

Chapter 10

Front-Page News: Terrorism

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Twenty years ago, you may not have thought of terrorism as a criminal justice issue. But since the bombing of the federal building in Oklahoma City in 1995 and the attacks on the World Trade Center and the Pentagon on September 11, 2001, law enforcement has been front and center in the battle against terrorism.

Terrorism is a crime that is intended to have a disproportionately large impact on a society through the creation of terror. Although hundreds of definitions of terrorism exist, the Federal Bureau of Investigation's (FBI's) definition is commonly used in law enforcement:

The unlawful use of force or violence against persons or property to intimidate or coerce a government, the civilian population or any segment thereof in furtherance of political or social objectives

In other words, a crime becomes terrorism when it involves violence with the intent to achieve a political or social goal. Someone who burns down a building to get insurance money commits arson. But someone who burns down a meat-processing plant to stop cruelty to animals commits a crime of terrorism.

In this chapter, I look at both international terrorism and the home-grown kind. I then discuss how law enforcement agencies at the local, state, and federal levels are working to combat terrorist crimes.

Recognizing Types of Terrorist Threats

Terrorists may attack as part of an organizational effort or as lone actors. And their choice of weapons is no longer limited to conventional tools, such as guns and bombs. In this section, I take a look at the different types of terrorism, in terms of both the players and their weapons.

Striking as an organization

Most people think of terrorists as working within organizations to commit attacks. The international group Al Qaeda, for example, planned the 9/11 attack for years, breaking into groups (or *cells*) of four or five, obtaining flight lessons, and mapping out an intricate strategy to carry out multiple simultaneous hijackings. In fact, this type of simultaneous attack is almost a hallmark of an Al Qaeda operation. (See the “Facing International Terrorist Threats” section for more details about Al Qaeda.)

Domestic terrorists often follow the same strategy of forming cells (if not conducting simultaneous attacks). A cell may consist of various terrorists, each with a special responsibility. For example, in an attack on an animal research business, one cell member may get a job inside. Another may procure weapons and have expertise in building a bomb. A third may be responsible for conducting surveillance to determine facility security, and a fourth may have access to donors who can fund the costs, including lodging, food, travel, and tools to commit the act.

After the terrorist group strikes, the temporary organizational structure is broken and the cell disbands. In this way, terrorists try to take advantage of the benefits of organization while minimizing the risks — namely, infiltration and discovery by law enforcement.

Acting alone

Some individuals, perhaps inspired by the ideology of a particular terrorist organization, may choose to strike out on their own. In 2006, for example, Naveed Afzal Haq entered a Jewish social service organization in Seattle and opened fire with two pistols, killing one person and wounding five others. His apparent motivation was his anger toward Israel. Similar strikes have occurred in every region of the country.

Following the bombing of the Oklahoma City federal building, law enforcement in the United States stepped up efforts to identify people who may perpetrate similar acts. But identifying potential “lone wolf” terrorists, as they’re called, has proved extremely difficult. (See the “Dealing with Domestic Antiguovernment Groups” section for more info on the Oklahoma City bombing.)

Many terrorist organizations, including Islamic extremist groups, actively encourage individuals to strike out alone. Thus, a terrorist incident may not be *committed* by Al Qaeda, but it may be *inspired* by Al Qaeda.

Choosing a weapon

Keep in mind that the purpose of terrorism is to effect social or political change through *terror*. So to a terrorist, the choice of weapon is very important. Of course, for many, especially domestic terrorists, simplicity and ease of use are the most important considerations. For example, a gallon jug filled with gasoline may be sufficient to set a Hummer on fire — the ecoterrorist hopes that this act will dissuade others from buying gas-guzzling SUVs. Another increasingly common terrorist choice is putting white powder in an envelope, meant to simulate anthrax and scare the recipient.

But in the 21st century, scientific advances have taken weapons technology to a whole new level, exponentially increasing the potential damage from an attack. Until recently, terrorists weren’t in a position to obtain the four most dreaded weapons, known in shorthand as *CBRN*:

- ✓ **Chemical:** Weapons made from nonliving toxic substances, such as ricin and mustard gas
- ✓ **Biological:** Weapons made from living pathogens, such as viruses and bacteria
- ✓ **Radiological:** Weapons formed from dangerous radioactive material
- ✓ **Nuclear:** Weapons made using nuclear energy (which is released during nuclear reactions), such as the atomic bomb



Today weapons made of these components are more easily obtained. For example, many countries, including some that consider the West their enemy, stockpile chemical and biological weapons. Radiological material is much more prevalent today (it can even be found in hospitals) and can be used in the creation of *dirty bombs* in which radioactive material is spread across populated areas by conventional explosions. And as countries that sponsor terrorism, such as North Korea and Iran, develop nuclear capabilities, the risk of a devastating nuclear strike grows.

Facing International Terrorist Threats

In nations throughout the world, thousands of terrorist groups pursue numerous causes. To achieve a designation by the U.S. government as a *foreign terrorist organization*, a group must meet these criteria:

- ✓ It must be a foreign organization.
- ✓ It must engage in terrorist activity.
- ✓ Its activity must threaten the security of U.S. nationals or the United States itself.

Based on their current level of exposure in the U.S. media, you may believe that the numbers of such groups are expanding and that their success is increasing. Believe it or not, however, the number of terrorist acts worldwide has dropped significantly since the 1980s. One reason for this drop is the breakup of the Soviet Union, which was infamous for sponsoring terrorism in its struggle against the West. Also, more countries are joining in the fight against terrorism.



But despite the decrease in numbers of terrorist acts, the terrorist *threat* as a whole has actually grown significantly in recent years as weapons of mass destruction have become more available to terrorists.

As of mid-2008, the U.S. Department of State had developed a list of 44 designated foreign terrorist organizations. You can review the latest information on this list at <http://www.state.gov/s/ct/r1s/other/des/123085.htm>.

The majority of these groups fall into the following three categories:

- ✓ Islamic extremist groups
- ✓ Communist groups, such as the Communist Party of the Philippines
- ✓ Separatist groups interested in rebelling against their national government, such as the Real Irish Republican Army



Providing material support to any of these 44 organizations is a federal crime.

On the international scene, the United States is primarily concerned with Islamic extremist groups that have the capability and intent to attack U.S. interests. In this section, I focus on some of the most significant threats that confront criminal justice professionals in the Western world today.

Identifying violent threats

Any discussion of antigovernment domestic terrorism must begin with the April 19, 1995, truck bombing of the federal building in Oklahoma City that killed 168 people. Timothy McVeigh and Terry Nichols bombed the building to protest U.S. government intervention with right-wing groups at Ruby Ridge, Idaho, and Waco, Texas. Prior to 9/11, the Oklahoma City bombing was the deadliest terrorist act committed within the United States.

Some other antigovernment causes that lead people to violence include the fear that gun rights may be taken away and — believe it or not — the fear that the United Nations will take over the United States. (One county in my home state actually passed a law declaring itself a “UN-free zone.”)

At least two types of antigovernment organizations pose significant threats for committing violent criminal acts:

- ✓ **Sovereign citizen organizations:** These groups often apply convoluted interpretations of the Constitution to deny federal and state governments any authority over individuals. They may create their own driver’s licenses and license plates, and even their own passports. They may also resist the authority of law enforcement, refuse to pay taxes, and threaten public officials.
- ✓ **Militia organizations:** These groups pass themselves off as quasi-military or law enforcement. They may stockpile weapons, participate in “weapons training” in rural areas, wear uniforms, and claim to patrol the forest or even the U.S. border.

In addition to threatening the lives of U.S. citizens, such groups can cause significant damage in pursuit of their goals. For example, some antigovernment groups hoped that as the nation’s computer system rolled over from the year 1999 to 2000, the governmental infrastructure would collapse. Some of these folks took direct action to help the process along by damaging phone lines and electrical infrastructure.

Although there seems to have been a decrease in antigovernment terrorist strikes since 2001, the FBI reports that of the 14 terrorist strikes prevented between 2002 and 2005, 8 were planned by right-wing antigovernment types — not by Islamic extremists.

Using paper crimes

By all definitions, terrorism requires an act of violence. Nonetheless, nonviolent crimes committed in preparation for terrorist strikes are still considered terrorism. For example, an antigovernment group that creates false IDs may be attempting to gain access to a secure facility like an airport

or power station to commit a violent act, and, thus, the act of creating false IDs is considered a precursor crime to terrorism. Police are taught to look for precursor crimes so they can prevent the ultimate terrorist acts.

In addition, members of antigovernment groups may attempt to harass public figures (sheriffs or legislators, for example) by filing false liens or claims in which they assert that the public figure owes them money. Another common trick is for antigovernment types to file false documents with the IRS, asserting that the public figure received a multi-million-dollar income. (This last trick can wreak havoc on the public figure's tax situation.)

Starting around 1999, a movement called *redemption* swept across the country. This scheme is almost impossible to understand, but essentially, it asserts that you can create a second *you*, known as a fictional STRAW MAN (there's some kind of significance in using all capital letters), and the government is responsible for all the debts of your straw man. Some unscrupulous characters have made a lot of money pushing this scam, which is why it greatly appeals to antigovernment extremists. It continues to be very common today.

Part II: Identifying Types of Crime

Acting out of hate

Hating someone isn't a crime. Nor does it constitute terrorism. But individuals and groups that harbor racist, antireligious, or homophobic views sometimes give action to their hate by committing violence against others, which is where hate crimes come in.



A *hate crime* is a crime committed because of the race, religion, or sexual orientation of the victim. Most states today have created separate crimes that punish violence more severely when it's motivated by hate.

Many hate crimes don't fit the strict definition of terrorism that I give you at the beginning of this chapter — for one, racist attacks often aren't driven by a desire to change governmental or social policy. A drunk white kid who strikes out at an African American woman in a convenience store, for example, is more likely just filled with hate. But some groups do advocate racist violence, and because they *are* attempting to achieve a social objective, they can fairly be considered terrorist organizations.

The FBI documented 7,624 hate crime incidents in the United States in 2007. About 64 percent of victims were targeted because of their race, ethnicity, or national origin. Seventeen percent were targeted because of their religious belief and 16 percent because of their sexual orientation.

Numerous groups in the United States espouse various views about one person's superiority over another person. The Southern Poverty Law Center (SPLC), a nonprofit organization devoted to fighting hate groups, has documented 888 active hate groups in the United States. Keep in mind, though, that the SPLC takes an expansive view of the term "hate group," including organizations opposed to illegal immigration, among others. Thus, inclusion on the SPLC list doesn't mean a group is a terrorist organization. But prominent in the list are numerous neo-Nazi organizations, various groups claiming affiliation with the Ku Klux Klan, and racist Skinhead groups. Some of these groups advocate for violent action against groups of people they hate.



These groups are becoming more sophisticated in their recruitment of members. They may use social networking sites on the Internet to reach out to like-minded youngsters. I've seen white-supremacist Web sites that contain video games in which a player can kill blacks or Jews. Clearly, these sites are designed to appeal to kids. In addition, there's a relatively large white-supremacist music industry. Bands that celebrate white-supremacist views may play at organizational rallies to draw recruits. Some hate groups even fill Easter eggs with racist propaganda and distribute the eggs on school yards.

Fighting Back against Terrorism

From a criminological perspective, it's worth noting that terrorism combines two elements:

- ✓ **Motivation:** A desire to strike out in violence to achieve a terrorist goal
- ✓ **Operational capability:** The people and the tools necessary to commit a terrorist act

To successfully fight against terrorism, you have to eliminate at least one of these two elements. In the following sections, I take a closer look at these elements and how the U.S. government is trying to combat them.

Eliminating terrorist motivation

All kinds of people desire significant change in governmental or social policy. But what leads them to use terrorism, and how can the U.S. government combat such extreme motivation? If I knew the answers, I'd have the formula for world peace. But even though no perfect answers have been discovered, society can gain some insight by looking at the last 30 years in the Islamic world.

Since about 1980 (coinciding with the creation of groups like Al Qaeda in Afghanistan and the rise of the Ayatollah in Iran), Islamic extremists have been pouring money and resources into reshaping the minds of Arab Muslims. For example, rich benefactors, such as Osama Bin Laden, have funded the creation of thousands of *Wahabi* schools — which teach Al Qaeda's fundamentalist view of Sunni Islam — with the goal of spreading Islamic law and dominance throughout the world. In addition, Islamic extremists have worked hard to build resentment throughout the Islamic world against the West, against Israel, and against moderate Islamic regimes that are supported by the West, such as Egypt and Saudi Arabia.

The result of these schools and this resentment has been thousands of people willing to carry suicide bombs and die to achieve their goal. (One of the tools used to motivate suicide bombers is the promise of 70 virgins in heaven for a *shahid*, or martyr of the faith.) Fighting this motivation is a challenge in the extreme, but, in the long run, success in the war on terror will depend on reducing the resentment and anger toward the West by using tools such as education and economic development.

Eliminating operational capability: Law enforcement's role

In the short run, the U.S. military and local, state, and federal law enforcement officials carry the burden of preventing terrorism. The 9/11 Commission (a group created by Congress to study the failure to stop the 9/11 attacks) identified some serious lapses in the fight against terror, but none is more important than the need for everyone involved in the fight to *share* information. Before September 11, 2001, not only did the Central Intelligence Agency (CIA) not talk to the FBI, but different branches within one agency didn't talk to each other. And federal communication with local law enforcement on the issue of terrorism was minimal at best.

As a result of 9/11, the federal government has significantly changed its strategy. Mechanisms for sharing foreign intelligence with federal law enforcement are now in place. Federal agencies communicate with each other much more. And significant inroads have been made in developing communication between local law enforcement agencies and their federal counterparts.

In particular, the development of *Fusion Centers* — state-based operations that “fuse” together personnel from many different agencies — is having a big impact on the fight against terrorism. In essence, Fusion Centers bring together intelligence personnel to share information among different agencies within a state. The goal is to break down the walls of communication between local, state, and federal law enforcement agencies so that the next 9/11 can be identified before it occurs. Today, if a patrol officer stops a suspicious person with a bag of ammonium nitrate (fertilizer that's also used in making bombs), the officer can call his Fusion Center to find out whether that person is a terrorist suspect.

While Fusion Centers help gather and analyze information, the FBI has taken the lead in conducting actual investigations. The FBI has made terrorism its number one priority and has put significant resources into its Joint Terrorism Task Force program (JTTF). This program, replicated throughout the country, combines police from numerous agencies into a single task force to investigate terrorist activities. These task forces are the primary investigative tool against terrorism within U.S. borders, and since 9/11, they've been very successful.

Despite the significant improvement in cooperation among law enforcement agencies, many challenges still exist. Trust, information sharing, and cooperation don't come easily in the world of law enforcement. Much depends on personal relationships, and given the fact that cops spend a lot of time with liars and crooks, building trust is a full-time, never-ending challenge.

