with diverse backgrounds and ideologies, who serve disparate sentences at a number of different federal correctional facilities. In short, there is no single profile of an incarcerated extremist. However, the impending release of a significant number of identified extremist inmates from federal custody makes understanding this unique offender population an increasingly important priority. This section highlights three trends in extremism within the federal correctional system.

- *Individual profiles of violent extremists in the U.S. federal correctional system are diverse, varying across ideologies, charges of convictions, and sentences.*

In addition to a small group of Islamist extremists charged with international terrorism-related offenses, extremist inmates in BOP facilities also include far-right extremists, neo-Nazis, white-supremacists, violent anti-abortion activists, members of militia groups, and prison gangs that espouse elements of these ideologies.⁸ Historically, the federal correctional system also houses sovereign citizens and other anti-government activists, members of violent animal rights outfits, Marxist-Leninist groups, radical leftist groups (e.g., Weather Underground), and supporters of the Puerto Rican paramilitary group *Fuerzas Armadas de Liberación Nacional Puertorriqueña* (FALN).⁹

Extremist inmates pose different institutional risks, receive different sentences, and are housed in facilities according to their select classifications. A handful of extremist inmates received life-in-prison or federal death sentences, mainly for their roles in attacks inside or outside the prison system. This group includes international terrorists like Ramzi Yousef, Abu Hamza al-Masri, Richard Reid, and Umar Farouk Abdulmutallab, as well as domestic terrorists like Theodore Kaczynski, Terry Nichols, and Eric Rudolph. These inmates are currently incarcerated at the United States Penitentiary, Administrative Maximum Facility (ADMAX) in Florence, Colorado.¹⁰

Focusing on the Islamist extremist population within BOP, there has been a sharp shift in the make-up of the demographic in the years following 9/11. There are, broadly speaking, two groups of Islamist extremist inmates. First, there are individuals convicted on international terrorism-related charges (18 U.S.C. §§2331-2339), most of whom are either individuals convicted for supporting al-Qaeda and affiliated entities or those convicted in the recent Islamic State (ISIS)-related mobilization.¹¹ The second group is comprised of Islamist extremists arrested for other, lesser charges, the majority of whom were convicted after 2014.¹² As of November 1, 2018, the 101 Americans sentenced to prison for ISIS-related activities received an average sentence of 13.2 years in prison—with 27 serving sentences of five years or less.¹³

- *Federal Bureau of Prisons risk classifications of incarcerated extremists vary from case to case, resulting in extremists serving sentences at vastly different facilities and in different environments.*

BOP is tasked with the operation and oversight of over 120 correctional facilities. Individual facilities vary geographically, by level of security (from minimum security to high and administrative security facilities), and by facility type (including penitentiaries, pre-trial and transfer centers, medical centers, and privately-managed facilities).¹⁴ Currently, there are over 180,000 federal inmates, approximately 150,000 of whom are housed in BOP-operated facilities.¹⁵ Within BOP's Correctional Programs Division (CPD), a specific counterterrorism unit (CTU) is responsible for overseeing counterterrorism efforts within the United States correctional system. Their roles include developing and distributing intelligence and analysis products related to counterterrorism for relevant authorities and coordinating counterterrorism efforts between the federal prison system, domestic law enforcement agencies, and respective state, county, local, and territorial entities.¹⁶ The branch maintains a liaison to the National Joint Terrorism Taskforce (NJTTF).¹⁷

Currently, BOP utilizes the Extremism Risk Guidance 22+ (ERG22+), an assessment tool for determining inmate extremism. First developed in the United Kingdom, this psychological, interview-based assessment tool is used for evaluating radicalization within prison populations.¹⁸ Drawing from these metrics, and from other BOP classification and designation tools, case officers determine which security and custody conditions are acceptable for incoming extremist prisoners.¹⁹ Access to rehabilitative programming is determined by BOP staff at their discretion; assessment instruments (including ERG22+) do not currently determine which programs may be responsive for a particular inmate.²⁰

European prison systems, which tend to be more top-down and monolithic in management, usually adopt one of three approaches to placing known extremists within prisons.²¹ Some countries, including the United Kingdom and the Netherlands, err towards *co-location*: they install designated extremist prison wings with the hope of concentrating designated inmates in one facility, so that they cannot radicalize other prisoners.²² Others, including Spain,²³ opt for *dispersal*: spreading out extremists across several prisons so that they cannot form in-prison networks with one-another.²⁴ In specific cases, prison systems use *isolation*: locking down extremists in individual cells and limiting contact with other inmates, so that they can neither form ties to other extremists nor radicalize others. The downside of isolation is that it prevents extremists from participating in counter-radicalization programming and may radicalize them further.²⁵

The United States prison system benefits from its patchwork approach in that it can combine these three approaches, stratifying individual extremists into specific security conditions based on risk. Some inmates, especially those in ADMAX, in Special Management Units (SMU) or under Special Administrative Measures (SAMs), are subject to isolation strategies.²⁶ But the BOP also uses co-location, usually in the form of Communication Management Units (CMU), which severely restrict designated inmates

from contact outside the unit and with the outside world more broadly.²⁷ Outside of these specialized units and conditions, which require the BOP to demonstrate that an inmate either is an institutional risk or a threat to the greater public, the remainder of extremist inmates are dispersed throughout other prison facilities.

- *Dozens of violent extremists are scheduled for release from federal prisons within the next decade, making recidivism a rising concern.*

Even without access to BOP data, several assessments show that a substantial number of extremist inmates are scheduled for release in the next five years. A database maintained by the Program on Extremism at George Washington University, which includes over 275 individuals convicted for jihadist-related activity, shows that at least 80 have been or will be released before 2023.²⁸ Not included in this number is a wide array of domestic extremists, many of whom are serving terms of less than five years in prison.²⁹

Various counterterrorism officials and agencies within the United States government, including BOP, consider curtailing the rate of terrorist recidivism a priority. The 2018 National Strategy for Counterterrorism highlights “limit[ing] prison radicalization by training prison staff and supporting rehabilitation” as a core feature of the Administration’s terrorism prevention strategy.³⁰ In September 2017, then-acting Department of Homeland Security Secretary Elaine Duke testified that “DHS is looking at what more can be done to counter terrorist recidivism...We currently have a number of inmates with terrorism affiliations scheduled for release from U.S. prisons in the next few years, and we need to work with interagency partners to make sure they do not return to violence once released.”³¹ In December of the same year, then-National Counterterrorism Center (NCTC) Deputy Director and current Acting Director Russell Travers remarked that “even if [ISIS supporters] are arrested and put in jail, the chances are that the sentences will be relatively light in some cases, and they will be out on the streets in a few years. So this is going to be [a] recurring threat.”³²

The lack of data and a small sample size makes any comprehensive statement about extremist recidivism rates in the U.S. difficult. Anecdotally, there are several pertinent, recent examples. John Georgelas, a prominent American ISIS propagandist, joined the group in Syria following his incarceration for hacking websites on behalf of the global jihadist movement.³³ In 2010, federal authorities arrested Elton Simpson for making a false statement to the FBI about his plans to travel to Somalia to join the jihadist group al-Shabaab. He received three years of probation in 2011.³⁴ A year after completing probation, Simpson and an accomplice opened fire on guards outside the Curtis Culwell Center in Garland, Texas, in what would be one of the first ISIS-claimed attacks in the United States.³⁵ Frazier Glenn Miller, Jr., the perpetrator of the 2014 Overland Park Jewish Community Center shooting in Kansas and an avowed, lifelong violent white supremacist, spent three years in federal prison during the late 1980s for weapons violations.³⁶

Without dedicated programs in the federal correctional system for deradicalizing violent extremists, the brunt of addressing recidivism within the new wave of released violent extremists will fall on the U.S. Probation and Pretrial Services Office, which created a

specific administrator position for violent extremist offenders in September 2016.³⁷ In collaboration with other agencies, including BOP, Probation and Pretrial Services is alerted to the release of inmates with extremist proclivities. The Department of Homeland Security has also sponsored a study to assist Probation and Pretrial Services in developing metrics for evaluation, monitoring, and risk assessment.³⁸ Despite these efforts, counterterrorism authorities are concerned about the already-large caseloads of probation officers and worry that officers in dozens of jurisdictions may not be trained to detect, let alone address, specific signs of return to violent extremism.³⁹ Current proposals to create a registry of released terrorist convicts, similar to the sex offender registry, would place even more of the onus on federal probation officers to prevent recidivism.⁴⁰

Even if federal probation officers are performing at maximum capacity with extensive training and resources, this may not make up for the lack of terrorism prevention programs throughout the federal prison system. As the following section argues, by the time an individual prisoner has completed their time in custody and is released, numerous factors and situations might have strengthened or reinforced their beliefs on violent extremism. By addressing existing challenges concerning violent extremists and striving to mitigate the potentially negative effects of incarceration on that population, the federal correctional system can work to confront critical issues before such inmates are released from prison.

Reconceptualizing “prison radicalization”

For decades, policymakers and practitioners used “prison radicalization” as a catch-all term to encapsulate the risk of inmates, whether they were convicted on extremism-related offenses or not, embracing violent extremist ideologies. Used by academics, analysts, and several government agencies, the concept of “prison radicalization” is revisited every few years in congressional hearings, heralding new directives aimed to encourage coordination between BOP and other counterterrorism authorities.⁴¹ These efforts have generated substantial progress in the ability of the federal prison system to gather intelligence, collaborate with interagency partners, and even disrupt emerging threats. They have not, however, led to comprehensive responses to extremism in the federal correctional system. The following section highlights three methods to improve terrorism prevention programming within the federal correctional system by reconceptualizing how policymakers think about “prison radicalization.”

- *“Prison radicalization” vs. “radicalization in custody”*

One roadblock to implementing successful terrorism prevention programs in U.S. correctional facilities is the popular conception of “prison radicalization” in itself. This framing locates prisons as the primary arena for the manifestation of extremism within the broader U.S. correctional system, creating a top-down hierarchy where best practices are modelled on prisons. When put into practice, this thematic organization conflates vastly different environments in jails, pre-trial correctional centers, and non-BOP facilities.

Moreover, the current framing of “prison radicalization” seems to presume that experiences which can cause inmate radicalization—as well as programs that can address it— can only occur during the period between an inmate’s detention in a federal prison facility and their release. In contrast, most extant research on radicalization in correctional systems points to a continuous timeframe of interactions while incarcerated, from the moment an individual is arrested to when they are released from custody, as potentially conducive to radicalization.⁴² The existing “prison radicalization” framework may ignore key experiences that can occur in a variety of diverse environments within that timeframe, including stays in pre-trial detention, transfer centers, and non-BOP facilities. Each of these experiences can often be lengthy, years-long processes for offenders, with unique potential to shape their viewpoints and beliefs about the criminal justice system.

This criticism may seem like a pedantic concern, related more to wording than to actual policy. However, focusing on radicalization in prisons at the expense of the remainder of the correctional system creates blind spots in detecting emerging threats. During a 2017 audit of the FBI’s efforts to address homegrown violent extremism, the DOJ Office of the Inspector General (OIG) found that the FBI and prison officials failed to adequately mitigate the threat from a homegrown violent extremist (HVE) that was incarcerated at a non-BOP federal facility.⁴³ The OIG report concluded that:

the threat posed by the activities of the particular HVE housed at a federal facility outside DOJ’s authority indicates that there is an increased risk that similar circumstances may exist with respect to other individuals, including HVE subjects, in the custody of other non-DOJ entities. Therefore, the OIG recommends that the FBI evaluate and determine appropriate actions, in coordination with appropriate other entities, to mitigate the potential national security threats that could arise from HVEs held in facilities outside the DOJ’s authority.⁴⁴

This paper prefers the term “radicalization in custody” to more closely encapsulate the nature of radicalization in the entirety of the American correctional system as opposed to just in prisons. In a similar vein, thinking about radicalization as a process can also assist practitioners tasked with countering extremism in the correctional system in identifying key points in the long process of corrections that are appropriate for interventions.

- *Applying lessons from radicalization outside custody*

Beyond the phrasing issue articulated above, there are other significant issues concerning the framing of the correctional system as a concrete monolith, wherein the same conditions for radicalization and mobilization exist regardless of the inmate or facility in question. Realistically, no two people’s experiences with the federal correctional system are likely to be the same, given the intrinsic diversity of both the individual and the prison system. In some fashion, this dynamic mirrors how radicalization occurs outside of the correctional system. It follows, then, to conceive of radicalization in custody as similar to radicalization outside of custody.

Federal correctional institutions are like self-contained communities. Individual inmates serve their sentences in different ways. Some serve the entirety of their sentence in one or two institutions, while others are transferred between facilities frequently. Changes in classification could result in moves between high, medium, and low-security institutions, prison camps, or medical facilities. In each setting, they experience interactions with different groups of inmates and staff. From an institutional perspective, while BOP central administration in Washington, DC is responsible for overseeing rules and guidelines for each of its institutions, for day-to-day matters, the various wardens and correctional staff maintain order.⁴⁵ This highly fragmented landscape means that each individual inmate's experience with radicalization in custody is likely to be different.

Outside of custody, the radicalization process occurs at different speeds of escalation, and is fomented by interactions with peers, authority figures, and society.⁴⁶ For preventative programming, many studies suggest that this process is easier to disrupt in its early stages if it can be detected.⁴⁷ There is no reason that this same dynamic would not hold inside jails, prisons, and other correctional facilities. For terrorism prevention programming to work in custody, it must reach its target audience as early as possible as they traverse the long process between arrest and release.

- *Radicalization from a counterterrorism perspective vs. radicalization from a correctional perspective*

When looking at the issue of radicalization in custody, the primary concern for counterterrorism officials is that most radicalized inmates—whether they radicalized prior to arrest or during their time in custody—will be released, and some might pose a risk to national security. This undoubtedly concerns correctional officials, but this risk is not reflected in the way that BOP currently assesses and determines appropriate programming for inmates.⁴⁸ BOP's existing classification and detection model focuses on an inmate's risk of committing institutional misconduct (offenses or rule violations within prison) but does not account for the risk of recidivism.⁴⁹ The result is that BOP is far more focused on inmate behavior within correctional facilities than the potential for them to re-offend after release.⁵⁰ Consequently, the current model is poorly suited to detect when radicalization occurs unless it results in institutional misconduct. It also makes it difficult to adequately triage radicalized inmates into appropriate rehabilitative programs.

Additionally, counterterrorism and corrections officials prioritize countering extremism in prison differently. Since 9/11, and more aggressively during the past five years, radicalization in custody is a major concern for U.S. counterterrorism authorities. For correctional officials, the issue of inmate extremism is also a priority, but BOP faces a host of other pressing challenges that are unique to its roles and responsibilities. Managing facility overcrowding due to the recently-concluded rise in the federal inmate population, addressing other disruptive or violent inmate populations, countering gangs and narcotics, and providing other programming opportunities for inmates (drug treatment, mental health, counseling, etc.) are among the overarching concerns that BOP addresses on a day-to-day basis, all despite significant cuts to its federal funding.⁵¹ Given these circumstances, BOP must streamline its policies to fit the greatest needs, and the number of extremist inmates is small in proportion to other populations that require

special attention. By comparison, the BOP houses approximately 23,000 inmates affiliated with gangs, many of whom pose high risks from an institutional misconduct perspective.⁵²

Despite these conceptual and programmatic differences, counterterrorism and corrections officials do agree, to some extent, that radicalization in custody is a concern of increased importance due to the potential ramifications. Even then, there are disagreements over which types of extremism are of most concern. For counterterrorism officials, incarcerated individuals with a nexus to international terrorist groups will always be the foremost concern. For correctional officials, the number of convicted international terrorists in BOP custody is outweighed by domestic terrorists, other extremists, and known gang members.⁵³ From an institutional misconduct perspective, these inmates also generally pose a higher risk to other inmates and prison staff, are more likely to conglomerate in larger groups and networks, and more are housed outside of specialized management units (ADMAX, SMUs, CMUs, and subject to SAMs).⁵⁴

Terrorism prevention programs in the federal prison system: data, assessment tools, and programming

Drawing from a broader conceptualization of how radicalization and extremism occur in custody, policymakers can take several steps to break the logjam over effective terrorism prevention policies in the U.S. federal correctional system. The broader strategy articulated below has three major aspects. While it ultimately aims to create pilot terrorism prevention programming in U.S. prisons, derived from successful efforts and program guidelines in the U.S. and abroad, it also highlights both a wider modeled approach and specific data that could inform these efforts.

- *The Federal Bureau of Prisons should pilot terrorism prevention programming options for offenders convicted of extremism-related offenses, with a focus on providing opt-in services to offenders as early as possible into their terms in federal custody.*

For a select number of identified extremists in federal custody, the BOP may consider the initiation of a pilot project to test the effectiveness of terrorism prevention programming. At each stage of program development, data from recidivism studies specified in the final recommendation should guide how BOP determines the effectiveness of approaches. However, based on previous, successful terrorism prevention programs in the United States and abroad, certain features may be especially important in the correctional space:

- *Early incarceration:* the program's subjects should be new or recent entrants to federal correctional facilities.
- *Integrated with BOP risk-classification guidelines:* Extremist offenders who are subject to special measures, including but not limited to SAMs, CMUs, SMUs, or ADMAX, or classified as high-risk from an institutional misconduct perspective, should not be eligible for programs. In addition, inmates in intervention programming who violate institutional rules should not continue participation.

- *Tailored and targeted:* in combination with other services provided by BOP to inmates who qualify, program participants should have access to a wide range of practitioners, including vetted religious and community leaders, psychologists, former extremists, and family members. It should focus on the individual extremist rather than defining a broad community of extremists.⁵⁵
- *Voluntary:* offenders should opt-in to the program. Mandatory interventions for inmates identified as “extremist,” that include aspects of religion, may entail legal concerns under the Religious Freedom Restoration Act (RFRA).⁵⁶
- *Incentive-based:* participation and successful completion of the program should be structured into decisions about risk classification and potentially, early release.⁵⁷
- *Measurable:* Through connecting terrorism prevention programs to recidivism studies, correctional officials will be able to determine which programs have significant effects on the post-release trajectories of extremist inmates.⁵⁸

These factors mirror several prison deradicalization initiatives which show promise in Europe. One especially pertinent example is the Network for Deradicalisation in Corrections (NeDiC), an initiative of the Hessian Ministry of Justice in the German State of Hesse. Among other functions, NeDiC coordinates targeted intervention-based deradicalization programs for incarcerated far-right and Islamist extremists.⁵⁹ These inmates can volunteer to take part in the Violence Prevention Network (VPN)’s 23-week program that provides reintegrative services and teaches civic responsibility and democratic values.⁶⁰ Other European states, such as Denmark, the Netherlands, and Sweden, have also experimented with their own prison deradicalization programs.⁶¹ If the United States is to adopt a similar approach, it will likely need to tailor the specifics to match unique circumstances in the American correctional system. Arguably, while not targeted towards extremists, services and programming available for all federal general-population inmates can be considered a rudimentary version of disengagement by providing opportunities for extremist offenders to withdraw from their violent extremist groups. However, implementing legitimate deradicalization programs will also require tailoring programs to the specific needs of extremist offenders and addressing the underlying ideologies of violent extremism itself. In this light, building deradicalization programs from scratch in U.S. prisons and jails not only requires drawing from the experiences and best practices of countries who have employed successful prison deradicalization programs, but also from key cases in the U.S.

In several court districts across the country, federal law enforcement in partnership with U.S. Attorney’s offices and the court system have offered small-scale, pre-trial interventions for offenders convicted of extremism-related activity. In exchange for undergoing counseling, cooperating with investigations, provision of critical information to law enforcement, and other conditions, certain offenders receive time credits and are given sentences that depart drastically from federal sentencing guidelines.⁶² These interventions, due to lack of resources and the small number of cases in which they are applicable, are used sparingly. Recently, two individuals who pleaded guilty to violations of the material support statute, one in Minnesota and one in New York, underwent innovative intervention-based deradicalization programs. Both were released in 2018 after completing time served.⁶³

These cases are exceptions to the rule in terms of their nature and the offenders' willingness to cooperate with authorities. Yet, there is a lesson to be learned for federal correctional officials who are considering the implementation of specific terrorism prevention programs in prisons and jails. These specific interventions demonstrate the utility of intervention in the pre-trial space, and more broadly the necessity of providing programmatic options for individuals charged with extremist activity as early in the custodial process as possible. As an extremist offender progresses through the federal correctional system, creating opportunities for deradicalization becomes more and more difficult.

- *Congress may consider the benefits of a risk and needs assessment model within the federal correctional system for the development of terrorism prevention programs.*

Sparked by broader concerns about criminal justice reform and a sharp increase in federal prisoners since the 1980s, several pieces of legislature have called for the federal prison system to implement a comprehensive risk and needs assessment model.⁶⁴ Instead of the current BOP classification model, which assigns inmates risk categories based off their propensity for *institutional misconduct*, a risk and needs assessment model measures static⁶⁵ and dynamic⁶⁶ risk factors, as well as the needs of an individual inmate, to help mitigate the potential for *post-release criminal activity*.⁶⁷ Supporters of proposed risk and needs assessment models favor them because unlike the current model, they can potentially use assessment tools to place inmates into rehabilitative programs that are suited to their needs and designed to reduce recidivism. Some proposals argue for a credit-based system to allow inmates who complete rehabilitative programs to be released from custody earlier.⁶⁸

The issue of formulating a generalized BOP risk assessment tool is tied to larger debates about the criminal justice system in the U.S; there are active disagreements about which predictive tools would undergird such a process, which inmates should be eligible for time credits, and whether the tools should also be built into sentencing recommendations.⁶⁹ That notwithstanding, it is worthwhile for the U.S. government to consider the potential benefits of such an approach for implementing a comprehensive terrorism prevention strategy in the federal correctional system. Several international organizations tasked with countering radicalization in custody, including the Council of Europe, the United Nations Office on Drugs and Crime, and several countries' prison systems, all consider risk and needs assessment models to be a vital feature of counter-radicalization strategies in prisons, built on decades of empirically successful programs in prisons worldwide.⁷⁰

Moreover, U.S. correctional officials are using the risk assessment tools used in these models (for instance, ERG22+) themselves, without employing them to their full potential. Currently, BOP uses these tools, in combination with Suspicious Activity Reports (SARs), to determine the classification of an inmate as "radicalized" or "extremist." This is certainly one aspect of what tools like ERG22+ were designed to do, but they were also first implemented in prisons with full risk-needs assessment models that could use these classifications to place extremist inmates in appropriate treatment

programs.⁷¹ Even if the U.S. develops comprehensive intervention-based terrorism prevention programs in federal correctional facilities, without a risk and needs assessment model to support them, there is a significant chance that most of the inmates who could benefit from these programs would not be placed in them due to a disconnect between risk-classification and program-placement methodologies.⁷²

Finally, the shift from a classification and designation system to a risk and needs assessment model may provide greater opportunities to mitigate recidivism and the threat of released extremists re-engaging in violence. Counterterrorism authorities are concerned that many incarcerated extremists, while less of a risk from an institutional misconduct perspective, may return to violent extremism after release from prison. By shifting in-custody efforts to include a focus on recidivism, implementing a risk and needs assessment paradigm may further synchronize efforts between correctional authorities, probation officers, and federal law enforcement to mitigate the threat from in-custody radicalization.

- *The Department of Justice, the Federal Bureau of Prisons and the U.S. Probation and Pretrial Services Office should conduct a joint study into recidivism outcomes of extremist inmates who are scheduled for release within the next five years.*

By 2023, at least 80 of the more than 275 inmates convicted for jihadism-related offenses since 9/11 will be released from custody. In addition, countless other extremists of other persuasions will be released.⁷³ The rate of release of extremists from prison within this timeframe affords the correctional system an opportunity to conduct a comprehensive study on recidivism rates within this specific prison population.

The joint, longitudinal study should focus on the re-entry of extremist offenders (as designated using BOP guidelines) who are released from federal prisons over the next five years. This study would provide much-needed data on the rate of recidivism in extremist inmates specifically, providing a point of comparison to the wide array of recidivism research on other specific inmate groups (e.g., sex offenders, violent offenders, individuals with mental health or drug abuse problems). As evaluation metrics, it should include not only the traditional measures used to determine recidivism (re-arrest, re-conviction, re-incarceration), but also unique extremism-specific measures.⁷⁴ For instance, the traditional factors listed above can be broken down further into extremism-related and non-extremism related re-arrests and re-convictions.

Findings from the first wave of research can clarify the scope of extremist recidivism and provide practitioners within DOJ, the courts system, the BOP, and Probation and Pretrial Services with some initial empirical data on the subject. In addition, while a small number of U.S. Probations and Pretrial Service officers from select districts received training in the use of evaluative tools (including ERG22+ and VERA-2), the proposed study in combination with other efforts can help federal probations authorities make informed decisions about which evaluative tools are best suited for the U.S. context. More broadly, policymakers can also identify the strengths and weaknesses of the current lack of specific terrorism prevention programs in federal correctional facilities, and if flaws are detected,

develop future programming to fix them. The subjects of the first wave of this study—who entered and left custody without access to specific terrorism prevention programs—can also serve as a test group for future studies on the effectiveness of programming.

Conclusion

In the development of rehabilitative programming in prisons, jails, and other facilities, federal correctional officials are tasked with the overriding ethical principle: “first, do no harm.” Applying this mantra to the issue of extremism in the federal correctional system, there are two priorities: ensuring that offenders without extremism-related convictions are not radicalized in custody and establishing routes for offenders with extremism-related convictions an “off-ramp” to reject the ideologies and practices that helped to put them in prison.

To meet this principle, implementation of effective, data-driven, proportional, and measurable terrorism prevention programs in the U.S. federal correctional system is highly important. The percentage of extremist prisoners may be low in comparison to the total federal inmate population, but it is a unique group with different risks, needs, and responsive rehabilitative programs. BOP officials describe this issue as a “low base rate, high impact” concern for not only correctional authorities, but many other agencies within the U.S. government tasked with finding meaningful solutions to the threats of terrorism and violent extremism. Using the re-conceptualizations and policy prescriptions articulated above, the U.S. government can play a unique role in encouraging practitioners to develop effective intervention-based terrorism prevention programming in the federal correctional system.

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