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**REPORT**



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## FACTS AND FICTIONS ABOUT ISLAM IN PRISON: *ASSESSING PRISONER RADICALIZATION IN POST-9/11 AMERICA*

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*Institute for Social Policy and Understanding*

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## EXECUTIVE SUMMARY

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This report assesses the radicalization of Muslim prisoners in post-9/11 America. In the last decade, Muslim prisoners have been scrutinized for ties to terrorist and other extremist organizations, not to mention characterized as both a “threat” and a “danger” to national security, due to the influence of foreign jihadist movements. However, closer scrutiny shows that these fears have failed to materialize—indeed, despite the existence of an estimated 350,000 Muslim prisoners,<sup>1</sup> there is little evidence of widespread radicalization or successful foreign recruitment, and only one documented case of prison-based terrorist activity. Nonetheless, some prison systems have implemented an aggressive posture toward these inmates and have made suppressive tactics their bedrock policy. This approach unfortunately overlooks Islam’s long history of positive influence on prisoners, including supporting inmate rehabilitation for decades. Moreover, Muslim inmates have a long history of using the court system to establish and expand their rights to worship and improve their conditions of confinement. Hence, a closer look at “life on the ground” turns the prevailing discourse on its head by demonstrating that Islam generally brings peace to inmates and that the greatest “threat” posed by Muslim inmates is not violence, but lawsuits.

Political concerns are a driving force for inquiry into the radicalization of Muslim prisoners, and elected officials themselves have sometimes proved to be a hindrance to acquiring a better understanding of the issues. Competing political interests cloud the discussion by injecting inaccuracies about Muslim prisoners, inaccuracies rooted more in speculation and fear than in solid data. Particularly revealing are the three major post-9/11 congressional hearings held on the topic of prisoner radicalization, where public officials and others under oath have repeated these inaccuracies.<sup>2</sup> The political fear-mongering and lax fact-checking reveals the urgent need for more qualitative and quantitative study, as well as the need to distinguish proof from propaganda.

This report contributes to the discourse by analyzing how Islam impacts inmates by focusing on three primary objectives:

- Overviewing the political concerns about radicalization and highlighting factors that both promote and prevent it, as distilled from data on prisoners;
- Providing an account of Islamic outreach and its impact on inmates and prison culture;

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- Positing that to the extent radicalization occurs in prisons, it has less to do with foreign influences and more the grievances about domestic matters, and American prisoners themselves are responsible for organizing subversive activity.

These findings reveal that radicalization to the point of adopting violence is a rare event. But to the extent that it does occur, it corresponds to concerns about the conditions of Muslims in the United States rather than to recruiting efforts launched by foreign networks in Muslim-majority countries. Although this latter hypothesis has proved irresistible for some, cases to date show that radicalization in prison has little to do with groups like al-Qa’ida, Saudi-based charities, or other foreign sources. This skewed view overlooks the great deal of fuel for radicalization that prisoners find at home, including racism and religious discrimination, which bear more on an inmate’s thinking. Moreover, inmates themselves are the single most important factor for the spread of extremism. As one researcher states: “Die-hard extremists need little proselytizing from Wahhabi clerics from abroad. They are already prison radicals of the first order, many of whom are fully capable of radicalizing other inmates on their own.”<sup>3</sup> The influence of these already radicalized inmates is magnified by policies that restrict Islamic religious leaders from entering prisons and a de facto hiring freeze at the federal level. These distinctions are key to understanding how extremism spreads and how penal policies contribute to the problem.

This assessment of radicalization moves the discussion forward by stressing the need to distinguish radical thought from violent behavior as a means to formulate better policies. For example, the axiomatic association of radicalism with violence is flawed because most extremists never become violent. As such, widespread prison-based religious violence has proved quite the exception in American prisons. It is important for prison administrators to be aware of this fact since it underscores the need to pursue policies aimed at prevention rather than heavy-handed intervention. Politically speaking, such suppressive interventions, if used at all, should be reserved for times of crisis, which hardly describes the situation in American prisons over the last decade. This particular tactic represents a solution in search of a problem, since violent extremism among Muslim inmates can hardly be portrayed as a major issue, let alone a crisis. Its true magnitude needs to be placed in critical context. More critically, however, suppressive strategies are known to cause the very problems that they seek to solve and, as will be detailed below, have backfired both at home and abroad.

According to the data presented in this report, among the top prospects for preventing violent extremism in prison are increasing institutional support for religious pluralism inside prisons and developing more effective re-entry programs for soon-to-be-released inmates. These prison-wide measures, although offered with the effective engagement of Muslim inmates in mind, benefit the entire prison population. As such, prison administrators might recognize these strategies as being convergent with broader correctional goals, including reducing recidivism and ensuring that healthy religious communities remain a source of support for inmates and prison officials alike inside the institution. These benefits represent a further incentive for prison administrators to adopt and implement the recommendations.



# INTRODUCTION: THE POLITICS OF ISLAM AND RADICALIZATION IN AMERICAN PRISONS

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## Defining Key Terms, Concepts, and Methodology

The topic of radicalization is not an easy issue to broach, and trying to isolate factors that motivate individuals to adopt extremism is fraught with all sorts of difficulties. For starters, the inability of scholars, politicians, chaplains, and even prisoners themselves to devise a common definition of *radicalization* means that it is extremely difficult to develop any model that explains why it occurs. In addition, there is little agreement on how to delimit the occurrence of radicalization in prisons, since some inmates hold extremist views and proclivities before they are imprisoned and others may participate in extremist activities only years after their release. Both scenarios indicate that the prison's role in this process is far from certain. Moreover, absent any concrete proof about an individual's experience in prison, it is untenable to assume that the prison experience contributes to radicalization, although for some it is true. Yet even when radicalization occurs, it is important to remember that holding the most radical worldview is never a crime, whereas radical behavior may be. Distinguishing inmates who harbor extreme thoughts from those involved in extremist violence is critical since it compromises assessment of the evidence and the crafting of better policies.

Wary of these methodological challenges, the report begins by defining key terms so the data can be interpreted in a uniform and consistent manner and the study will remain grounded in a common vocabulary. It begins by describing what is meant by *Islam* and *Muslim*, *radicalization* and *conversion*, as these terms are basic for understanding the lived realities of Muslim inmates. This is more than an academic exercise, for as will be discussed, failure to ground the terms has promoted misunderstanding and misinformation about Islam in general and, more specifically, in American prisons.

Exactly *who* is a *Muslim* or *what* constitutes *Islam* is not as straightforward as it might seem, due to the American Muslim community's great diversity. Many countries with long-established Muslim communities typically have clear lines that demarcate Muslims from non-Muslims as well as from other Muslim sects. This, however, is not the case in the United States. The history of American Muslims stretches back over 400 years and Muslim Africans were first documented in the colonial slave trade in the 1700s, which would eventually bring over thousands of African Muslims as slaves.<sup>4</sup> Although the slaves were forced to abandon their religion and,

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in some cases, Arabic language, Islam would take root through organized movements in the United States with African-American and immigrant movements in the early 1900s. These groups concentrated on preaching to poor, urban, African-American communities. These early movements were later joined by immigrants in large numbers from India, Pakistan, Africa, and the Middle East, infusing the religious landscape with Islam's global diversity and internal divisions and rivalries. Upon discovering local expressions of Islam among African-Americans that differed from those of their home countries, Muslim immigrants often accused African-American Muslims of following false prophets and perverting authentic Islam. Although today most African-American Muslims are Sunni, some of their communities encounter suspicion and accusations of heterodoxy from their Sunni and Shiite co-religionists. In return, other groups respond with their own charges of inauthenticity, such as Five Percent Nation of Islam followers who quip that "Sunni" Muslim stands for "soon to be" Muslim.<sup>5</sup> These lessons helps us to resist the temptation to make normative claims about what constitutes Islam, as opposed to counting as Muslim anyone who claims to be one or follows Islam.<sup>6</sup>

The term *radicalization* also requires clarification. The term builds on *radical*, a word initially used in relation to its etymological meaning of *root* or *radish*. *Radical* was used to denote the roots or origins of something, as in its essence or basics; later usage, however, adopted it to indicate movement *away* from the roots, and later came to be associated with *extremism* or a state of being *far out*.<sup>7</sup> This report uses *radicalization* in the later sense, as a way to indicate an extreme departure from a particular norm. Thus, a radical understanding of violence might take at least two extremes on a spectrum: non-violence (pacifism) or terrorism. Both are extreme and radical perspectives on violence, yet the notion that non-violence is politically radical has been all but lost in the media and in political debates about Islam and violence, where a radical Muslim is always presumed to be violent.<sup>8</sup> This portrayal not only clouds any understanding of Islam in prison, but also fails to distinguish radical Muslims who enact and espouse violence from radical Muslim *thinkers*. While these latter thinkers may have extreme ideological commitments, they will never resort to violence in the name of religion, at least partly due to their ideological opposition to violence.

*Radicalization* also needs to be distinguished from *conversion*, which indicates the turning away from a particular worldview and adopting a new one. This transformation involves one's feelings, attitudes, and behaviors, as well as one's identity and outlook on life, and many times, converts undergo several related social transformations, such as adopting a new name,

clothing, and other habits.<sup>9</sup> Although these activities are not mutually exclusive from those related to radicalization, conversion is a distinct phenomenon. One researcher indicates the importance of distinguishing between the two since they are sometimes at conceptual odds, particularly when Muslim converts are less susceptible to terrorist recruitment due to their a priori involvement in a reformation process.<sup>10</sup> In other words, converts who have started a serious quest to find peace are less vulnerable to violent ideologies, radicalization, and terrorist recruitment.

In cases where personal experience drives conversion, the crisis of imprisonment is a prominent factor. For some, however, the experience of shock and dread *prior* to incarceration initiates a personal crisis.<sup>11</sup> The prison experience is rooted in mental and physical pain, as well as the lack of movement, goods, services, and sexual relations.<sup>12</sup> Having hit rock bottom and with no one to turn to, some turn to God. Research supports this sequence by showing that inmates are more likely to convert in the harsher and more dangerous maximum-security institutions than in medium- or minimum-security facilities.<sup>13</sup> One African-American convert illustrated this pattern: “I was facing the death penalty and I was on the brink of sheer insanity. I didn’t care for anybody or anything.” In the prison context, the experience of acute personal crisis or mental breakdown sets conditions for conversion,<sup>14</sup> affords a powerful means for coming to terms with prison life,<sup>15</sup> and helps inmates confront the “terror of time.”<sup>16</sup> Islam helps some overcome their fears of long years of incarceration, as described by another convert from Corcoran State prison in California: “For some, seconds tick by like eternities in this state. They don’t even realize that they’re locked up after a while. But there are others who don’t see the prison because they walk with Allah. For them, the prison doesn’t really bother them anymore.” In such cases, conversion serves as a personal resource and support system to deal with the inmate’s existential crisis.

These distinctions in terminology and concepts are important for assessing radicalization. For example, inmates, scholars, chaplains, and some prison officials claim that Islam is the fastest growing religion in prison. Research and reports support this claim, including estimates that of those inmates who seek faith, approximately 80% turn to Islam,<sup>17</sup> and that one-third of all African-American inmates at one correctional facility had converted.<sup>18</sup> Additionally, a majority of the 730 prison chaplains surveyed agreed that Islam is growing faster than any other religious tradition in prison<sup>19</sup>; other estimates suggest that 30,000 to 40,000 prison conversions take place annually.<sup>20</sup> Given these impressive figures, conflating conversion and violent radicalization

is very problematic. Treating conversion data as evidence of violent radicalization is not only theoretically untenable, but also distorts the prevalence of radicalization by pegging it to the prevalence of conversion and thereby grossly over-defining the scope of the problem.

Finally, the assessment of prisoner radicalization relies on ethnography to develop critical policy and best practices in prison administration. The research consists of materials collected during the years following the 9/11 attacks, providing two primary sets of qualitative data. The first is testimony that consists of interviews with former prisoners as well as the testimony of Muslims incarcerated at both state and federal institutions collected from 2004 to the present. The prisoner and ex-prisoner testimony was collected through methods that include intensive interviews, correspondence, and survey. The survey was used initially to structure in-person interviews and subsequently used as the basis to initiate correspondence from Muslims in prison. The data collected consists of dozens of personal interviews with prisoners, chaplains, and prison staff and hundreds of letters and other materials sent from Muslims in prison. Unless specifically cited otherwise, any and all quotes of prisoners are from the data collected in the author's interviews, correspondence, and surveys. The second is testimony from the three congressional hearings held on the issue of prisoner radicalization (2003, 2006, 2011), which includes testimony of scholars, politicians, chaplains, and prisoner personnel, as well as cases described in the hearings involving Muslim inmates and extremist violence. These sources provide a diverse set of opinions and beliefs, and offer a unique perspective for understanding prisoner radicalization and its causes, which is analyzed alongside current research into prison policy and administration.

## **Overview of the Debate: *Social Fears vs. Social Science***

After 9/11, debate about Islam's role in American prisons began to grow, as did, in particular, questions about the radicalization of Muslim inmates. Much of the ensuing dialogue has been far from neutral and detached, but rather, the inquiry has been driven by fear, some of which may be entirely unrelated to Islam, including a "multiplicity of perceived threats—terrorists, prisons, gangs, and Muslim extremists—to form a mixture that can easily overflow into unthinking hysteria."<sup>21</sup> The consequence of such conflation diminishes prospects for objective study of the situation in prison.



Interest in the issue to date contributes to a growing body of research on extremism in American prisons and elsewhere around the world.<sup>22</sup> The debate is sharply divided between those who paint an ominous picture of the situation in prison and those who highlight the beneficial aspects of Islam for inmates and prisons. Although these sides seem hopelessly at odds, they do share some common ground. For example, at least some of those who raise warnings about Islam in prison acknowledge the religion's potentially rehabilitative aspects.<sup>23</sup> In turn, some researchers note that the harsh nature of prison conditions foster environments for extremist ideology, or, as one researcher writes, "the more extreme, harsh, dangerous, or otherwise psychologically-taxing nature of the confinement, the greater the number of people who will suffer and the deeper the damage they will incur."<sup>24</sup> Regardless of the reluctance to admit these points, however, both sides are forced to concede that radicalization rarely leads to terrorism.<sup>25</sup>

Heated post-9/11 political debates reflect the great divides in opinion between academics and policymakers. According to a 2007 National Institute of Justice (NIJ)-funded study, "the literature on Islam in prison is divided into two camps that couldn't be farther apart."<sup>26</sup> One side tends to make assessments that center on a number of explicit and implicit arguments, including:

- Islamic prisoners represent a clear and present danger in the United States;
- Al-Qa'ida training materials identify American prisoners as potential recruits who may harbor hostility toward their government; and
- Foreign influences are spending billions promoting ideology inside prisons, based on Saudi-based *Wahhabi* ideology.<sup>27</sup>

While unsettling, these claims tend to be highly speculative, based on little to no evidence, or based on research that lacks methodological rigor. As the NIJ study notes:

Yet the alarmist position is based on research that is not only contradictory in places, but it lacks any real depth of understanding about the nature of prisoner subcultures, the social processes of religious conversion, and the vulnerability of individuals to recruitment by terrorists groups. The studies are also devoid of social scientific methodologies; there are no interviews with or observations of prisoners, and they offer only scant

evidence on the perceptions of wardens, guards, chaplains, and security threat group administrators. Beyond that, they are riddled with errors.<sup>28</sup>

In stark contrast, there is a small but growing body of researchers whose research is “more reassuring; it is also based on ostensibly verifiable data. The criminological evidence indicates there is no relationship between prisoner conversions to Islam and terrorism.”<sup>29</sup> These social scientists claim that:

- There is little evidence to suggest U.S. prisons are factories for terrorism, but rather, research shows Islam as providing support for inmate rehabilitation and re-entry;
- Among inmates who hold radical political views, the overwhelming majority never become involved in religious-based violence or terrorism;
- Prison gangs, violent prison environments, and discontent over domestic issues are the primary forces propelling radicalization, including issues about race, criminal justice, and treatment of Muslims at home and abroad; and
- Muslim inmates are at the fore of the prisoners’ rights movement and for decades have been using American courts, rather than violence, to settle disputes.<sup>30</sup>

Both sides differ on how to define *radicalization*, the debate’s central term. Some policy analysts and academics on both sides view it as a set of extremist *beliefs*,<sup>31</sup> whereas among alarmist admonitions it is held to be synonymous with violence. This latter attitude appeared in the definition offered at the 2006 congressional hearings: a “process by which inmates adopt extreme views, including beliefs that violent measures need to be taken for political or religious purposes.”<sup>32</sup> The logical fallacy here is that while radicalization may be a necessary condition for violent behavior, it is not sufficient. The error resurfaced more recently in 2011, when House Homeland Security Committee Chairman Rep. Peter King (R-NY) used *radicalization* in the hearing’s official title and described it in his opening statement as a “threat” and a “dangerous trend.”<sup>33</sup> Others have adopted *violent radicalization*, *extremist violence*, and *militant radicalization* to reflect a more nuanced approach by pointing out that a radical individual and a violent one need not be the same thing. Indeed, holding the most radical worldview is not a crime, whereas radical behavior may be if it becomes criminal. The distinction between inmates who espouse extreme but *legal* thought and those whose extreme behavior is *illegal* is critical for assessing the evidence and crafting better policies.

# HOW ISLAM OPERATES IN AMERICAN PRISONS

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## Short History of Islam in American Prisons

Beginning in 1942, such indigenous “Black Muslim” organizations as the Nation of Islam (NOI) and the Moorish Science Temple used Islamic symbols and idioms to launch a formal prisoner outreach<sup>34</sup> concentrated mainly on African-Americans.<sup>35</sup> Within a few short years the NOI gained its most famous convert, Malcolm Little, also known as Malcolm X.<sup>36</sup> The 1950s and early 1960s saw a small but steady stream of conversions due mainly to these communities’ outreach efforts. In this era, prison outreach sought to instill into inmates the values of honesty, hard work, individual responsibility, as well as mechanisms for rehabilitation and coping with drug and alcohol abuse.<sup>37</sup> These organizations were driven by nationalism, racism, and unconventional beliefs and practices.<sup>38</sup> The racial and political dimensions of their philosophies proved increasingly attractive during the 1970s, when there was a major influx of new African-American and Latino prisoners. Although these two ethnic groups represented less than a quarter of all inmates in the 1960s, today they are the vast majority in American federal and state penitentiaries, which together represent the world’s largest prison population.<sup>39</sup>

Understanding these demographic shifts is vital for understanding Islam’s growing influence in prison during the same period. As Muslims reached a critical mass, they began making important contributions to the jurisprudence of prison law by using courts to establish Islam as a legitimate religion, redress conditions of confinement, and advance the religious rights that people of other faiths enjoy today.<sup>40</sup> Before such litigation by members of the NOI and Moorish Science Temple, courts rarely intervened on behalf of prisoners who argued based on the Eighth Amendment (viz., freedom from “cruel and unusual” punishment) or the First Amendment (viz., “free exercise”). That era, known as the “hands off” doctrine, limited federal judicial interference in state correctional systems from the early to mid-1900s.<sup>41</sup> In effect, it allowed states to deny Muslims the right to practice their religion. By the early 1960s, states like California, although generally accommodating of inmates’ religious activities, still did not extend such policies to Muslim prisoners.<sup>42</sup> Although prisoners had little recourse in federal courts in general, Muslim inmates were especially disadvantaged since they were not viewed as engaging in spiritual practices based on sincerely held religious beliefs.

This situation began to change due to several court decisions. The most important early decision was *Fulwood v. Clemmer* in 1962, in which the Federal District Court for the District of Columbia ruled that Muslim prisoners had the right to practice Islam.<sup>43</sup> This case set the

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*The Muslims’ use of courts to resolve disputes has been a net gain for prison culture, for it has provided legitimate space for inmate rehabilitation and serious contemplation.*

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stage for later legal battles in which Muslims used the courts to contest prison conditions and achieve greater religious liberty.<sup>44</sup> Over the next several years, cases involving Muslim prisoners succeeded in gaining recognition for a variety of protections, including freedom from punishment due to religion,<sup>45</sup> the right to hold religious services,<sup>46</sup> the right to possess and wear religious medals,<sup>47</sup> and the right to proselytize.<sup>48</sup>

Cases involving Muslim inmates have reached the highest state and federal courts. The first modern prisoners' rights case to reach the Supreme Court was *Cooper v. Pate* (1964), during which a Muslim inmate won a ruling that state prisoners can sue in federal court under the Civil Rights Act of 1871.<sup>49</sup> Although this case's immediate legal impact was narrow, it set an important precedent within the federal court system: Prisoners have constitutional rights and prison officials do not have a free hand with inmates.<sup>50</sup> In *Northern v. Nelson* (1970), the result of a California inmate suing the state, the state Supreme Court granted him and other inmates the right to receive the NOI publication *Muhammad Speaks* and required facilities to make the Qur'an available.<sup>51</sup>

These and other legal struggles established Islam as one of the most energetic forces to emerge within the prisoners' rights movement and as a legitimate religion among prison officials and prisoners.<sup>52</sup> In contemporary jurisprudence, Muslim groups remain at the center of administrative and legal reform movements, and "Black Muslim" prisoners in particular are noted as important agents in the quest to obtain constitutional rights for incarcerated offenders.<sup>53</sup> This trend continues in the post-9/11 era, as evidenced in a 2008 report from the U.S. Commission on Civil Rights on Religious Freedom in U.S. prisons, which found that Muslim inmates:

- Submitted the largest number of religious discrimination complaints of any religious group between 2005 and 2007;
- Made the largest number of religious accommodation requests from 1997 to 2008; and
- Initiated the largest number of federal lawsuits (74 out of 250) under the Religious Land Use Institutionalized Persons Act (RLUIPA) from 2001 to 2006.<sup>54</sup>



The Muslims' use of courts to resolve disputes has been a net gain for prison culture, for it has provided legitimate space for inmate rehabilitation and serious contemplation. The court battles have carved a space out for Islam in prison, and inmates have taken advantage of the opportunity. As one African-American prisoner who saw the impacts in real time states, inmates are "free from the rat race of life, the drugs, problems, stress, etc., they have the chance to ponder upon the message of Islam." Religion helps to impose order in a world that may be anything but, as described by one African-American convert from California: "Without 'Order' there is chaos and disorder. And it is this psychological, spiritual, and physical disorder that man seeks to drastically change through Islam while facing incarceration. With 'change' comes purpose. And with purpose comes Order." As these statements indicate, conversion thus facilitates one's turn away from previous aspects of one's life, including identification as a criminal. As one inmate from Pelican Bay State Prison indicated: "I have seen people who were so confused about their present situation [incarceration] that they would victimize each other. But...many of them have rehabilitated themselves. These men are now ready to be placed back on the street to keep another generation from coming into prisons." Islam transforms individuals and motivates individuals who once struggled with junior high English to become self-taught students of Arabic.

Of course, one might recognize that any of these positive impacts are possible in other religions. So what makes Islam so exceptional among prisoners? One study on conversion posits that religious movements are successful only "to the extent that they sustain strong internal attachments, while remaining an open social network, able to maintain and form ties to outsiders."<sup>55</sup> This idea, as applied to the American prison context, reveals two particular aspects about Islamic practice and beliefs that make Islam different. First is the strong emphasis on communal prayer (*jamaat*) that, in the words of the study, helps "sustain strong internal attachments." One researcher explains how this communal-based worship operates in an incarcerated environment:

Historically, Christian prison reformers envisioned conversion as cloistered reflection or silent prayer. Islamic teaching, however, changes self-image and social relationships primarily through communal prayer and Quranic recitation, which establish ties of identification and action between Muslim believers and the sacred texts of the Quran and Sunna [authentic sayings and narrations of the Prophet Muhammad]. . . The greater the capacity of the prison jamaat to establish the privilege of congregational prayer, the greater the potential effect on the Muslim.<sup>56</sup>

Communal worship, racial egalitarianism, and the ability to engage in positive identity construction all serve to facilitate greater moral and social discipline in inmates. A religious regime that upholds Qur’anic injunctions and encourages the dovetailing of desire into a rigorous program of study and prayer offers a “counter disciplinary resistance” to the dominance and hierarchies that shape prison culture.<sup>57</sup> The bonding power of communal worship offers a new circle of community, one connected by a scriptural emphasis on egalitarianism and belief in God and righteous conduct, as opposed to skin color or political creed.<sup>58</sup> Such a belief system is a powerful and attractive way to maintain an “open social network, able to maintain and form ties to outsiders” in an environment where racial tensions run high<sup>59</sup> and where racial minorities disproportionately impacted by discrimination constitute the majority of inmates. The results are not lost on inmates. According to one convert at the Stafford Creek Corrections Center in Washington State: “The long term effects of commitment to Islam are wholly positive and liberating, despite the anti-Islam rhetoric we hear so much of in the West.”

Sometimes an inmate’s conversion impacts the very inmates who witness the transformation. According to veteran prison-preacher Imam Muhammad Abdullah of Taif Tul Islam in Los Angeles: “The discipline that Islam requires, charity, and cleanliness, are really admired by people...this begins a conversion of many because they are living with either their former crime partner(s) and the knowledge of his past, and to see that person or people change right before their very eyes is enough for some.”<sup>60</sup> Research supports this view: “When people say they feel peace or that they have found freedom within their imprisonment, any listener cannot help but be swayed by the obvious emotion with which they speak.”<sup>61</sup>

Throughout the years, African-American activists and intellectuals have commented on Islam’s appeal inside prison walls, much of which centers on supporting rehabilitation and instilling inmates with self-esteem and self-respect. Malcolm X’s story illustrates this point. While in prison, he was struck by the idea that his forbearers were a race of “ancient civilizations” with “riches in gold and kings.” He described such realizations as “the first serious thoughts” that he had ever had.<sup>62</sup> This insight was crucial for him, for it connected him to something bigger than he had ever known. Decades later, African-American journalist and author Nathan McCall found that Muslims missionizing inside correctional facilities were extremely focused: “No African American spends much time in prison without being exposed to the doctrines of Black Muslims...Brothers respected the Muslims for being disciplined, religious people, and at the same time, warriors.”<sup>63</sup> As his observations suggest, Islamic mores and values present new ways of living that offer support for rehabilitation through healthier self-conceptions.

Finally, as this short history might indicate, Islam in prison is generally tinged by the NOI, the Moorish Science Temple, and the Five Percenters, all of which, it might be added, espouse politically radical views. Despite the fact that they are a minority compared to the Sunni groups, many of those who actually convert are first introduced to Islam by followers of these smaller organizations, especially through the preaching efforts of the NOI. Although there is no hard data on this point, other evidence supports the pattern, including academic studies, reports, and other research.<sup>64</sup> As Malcolm X's story reveals, the NOI was a gateway for his eventual conversion to Sunni Islam after more than a decade of tireless preaching as a NOI minister. Generations have followed this pattern.<sup>65</sup> Sometimes, however, these groups become despised by their former followers, as will be discussed below in the Kevin Lamar James case. Although the NOI first drew him in, he would later come to despise both the organization and its ideology. His situation exemplifies how the NOI continues to exert influence even on those who have long since disavowed their allegiance. The takeaway point is that the influence of these smaller groups is not reducible to the number of followers behind bars, for it encompasses ex-followers, sympathizers, and, like James, critics as well.

## Effects of Islamic Values and Beliefs on Inmate Behavior

Islamic outreach contributes to inmates' adjustment to prison life, as well as to life on the outside. Part of this influence comes from the mores of the religion itself. For many observant inmates, life embodies a classical set of practices, including the proclamation of faith (*shahada*), prayer (*salat*), charity (*zakat*), fasting (*sawm*), and pilgrimage to the holy lands (*hajj*). These "pillars of the faith," which encourage inmates to find peace and stress selfless acts in a world of self-interest, sit in opposition to portrayals of Islam as a special threat as regards prisons and extremist violence. Instead, Islam injects a dose of normativity into prisons: abstinence from alcoholic beverages, drugs, and cigarettes, as well as sexual restrictions and dietary regulations, among others. These positive adjustments, in turn, contribute to a more stable prison environment.

The available data, although limited, show a strong positive influence, some of which derives from the prisoners' strong belief about repentance and its place in Islam.<sup>66</sup> This aspect was prominent in Malcolm X's own investigation of Islam and personal transformation. His turn to the NOI made giving up cigarettes and pork seem mundane compared to his study, and he

recalls, “months passed without my even thinking about being imprisoned. In fact, up to then, I never had been so free in my life.”<sup>67</sup> His case illustrates Islam’s role in helping those without freedom find something more meaningful—inner freedom, a sentiment echoed decades later by another convert who admitted no regrets about going to prison because there he found Islam and learned how to become a “free man.”<sup>68</sup>

In the post-9/11 era, inmates continue to testify about their uplifting experiences with Islam, describing it as a “lifeboat” in a “sea of ignorance,” a “sword” that cuts through “ignorance and repression,” or, as one former gang member in southern California describes it, “eye drops for those with irritated eyes.” One Latino convert in Lancaster State Prison notes Islam’s import for prisoners: “For those that are serious and involved in the greater Jihad (Struggle of self), Islam is an anchor to a world that is lost to us behind these cement walls and iron bars. It offers love and hope, and most of all, peace that comes when one surrenders to Allah.” Another inmate who left the gang life behind for Islam described how some inmates shed their identities as gang members to identify with something more sublime:

*Muslim converts behind bars are those who come from a gang lifestyle and frequent run-ins with police and authorities... Islam offers these kinds of people a new start. A chance to dump their baggage of hate and malice. Islam offers one the opportunity to take right instead of wrong.*

Islam instills inmates with greater self-esteem and cultural pride. In fact, some are attracted to it through their cultural connections to Africa and Spain. Accordingly, African-American and Latino converts may refer to their turn as a “reversion”—not “conversion” or a turn to the faith, but a *return*—as a way of reconnecting with an uprooted past. As one African-American inmate describes, Islam “encourages togetherness, prayer and aspects of morality that would, literally, awe the average Westerner. Islam encourages family adhesiveness and history....gave me the encouragement to identify with Africa.”

Although the story of the African-American prisoner who converts is a long one, the story is just beginning for Latino inmates. In many ways, Islam’s appeal to them mirrors the African-American experience, since it reconnects them with their Islamic heritage in Spain. Similarly, the term *Moor* affords Latinos an avenue to re-imagine identity and one’s place in history, as



one Mexican-American convert described in a prison newsletter: “I learned that Spain was a Muslim country for about 800 years, and that when the Muslims were expelled from Spain by the Christian king and queen, the Christian Spaniards came to Mexico and forced the Aztecs and others to become Catholic. History and my Islamic roots were becoming clear to me.”<sup>69</sup> Such seekers learn about Arabic’s influence on Spanish, that popular Latin American terms like *ojala* (“may God will”) and *ole* come from the Arabic word *allah*, and find surnames like “Medina” and “Mora” as proof of Islamic ancestry. As one Mexican-American convert from Huntsville prison in Texas stated: “When I learned “ojala” (God willing) was from Arabic, I saw the truth about Hispanics and Islam. I’ve heard my parents say that a thousand times, but never really thought about it. Now I know and tell others that Mexicans got Islam in their blood.” These appropriations provide access to Islam through a cultural connection and allow inmates to identify with a past that is perceived as glorious. This embrace, however, is not without risks according to one African-American inmate in Arizona, since “Latinos in prison are converting to Islam, but they convert to Islam at risk of being physically attacked by their own kind and possibly being outcast from their family.”

As the above statement indicates, there are adverse consequences of accepting Islam that run along ethnic lines. Thus, inmates who convert are at risk of retaliation from members of their own ethnic group. This point was stressed by one Native American convert from Corcoran State Prison: “When a non-African American accepts Islam, such as myself, I opened up a very dangerous door that could lead to physical and verbal abuse by fellow Native Americans because I accepted Islam.” His troubles echo those expressed by a Latino ex-prisoner who, although not a convert himself, described seeing a Latino convert “dealt with in a horrible way” by fellow Latinos. As these individuals convey, embracing Islam comes with a price, including hardship and even violence.

Paralleling the inmate’s personal testimony, scholarship likewise notes the influence of religion on inmates. One of the earliest studies of Islam that considered prisons, conducted during the 1960s, found that recovering alcoholics and drug addicts were able to cope in prison more effectively after converting.<sup>70</sup> A 1978 publication for prison administrators noted that the NOI helped inmates with morale, discipline, and rehabilitation.<sup>71</sup> Accordingly, the religion’s attraction is related to its ability to help inmates transcend prison’s material and often brutally inhumane conditions.<sup>72</sup> Other research adds that Muslims have been a “stabilizing force in many prisons”<sup>73</sup> and that they have assumed leadership roles in periods of crisis.<sup>74</sup> Other findings conclude:

- No Muslims actively participated in a single riot in U.S. prisons from 1971 to 1986;<sup>75</sup>
- Muslim inmates mitigated violence and deaths in the Attica (1971) and Sing Sing (1983) prison riots;<sup>76</sup> and
- Islam helps inmates improve prison adjustment and self-esteem,<sup>77</sup> reformatory potential,<sup>78</sup> and recidivism rates more than other groups statewide<sup>79</sup> and nationwide.<sup>80</sup>

Highlighting these positive effects, however, should not cause us to ignore certain negative incidents. For example, as one African-American Muslim in Union Correctional Institute in Florida relates: “There are no [worldly] incentives to embracing Islam in the prison system, especially since the aftermath of Sept. 11<sup>th</sup>, and subsequent events have not only cast a negative image upon Islam, but have led the U.S. Gov[ernment] to view Muslim prisoners as potential terrorists.” Yet any conversion-related hardships do not stop inmates from converting. The consequences of doing so have their own set of ramifications, such as being disowned by one’s family. He continues: “With all the negative which comes with prisoners embracing Islam, they continue to come to Islam at a steady pace, knowing that it will likely only make their time harder.” The overarching conclusion, then, is that some see the benefits of associating with Islam as outweighing all of the harm and negatives associated with being Muslim.

Here it must be noted that Muslims are not always unconnected with prison violence. For example, there is the 1993 Lucasville prison riot. According to former warden Arthur Tate, the ingredients for the riot – overcrowding, racial animosity, poorly trained staff, a population of the most serious criminals in Ohio, and high rates of inmate violence – long predated the riot.<sup>81</sup> The situation inside, however, reached a breaking point when prison officials announced mandatory testing for tuberculosis for all inmates, forcibly if necessary.<sup>82</sup> Muslim prisoners objected to the method of testing on religious grounds, including the belief that the injection contained alcohol, and requested an alternative test that would not contravene their beliefs.<sup>83</sup> Support for their position was widespread, yet Warden Tate told the Muslim inmate leader that it was “my way or the highway.”<sup>84</sup> Two days later and one day before the tests began, on an Easter Sunday, a riot broke out in which nine prisoners and one guard died. Although this case offers a story of extreme resistance in prison, it cannot be divorced from the prison policies and conditions that helped foment the extremism.<sup>85</sup>

Another example involved a Michigan prison gang, the Melanic Islamic Palace of the Rising Sun (“Melanics”), that instigated a 1999 riot at the Chippewa Correctional Facility. Here, one guard and one inmate were killed, and dozens of inmates were injured. A closer look at the details, however, reveals that the group’s beliefs and behaviors are far removed from mainstream religious thought and practice, and is labeled by some as “Prison Islam” or “Prislam” groups.<sup>86</sup> Whatever one might call it, such groups are described as “cut and paste” approaches to Islam that take certain parts of the overall Islamic tradition, such as adopting names and certain idioms, and graft them onto a gang lifestyle and other ideologies.<sup>87</sup> In this particular case, the National Gang Crime Research Center’s report noted the Melanics’ tenuous relationship with Islam:

[I]t is shown that the gang considers itself to be practicing its own brand of religion. The doctrine and tenets of the Melanics are heavily influenced by the radical leftist political risings of the 1960’s and 1970’s. Also detailed by the researchers are the illegal activities and acts of violence that the Melanic gang frequently participated in.<sup>88</sup>

Although more research is needed and encouraged, these findings suggest that wholesale Islam, as opposed to such “cut-and-paste” varieties, have had a net positive effect on prisoner behavior both inside and outside correctional facilities. Understanding the full range of Islam’s influence is important for criminal justice officials, for it shows that Islam does not help create a prison-based terrorist hotbed as is sometimes claimed, but that it actually helps inmates realign their lives and contributes to a more orderly prison, which is closely linked to reduced recidivism rates.<sup>89</sup>

## The Role of Social Networks: Muslim Outreach, Gangs, and Gaps in Religious Leadership

The lifeblood of Islam in prison consists of both internal and external social networks. After 9/11, however, lines of communication between Muslim prisoners and external Muslim leaders were blocked via policy restrictions on hiring Muslim chaplains and scarcity of resources and volunteers. As these developments remain in the present, policymakers and prison administrators should recognize that post-9/11 concerns with extremism, gangs, and terrorist organizations have impacted how inmates are governed. Despite the fact that external Muslim leaders offer a moderate voice to Muslim prison-based communities, most services are now led by prisoners. The resulting leadership gap helps extremists extend their influence among inmates and points to prisoners as the main drivers behind the spread of extremism in prison.

Prisoner-imams are the default religious leaders in prison as a result of this leadership shortage. This situation, which provides a seemingly limitless scope for interpreting Islam, has produced various forms of Islam, including those discussed above, that represent an amalgamation of political, religious, and gang allegiances. These trends underscore the role of gangs in the prison context, including the fact that Islam attracts a steady stream of converts with gang backgrounds. Indeed, absent further research, one might speculate that the lack of authentic Islamic leadership combined with the strong presence of prison gangs has contributed to the various permutations of groups with different degrees of commitment to Islam.

The gang backgrounds of many converts gives the appearance to prison staff that Islamic groups are primarily gang groups.<sup>90</sup> One convert in a Missouri state prison lamented that “since 9/11 we have been viewed as a ‘gang,’ and are being constantly investigated for possible al-Qaeda ties.” Although this case is instructive, at present little is known about Islam’s impact on gang culture and little is mentioned in social science studies about the influence of religion in general on a member’s ability to leave a gang.<sup>91</sup> Yet one researcher has suggested broadly that religion functions similarly to gang affiliation by meeting one’s need to connect with others.<sup>92</sup> Despite this gap in research, however, many law-abiding Muslims were indeed once gangsters, a view supported by inmates including one African-American Muslim inmate: “When an individual wants to leave the gang life, most likely he enters into this community. He knows that we will support him and assist him [to] put his life in order. It is not unusual to see gang members become ex-gang members,” a pattern one scholar describes as “gangland

gangstas turning Gods.”<sup>93</sup> Noting Islam’s ability to facilitate this turn is complex, as one inmate attests: “I believe the fact that young men in gangs are often primed for Islam as a result of the hardships they endure in their youth. Once in prison they are under no illusion about the American Dream...Most young men in gangs come from impoverished homes with enormous voids in their lives and Islam brings substance to their lives.”

These perceptions also overlook how policies have contributed to a federal- and state-level leadership shortage that, ironically enough, may be fomenting radicalization in the name of preventing it. At the federal level, a 2004 report by the U.S. Bureau of Prisons (BOP) underscores the BOP’s

“[C]ritical shortage” of Muslim chaplains. The Chief of the Chaplaincy Services Branch said a critical shortage of chaplains exists when there is 1 chaplain of a certain faith for every 700 inmates of that faith BOP-wide. Currently, there is 1 Muslim chaplain for every 900 Muslim inmates. When a Muslim chaplain is not available in a prison, Muslim inmates’ religious services are provided by Muslim volunteers, contractors, or inmates.<sup>94</sup>

The situation in state prisons is equally problematic. According to a recent nationwide survey of prison chaplains, 51% of those surveyed said that Muslim prisoners are the most underserved religious group.<sup>95</sup> As a result of this disparity, much of the development for Islamic religious programming and education falls on the shoulders of other inmates, while prison personnel frequently lack a basic understanding of Islamic beliefs and practices and typically have few Muslims on staff.<sup>96</sup>

The general situation, at least at the federal level, has to do with BOP policies that established a de facto hiring freeze shortly after 9/11 due to assertions that certain organizations who recommend Muslim chaplains were linked to terrorist groups. This freeze is thus due to the result of the BOP’s claim that it lacked a legitimate Islamic organization to recommend chaplains, however, to this day, these organizations (e.g., the Islamic Society of North America) have never been formally charged with terrorism or other crimes. In fact, a 2005 Senate investigation cleared them of any wrongdoing.<sup>97</sup> The restrictions on Islamic chaplains render all imprisoned Muslims potential terrorists and subject them to additional preventive actions and overt penalization. No such policy is applied to any other group of inmates.<sup>98</sup>

The restrictions on external imams force inmates to serve as leaders, as confirmed by one official at the Bureau of Prisons in 2006: “A substantial portion of Islamic services are being led by inmates.”<sup>99</sup> Sometimes the situation leads to negative outcomes, and evidence suggests that the vacuum is sometimes filled with undesirable inmates. One Muslim inmate affirmed such a situation inside a California prison where, he notes, “maverick” imams took over the pulpit and were fearless in their condemnation of government policy, sometimes presenting a “fundamentally anti American or militant picture of Islam.”

Those who support such restrictions<sup>100</sup> have cited at most a handful of examples reflecting questionable leadership.<sup>101</sup> More than anything, such cases disprove the notion of a successful wider effort launched by foreign Muslim missionaries to propagate extremism. In fact, evidence from media outlets<sup>102</sup> and federally funded academic studies indicate there has been no such mass effort.<sup>103</sup> Current studies point out that such attempts are predominantly made by prisoners already *inside* the penal facility as well as through other networks, particularly prison gang networks.<sup>104</sup> Taken as a whole, restricting the entrance of non-prison Muslim leaders reduces the authenticity of leadership and increases risk of proliferating ideological extremism within prisons.<sup>105</sup>

Such limitations raise a number of relevant questions and concerns. For example, if there are so few Muslim chaplains, why do so many inmates convert and how do we account for those who go on to adopt extremist views or the few who adopt violence? Some of the answers are partially reflected by the fact that conversion behind bars is mediated primarily through kinship and other social ties and, most prominently, through fellow inmates.<sup>106</sup> Muslim inmates develop and maintain communal religious activities, including Friday congregational prayers and religious education, which fill this void.<sup>107</sup> Such realities may help explain Islam’s growth despite a lack of leadership.

As such, these organic developments in localized leadership are not necessarily a negative phenomenon. For example, one could argue that such influence is potentially positive, since inmate leaders are more in touch with the prisoners’ daily experiences than are individuals who visit from the outside. The lack of trained leadership, however, effectively makes discussions on Islam perpetually at risk of being guided by inmates who can hardly deliver authoritative and authentic guidance. Rather, charismatic leaders tend to exploit the pulpit, ignore traditional teachings, and sometimes propagate an extremist agenda. Lacking a solid foundation of



Islamic knowledge and practices, neither prison officials nor fellow inmates can identify an exploitative agenda and respond accordingly.

This pattern was evident in the only documented post-9/11 case of prison-based Islamic extremist violence: the Jam'yyat Al-Islam Al-Saheeh (JIS), which arose in the vacuum of Islamic religious authority inside New Folsom State Prison. Inmate Kevin Lamar James, an extremely intelligent<sup>108</sup> and charismatic<sup>109</sup> 26-year old preacher, led and successfully recruited other inmates due to his “claimed special expertise as a representative and legitimate voice for Islam.”<sup>110</sup> In the words of one of the prison’s chaplains: “Chaplains were too busy to help with any serious religious conversions due to the overcrowding problem here. For the prisoners who converted to Islam, we had to rely mainly on volunteers...Inmates will use any opportunity to lash out against society. There’s no state-sponsored effort to save them. Most inmates sit around making knives at night...”<sup>111</sup>

This overcrowded and violent context, although perhaps overstated, is not limited to New Folsom. According to the Department of Justice’s 2008-09 National Inmate Survey, there were 25,312 male prisoner-on-prisoner assaults.<sup>112</sup> In other words, inmates are approximately fifty times more likely to be assaulted in prison than outside prison.<sup>113</sup> There are times, therefore, when the influence of social networks expands beyond assisting inmates with their spiritual well-being and helps with their physical well-being as well. Taking shelter in Islam may be a simple matter of protection against other inmates and prison staff. As one federal prisoner from Terminal Island notes:

*[A]ssociating yourself with some clique in prison is very important because it gives you a sense of security and an alliance which you can build strong bonds with. The reality of prison is that you cannot survive without the help of others. If you isolate yourself from others, you will most likely be taken advantage of and be placed in harm’s way.*

Although it is impossible to deny the protection-based motives of some converts, this appears to be a less-frequent motive. Surprisingly, and perhaps encouragingly for policymakers and analysts, these protection-based motives have received strong push back from other Muslim inmates, or as one African-American inmate in Texas quipped: “These days when asked if one became a Muslim for protection, the retort is ‘yes, for Allah’s protection.’” However, another African-American prison convert explains that offering protection is indeed a part of being in a

Muslim brotherhood: “Some brothers were born Muslim, and chose the street life over Muslim life only to return to it once entering the system, because with the Muslims there is a sense of structure, order, purpose, and some just seek a sense of protection, which is what we are here for.” This is not to say that anyone who enters Islam for ulterior motives does not keep the faith, as one inmate who converted in a Los Angeles County Jail describes: “Although I entered Islam with an ulterior motive, my heart was already open to God and Allah is slowly but surely purifying my mind and spirit.” This individual suggests that even if an inmate joins Islam for protection, he may nonetheless develop sincere faith.

### **Analysis of the Pew Survey’s Findings on Religion and Muslim Extremism in American Prisons<sup>114</sup>**

In 2012, The Pew Forum on Religion and Public Life released *Religion in Prisons: A 50-State Survey of Prison Chaplains*, which analyzed responses from 730 chaplains nationwide about religious life behind bars. Among its top findings was that chaplains perceive extremism to be more common among Muslim inmates than any other group, specifically citing it as common among members of the NOI and Moorish Science Temple.<sup>115</sup> Moreover, 55% of them agreed that Islam is the most underserved faith.

Taken wholly, the findings suggest a correlation between gaps in viable leadership and the prevalence of extremism in prison. Also significant are the open-ended responses that allowed chaplains to explain the causes of religious extremism: 41% described extremism in terms of racial prejudice, which was rivaled by the 40% who cited religious intolerance, as well as “requests for special foods, clothing or rituals.” These findings suggest that the catalysts for prison-based radicalization are largely internal matters as opposed to something fomented by individuals on the outside.

The survey, although useful in many respects, was nonetheless limited by several factors, such as the homogeneity of prison chaplains themselves who are overwhelmingly male, white, middle-aged, socially and politically conservative, and Evangelical Protestant.<sup>116</sup> Their view as a whole must be taken with caution since this demographic has been consistently shown to harbor the most negative attitudes toward Muslims than any other American faith group surveyed since at least 2005.<sup>117</sup> Furthermore, the study has been criticized on other grounds, including for omitting other vital data and statistics.<sup>118</sup>

# INVESTIGATING EXTREMIST VIEWS AND VIOLENCE AMONG MUSLIM INMATES

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## Failure to Define Terms – and the Problem

“**R**adicalization,” according to one inmate, is when “prisons promote Christianity and starve Islam.”<sup>119</sup> This statement appears in a letter from a Muslim inmate sent to Representative Peter King in his role as chair of the 2011 “The Threat of Muslim-American Radicalization in U.S. Prisons” hearing. This critical definition sits in diametric opposition to King’s view, which sees radicalization as a product of foreign recruitment efforts, as explained in a Fox News interview: “The only group in prison which is tied to overseas terrorists which is part of an existential threat to the United States are radical Islamist Muslims.”<sup>120</sup> This definition offers a starting point for understanding the divergence in viewpoints and indicates how the concept itself remains ill-defined, subjective, and prone to meaning all things to all people.

Given the lack of an agreed-upon definition, how can extremist thought be distinguished from extremist behavior? This divide is crucial, since the former is protected by the First Amendment, whereas the latter may be criminal. Furthermore, data indicates that radicalism is an insufficient predictor of terrorism since most extremists do not engage in violent activities.<sup>121</sup> The failure to define these concepts along constitutionally informed lines produces tangible problems that negatively impact public discourse, perceptions about national security, and policies within federal and local law enforcement agencies trying to counter violent extremism.<sup>122</sup>

Devising clear definitions is essential for better understanding the problem’s scale, as demonstrated during the 2011 congressional hearings. In one exchange, Representative Laura Richardson (D-CA) asked a formal New York State Department of Corrections official if he agreed with the definition of radicalization as “the process in which an individual changes from passiveness or activism to become more revolutionary, militant, or extremist.” After securing his approval, she then asked whether joining a gang fit the definition. Of course she knew that it did, which demonstrated why gangs must be part of the radicalization inquiry, and more importantly, that concentrating on Islam is way off-target since gangs are a far greater menace. Denouncing the hearings as an invidious spectacle, she stated that “the focus of one particular group on the basis of race or religion can be deemed as racist and is discriminatory... [It] is flawed and should not be done in the House of Representatives.”<sup>123</sup>

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*The relationship between prisons and violent extremism in the United States after 9/11 is tenuous at best, and yet debates about Muslim prisoners grow more intense with each passing year.*

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In light of these critical issues, several key observations need to be made regarding radicalization in prison:

- **There is no single pathway to becoming radical and no single factor for adopting extremist views.** Radicalization derives from a range of factors, and while theology does play a role, it is often secondary.<sup>124</sup> More crucial is an inmate's immediate surroundings, including the influence of other inmates.
- **Little evidence supports the claim that external extremist operatives have succeeded in radicalization campaigns or terrorist recruitment in prison.** Internal actors and factors such as prison conditions and grievances about social discrimination and treatment are the main culprits.
- **The threat of extremist violence has not materialized in any meaningful way.** At most, only one al-Qa'ida-style plot can be linked to American Muslim prisoners adopting extremist views and orchestrating violent attacks while in prison.<sup>125</sup> This is infinitesimal compared to the hundreds of thousands of Muslims behind bars and the thousands released from prison each year.
- **There is a higher risk of extremist ideology within prisons that is rooted in experiences both inside and outside the prison walls.** Prisons are extremely dangerous places, so it is little wonder they inspire extreme thoughts and ideologies.<sup>126</sup> Researchers have indicated, however, that even the risk of ideological extremism is moderate and falling.<sup>127</sup>

As these observations suggest, the distinction between radical thought and actual violence must not be blurred because, most importantly, it reminds us that a certain way of thinking can never be declared illegal or suffer censure. Simultaneously, radical thought clearly contributes to prison culture in ways that harm inmates and the institution. Thus, although this distinction between thought and deed is important, the two are deeply intertwined, and offer real incentives for preventing both extremist behavior and thought.

## Are Prisons Factories for Violent Extremists?

The relationship between prisons and violent extremism in the United States after 9/11 is tenuous at best, and yet debates about Muslim prisoners grow more intense with each passing year. Some of the controversy derives from distorted descriptions, such as one widely cited policy report on Muslim extremism, *Out of the Shadows: Getting Ahead of Prisoner Radicalization*, which ominously described the phenomenon as “a threat of unknown magnitude.”<sup>128</sup> Such a characterization is misleading, however, since religious violence emanating from prison has been quite the exception. The same holds true on the outside, since “homegrown” American Muslim supporters of “jihadi” ideology tend to be few, as one terrorism analyst noted in a 2010 study:

There are more than 3 million Muslims in the United States, and few more than 100 have joined jihad—about one for every 30,000—suggesting an American Muslim population that remains hostile to jihadist ideology and its exhortations to violence.<sup>129</sup>

In the global context there is similar reluctance among inmates. For example, one study identified only forty-six cases out of tens of thousands of terrorist attacks “in which a stretch in prison contributed to a radicalization process, leading eventually to a terrorist attack or threat against a Western target between 1968 and 2009.”<sup>130</sup>

There has been hardly any evidence of terrorism involving Muslim inmates. According to a Congressional Research Service study, of the fifty-three identified terror plots of “homegrown violent jihadist activity,” only one case, that of the JIS, definitively involved violent extremism connected to an American prison.<sup>131</sup> These statistics make the term *threat* an overblown one, leading one commentator to suggest that if prisons are manufacturing terrorists like a factory, “they are doing a terrible job.”<sup>132</sup>

Despite being the only documented example of prison-based religious violence, the JIS case is instructive for understanding how extremist violence manifests itself. While in prison, James’ associates on the outside were arrested and charged with plotting attacks against synagogues, the Israeli consulate, the Los Angeles international airport, and various military properties. As this group’s name suggests, James was interested in returning to an understanding of the

essence or origin of Islam, as the term *saheeh* (authentic) suggests. He therefore had great contempt for other groups claiming Islam but whom he believed were not, at least according to him, Sunni, especially his former group, the NOI. As a part of his literalist approach, James advocated violence and was the primary organizer of various plots in which he recruited inmates while in prison and solicited others on the outside to commit violent crimes.<sup>133</sup>

Notwithstanding the scarce evidence beyond the JIS plot, some people cite other cases as proof of the prison threat. Upon closer scrutiny, rather, these cases reveal that prison had little, if any, connection with these individuals. In fact, reliable evidence, including court records, media reports, and testimony from friends and family, suggests the opposite: these individuals adopted extremist attitudes and violent behaviors *well after* they exited prison.<sup>134</sup> Furthermore, in 2007 the FBI conducted over 2,088 terrorism threat assessments in prisons and jails across the United States. Among other findings, it “determined there was *not* a JIS-like pattern of terrorist recruitment in US prisons... Indeed, the FBI could find no pattern of terrorist recruitment whatsoever.”<sup>135</sup>

But such findings have not stopped others from making overreaching claims about radicalization and prisons. For example, during a 2006 Senate hearing on prisoner radicalization, Senator Jon Kyl (R-AZ) asserted: “Jose Padilla, a terrorist accused of trying to build a dirty bomb to unleash in the United States, was exposed to radical Islam in the U.S. prison.”<sup>136</sup> This example resurfaced in the 2011 hearings, and experts and politicians alike continued to invoke Padilla as an inmate who was radicalized in prison.<sup>137</sup> Even prior to the 2011 hearings, the Republican staffers for the Committee on Homeland Security distributed a background flier that listed him as a prison convert. However, Padilla did not convert to Islam until *after* his release and did not travel to Afghanistan and Pakistan until seven years after exiting prison.<sup>138</sup>

The same information sheet lists James Cromitie as being “radicalized in prison,” despite the fact that he was paroled in 2004 and was not arrested on terror-related crimes until five years later. Like Padilla, Cromitie’s adoption as a poster child for inmate radicalization bears little evidence, either before or immediately after incarceration, to what actually happened. There is little in the record to substantiate that prisons were linked significantly to the acts of violence.



Pundits consistently cite Richard Reid as evidence of widespread violent extremism among American inmates, even though he allegedly became extremist in a *British* prison. Although cited in government reports,<sup>139</sup> think-tank publications,<sup>140</sup> and congressional statements and reports,<sup>141</sup> a closer look at this case hardly supports his supposed radicalization in prison.<sup>142</sup> In fact, the historical record suggests that he likely adopted extremist beliefs and sought to engage in violence after spending time at the Brixton mosque, where he regularly heard sermons from the notorious Abdullah El-Faisal, who was himself arrested in 2003 for attempting to incite violence. Reid's case, like the others, suggests that prison played hardly any role in his path to extremist violence. More soberly, they all show how failed re-entry practices may be more to blame for their recruitment into extremist circles. The irony of this situation is that prisons are credited with playing a major role in radicalization, when in reality this results partly from failures to help released inmates re-enter their community.

Other distortions about these former inmates and Islam impact the discussion, including a 2010 report overseen by Senator John Kerry (D-MA), which described three dozen prison converts who went to Yemen to learn Arabic.<sup>143</sup> The report states: "U.S. officials told Committee staff that they *fear* that these Americans were radicalized in prison and traveled to Yemen for training."<sup>144</sup> No documentation for these statements, no evidence of the extremism or intent to commit violence, and no mention of who the prisoners were, was ever provided. Despite the fact that it contained no verifiable evidence that these individuals had converted, much less were radicalized, in prison, this assertion was accepted and invoked as evidence throughout the report.<sup>145</sup>

While the radicalization of incarcerated Muslims deserves the attention of law enforcement and prison officials, in the aggregate it hardly compares to other extremist elements behind bars, including prison gangs and Christian-based racial groups. Evidence suggests that these other forms of prison-based extremism present massive threats to institutional and public safety and deserve further scrutiny from legislators and law enforcement as well.<sup>146</sup>

## Understanding the Challenges of Extremist Ideology

So, do prison conditions facilitate the growth of ideological extremism? On the whole, current evidence indicates that a mix of factors both promote and prevent extremism. Some researchers perceive the overall “barometric pressure” as going down.<sup>147</sup> The lack of evidence of large numbers of Muslim prisoners turning to *violent* extremism should not, however, suggest that no problems exist. As one researcher notes in a study commissioned by the National Institute of Justice: “The fertile ground for radicalization [in U.S. prisons]... does exist. However my extensive literature review revealed that moving from radicalization to actual recruitment for terrorism is a rare event.”<sup>148</sup>

### Are Extremist Muslims in American Prisons a Unique Threat? A Comparative View

In debates about prisoner radicalization, Muslims are portrayed as a particularly deadly threat, more so than other ideological groups. This argument appears unfounded, particularly when considering such White Supremacist groups as the Aryan Brotherhood (AB) and the Nazi Low Riders. According to FBI data, the AB is particularly deadly. Although its members represent less than one-tenth of 1% of the nation’s entire prison population, its members are responsible for 18% of all prison murders nationwide, numerous violent and drug-related offenses outside of prison, and of attempting various acts of terrorism.<sup>149</sup> Equally telling is a 2007 prison intelligence assessment indicating that “the prison gangs most capable of using IEDs [Improvised Explosive Devices] are the white supremacy organizations, including the Aryan Brotherhood, the Order of White Knights, and inmates who claim religious affiliation with Druidism and Odinism.”<sup>150</sup>

The low levels of violent extremism hardly mean that the long-term presence of ideological extremism is not a potential risk to public safety. Indeed, the threat of violence always looms in prison, and risk factors in prison enhance the spread of an extremist ideology capable of motivating a deadly handful of individuals to engage in violence. Sustained ideological extremism may support future violent behavior and thus should be curbed as far as possible. Accordingly one study notes several factors involved in causing ideological extremism:

- **Overcrowding** is a primary *institutional*-level cause of prisoner extremism. This is, in turn, a leading cause of chaplain understaffing, scarcity of resources, and gang dominance over

increasingly populated physical spaces. Although New York and Missouri have reduced inmate populations, California and Texas continue to struggle with populations that are larger than those in all but a handful of countries.

- **One-on-one proselytizing** by members of prison gangs is the primary *individual*-level cause of inmate extremism. In fact, this outreach is so prevalent that the study concluded: “The prisoner radicalization problem cannot be separated from the prison gang problem.”<sup>151</sup>
- **Charismatic gang leaders** are the primary instigators of extremism at *prison gang*-levels. Such people, particularly those who espouse a religious ideology, “derive their influence by dint of their credibility within the prison population.”<sup>152</sup> The lack of a strong and qualified Muslim religious authority results in services being led by untrained leaders whose credentials are rarely religious.<sup>153</sup>

In contrast to factors that fuel radicalization among Muslim inmates, other research identifies the major factors that *reduce and prevent* ideological extremism. Some of these are directly attributed to administrative reforms and improved prison conditions:

- **Prisons have drastically improved inmate safety** and general institutional security. Although they remain dangerous places, over the past thirty years prison riots have become increasingly rare and the homicide rate has fallen by 90 percent.
- **Prison staff and administrators are growing more conscious** of radicalization trends. Surveillance in prisons has greatly improved over the past twenty years, and gang intelligence has become more sophisticated. Unlike the fragmented communications that characterized correction facilities in the past, today there is more information sharing with other law enforcement agencies as a routine part of prison administration.
- **Inmates are largely cut off** from the outside world. Inmates’ ability to communicate and potentially receive extremist influences from the outside world is limited, as the Internet is unavailable and mail is inspected and censored.
- **There have been improvements in visitor screenings.** Prisons have become better at screening, selecting, and supervising the work of professional and volunteer religious

workers. Although there is no data on the implementation of these improvements nationwide, there is little to support the assertion that large numbers of external extremists have successfully propagated extremism on the inside.<sup>154</sup>

The study also found that there was a strong solidarity among inmates *against* extremist violence.<sup>155</sup> This tendency is cited as being due to their intense concern with their own self-interest, as opposed to self-sacrifice for a higher cause. Moreover, researchers found modest amounts of patriotism among inmates who oppose the kind of harm inflicted on the nation, such as the 9/11 terrorist attacks.<sup>156</sup>

These findings of mitigating factors, especially the administrative reforms, should not be taken as absolutes, for there are important exceptions. In addition, there is no such thing as an absolutely secure prison security system. For instance, it is unclear how sophisticated and up-to-date the intelligence-gathering capacities are at the state level. Research as recent as 2006 and 2007 suggests that some prison systems are unable to detect and analyze potential abnormalities within inmate populations. In other cases, it is unclear whether those trained to detect extremism in state penitentiaries meet basic quality measures and competencies.<sup>157</sup>

It must also be noted that prisoners have developed their own countermeasures to surveillance, including being suspected of extremism. Indeed, it is highly unlikely that an extremist will let his/her ideological leanings and recruitment efforts be freely known to other prisoners, much less to prison security staff.<sup>158</sup> One report even suggests that radical inmates wishing to avoid detection may act as model prisoners so that prison personnel focus their attention on other inmates “while overlooking radicalization.”<sup>159</sup> However, much of the prison staff interviewed in one study returned responses that were consistent with the views of inmates: There was little indication of extremism among the incarcerated population.<sup>160</sup>

## CONCLUSION

### False Alarms: *Extremist Violence in Prison and Foreign Recruitment*

One immediate starting point is for elected officials and some researchers to use better, more precise terminology. Those engaged in the debate need to make a constitutional distinction between thought and actual criminal behavior. Employing *radicalization* as a catchall term is not only contrary to our nation's values, but it also sets the basis for poor security policies that opt to scrutinize *beliefs* subjectively, rather than objectively identify dangerous *behaviors*.

There is also greater need for further research on Islam in prisons that uses standard social science methodologies and is conducted by teams of interdisciplinary scholars.<sup>161</sup> The discussions distilled from past congressional hearings further highlight this need, not to mention that basic information about Islam in prison is still unknown by many of those who conduct such hearings, including conversion rates or how many Muslims are currently incarcerated. These blind spots testify to the need for more systematic data collection and analysis.

To move these efforts forward, Muslim communities have played an integral role in supporting research and scholarly endeavors. But what is required now is additional support from other sectors. Whether this comes via institutional support in the form of Islamic studies departments in colleges and universities, think tanks, or seminary training for inmates who want to become imams, the resulting long-term investment is a social good. Not only will it lay down an academic foundation for Islamic history and knowledge in this country, but the creation of knowledge will also contribute to better cultural understanding among Muslims, as well as between Muslims and non-Muslims.

To facilitate research endeavors, the report recommends that such civil society and government agencies as the National Institute for Justice and the Office of Community-Oriented Policing Services support more research by arranging conferences and grants in the following areas:

- The effectiveness of faith-based, and specifically Islamic, outreach programs for incarcerated and released offenders;
- Nationwide studies of prisoner recidivism rates that track religion and reflect the commission of new crimes, rather than technical parole violations;

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*The need for more serious efforts at objective research is particularly crucial for the government, because its absence has resulted in uninformed federal policies.*

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- The needs of released inmates, including evidence-based programs that seek to reduce violence, crime, and extremism inside prisons;
- The development and implementation of better gang intelligence detection procedures and infrastructure at state-run facilities nationwide; and
- The development and implementation of uniform vetting and supervision procedures for religious workers at state-run facilities nationwide.

The need for more serious efforts at objective research is particularly crucial for the government, because its absence has resulted in uninformed federal policies. Indeed, some researchers note that the government has lagged behind the research efforts of other countries: “In light of the powerful emotions that are provoked by the fear of prison radicalization, the failure to move ahead with that kind of research effort will mean that policy will inevitably be carried along not by reason, but by the political passions inevitably at play.”<sup>162</sup>

## Toward Best Practices

The lack of evidence supporting claims of violent extremism among Muslim inmates leads to telling conclusions, one of them being that *there have been more congressional hearings* in the last decade on extremist violence than actual instances of Muslim inmates engaging in religious terrorism. Recent research supports the point, noting that “much of the talk about the risk of radicalization is simply talk, unsupported by research or evidence.”<sup>163</sup> Equally telling is the little that has been said about prison converts who have helped foil terrorist plots, such as the case of Derrick Shareef, who planned to attack a shopping mall but was stopped by the FBI with the help of ex-gang member and prison convert William “Jamaal” Chrisman.<sup>164</sup> Chrisman stated that he decided to work as an informant to help the government after 9/11, because “scholars in Saudi Arabia and Morocco said that it was incumbent on Muslims to stop terrorists.”<sup>165</sup> This theme was echoed in the 2011 Seattle terrorist plot, which was also foiled with the help of a prison convert.<sup>166</sup> These countervailing narratives of extremism are absent from the discourse, and yet the fact remains: although there is only one conclusive case of prison-based terrorism, there are at least two cases of prison converts working with officials to help foil terrorist attacks.



The relative rarity of violent extremism involving Muslim inmates is noteworthy for policymakers, since it suggests that radicalization is better approached through preventative strategies than through more forceful intervention. As one study has declared: “The current claims that prison radicalization has reached a crisis stage are grossly premature and, at this point, mere speculation.”<sup>167</sup> Although some prison systems have adopted suppressive “counter” strategies, these approaches, including restricting imams, books, and even communications, has become the norm in some institutions, despite that such tactics run the risk of backfiring and fomenting radicalism or, as the same study warned, “hysterical and stigmatizing reaction can fuel radicalization among prisoners and their followers, contributing to the threat rather than managing it.”<sup>168</sup> British prison officials have been learning this lesson, since their extreme security measures have inspired greater resistance among radicals.<sup>169</sup> More importantly, the attempt to shape religious ideology by censorship or otherwise is dangerous and instead may stoke animosity and fear.<sup>170</sup>

The final pages of this report consider ways to advance the discussion and reduce the potential for extremist violence through fostering a diverse marketplace of Islamic ideas, reforming institutional policies, improving training for staff, and stabilizing prisoner re-entry.

## Fostering an Islamic Marketplace

Since prison-based extremist violence has yet to manifest itself in any meaningful way, policymakers should develop and implement proactive strategies to help maintain the status quo. There are now, more than ever, good reasons to adopt preventative approaches: the unprecedented scale of imprisonment and the fact that increasing numbers of inmates will be released with each passing year.<sup>171</sup> Ultimately, this strategy requires deep structural changes, and primarily, would direct prevention efforts at those institutional factors that feed into radicalization, particularly the lack of viable leadership and overcrowding.<sup>172</sup>

Although Representative King has publicly stated his intention “to stop prisoners from being radicalized,” his ability to do so would be highly unlikely even in the best-functioning prison systems. Given the significant internal administrative challenges and the external social, political, and economic issues, calling for a complete halt to radicalization is simply unrealistic, not to mention unconstitutional.<sup>173</sup>

But this is not to say that one should ignore the issue. Rather, it requires a balanced approach; one that neither underestimates nor overestimates the challenges, is the most prudent way forward. As such, it is necessary to understand the separate but related issues of extremist ideology and extremist violent crime. Parsing these challenges will provide policymakers, correctional practitioners, and community stakeholders with a better way to develop proactive and effective strategies for public safety.

An unbalanced approach yields such failed policies as the BOP Standardized Chapel Library Project, which sought to inventory all current holdings and determine their permissibility under the BOP's security policies.<sup>174</sup> This project offers a compelling example of how suppressive tactics can backfire and antagonize Muslim inmates, rather than reduce radicalization. The subsequent removal of texts was reported to have greatly frustrated inmates, some of whom had been reading a particular book for decades but were now told that it was off-limits.<sup>175</sup> From their perspective, this policy was paternalistic and may have also overlooked how such literature may help counter extremism and thus produce a normalizing effect by acting as a repellent, similar to how the great majority of non-imprisoned Muslims are averse to extremism. This harmful strategy also potentially hinders the more effective monitoring of inmates. As one panelist at the 2011 hearings noted, "if an individual in a correctional institution possesses these types of radical material, it's actually, in a way, an investigative benefit because that person is then self-identifying as someone that bears further inspection and someone that can be monitored by the correctional staff."<sup>176</sup>

There are better and more systematic approaches to preventing extremist violence. One is to foster a more diverse marketplace of ideas within state and federal prison systems in order to achieve a pluralistic religious environment. Achieving such a result involves generation of a multiplicity of religious views and options,<sup>177</sup> as well as facilitating the entry of a more diverse body of Islamic leaders to administer programs. Practically, this might be carried out by any number of means, such as broadcasting live prayer services on closed circuit television or offering Arabic classes. Such measures should be adopted in recognition of Islam as a rather complex religion, and that adopting any singular approach to it is not only dangerous ideologically, but also contrary to religious life on the ground. Fostering a marketplace is the opposite of trying to establish what one scholar has dubbed "official Islam," or a government-sponsored account of Islam.<sup>178</sup>

Prison officials and policymakers should take the following steps to promote pluralism:

1. Lower barriers for religious leaders to enter. BOP officials should reassess their ban on hiring Muslim prison chaplains from such endorsing agencies as the Islamic Society of North America (ISNA). Statements made against them lack factual basis<sup>179</sup> and are mostly promoted by unreliable sources advocating an anti-Muslim agenda.<sup>180</sup> Despite the allegations against ISNA, a 2005 Senate investigation cleared it and other organizations of any wrongdoing.<sup>181</sup> Additionally, the BOP has made extensive use of contracted religious service providers, a policy that has not effectively addressed inmates' present or long-term needs. The lack of Muslim religious leaders must be remedied, so that trained religious leaders become the rule instead of the exception. In the Pew survey of state prison chaplains, 55% of participants agreed that Islam is the faith group with the greatest need for more volunteers, while 83% believed that Christian faith groups have "more than necessary."<sup>182</sup> Such statistics feed into the claim that radicalization occurs when prisons "promote Christianity and starve Islam." State correctional institutions implementing similar bans or severe restrictions should also reassess or, where applicable, develop policies that strike an adequate balance between vetting and providing services.<sup>183</sup>
2. Professionalize Islamic Chaplaincy. Prison administrators should make greater efforts to hire and retain qualified imams who have been certified by prison authorities or through religious training. This would take Islamic leadership in a more authentic direction, as according to one leading criminologist, "a minimum standard of theological education" can help avert the schooling of extremists in prison.<sup>184</sup>
3. Encouraging religious "entrepreneurship." Prison officials and policymakers should be urged to continue engaging with a wide variety of Muslim faith-based organizations. This includes increasing access to various types of religious texts and religious workers who adhere to differing interpretations of Islam. The Ohio Department of Corrections has established a framework for faith-based engagement and a "best practices" tool-kit for faith-based programming.<sup>185</sup> Prisons with large Muslim populations should implement an Islamic studies certification program to increase basic religious literacy. To go one step further, they should create a pool of potential Islamic leaders. One model to consider may be California's Folsom State Prison's Islamic Studies Program, which has reportedly helped inmate rehabilitation.<sup>186</sup> To avoid any potential state endorsement of religion and

to ensure quality control of the curriculum, such a program could be done in partnership with an officially accredited academic institution (e.g., a seminary or a theological studies department at a college or university). Here, the Saint Louis University Prison Program is instructive, since it began by offering inmates a certificate in theological studies. Over time, it expanded to offer inmates and staff the opportunity to earn an associate's degree.<sup>187</sup>

Corrections officials would be wise to provide staff with basic religious competency training and recruiting more Muslim staff for prisons with significant Muslim populations. Such basic religious sensitivity training and proactive recruitment would contribute more “cultural and political capital” by adding legitimate and moderate voices of religious authority,<sup>188</sup> as well as promote goodwill and increase the Muslim inmates’ respect for prison administration officials.<sup>189</sup> The resulting knowledge gained could help identify extremism as well as avoid unnecessary confrontation with prisoners, such as those that triggered the 1993 Lucasville riot.

Prison administrations should provide adequate worship space for different Muslim subgroups. In recent years, Sunni inmates have sued to have services held separately from those of Shia inmates and vice versa, even though the courts remain unreceptive to the idea.<sup>190</sup> In practice, this position overlooks important sectarian differences. As neither sect is recognized as authoritative enough to warrant its own space for worship, there is a greater likelihood of mutual rivalry and antagonism. Although prison authorities have cited security reasons for denying this request, it is precisely because of security concerns, namely, sectarian tensions flaring into violence, that administrators should reconsider their positions, lest these concerns become a self-fulfilling prophecy. As Kevin Lamar James’ case revealed, animosity toward other religious groups goes right to the heart of legitimacy, which current policies discount by not affording separate spaces.

## Stabilizing Prisoner Re-Entry

Prisons should implement more effective methods of reintegrating released prisoners into society, which is commonly referred to as “re-entry.”<sup>191</sup> As it stands, the more than 700,000 inmates released each year often do not get far beyond the prison gates before they experience the vacuum left by communities, government, and a general lack of support.<sup>192</sup> As Frank Cillufo, director of the Homeland Security Policy Institute at George Washington University attests:

“Former inmates are vulnerable to radicalization and recruitment because many leave prison with very little financial or social support.”<sup>193</sup> Similarly, others have stressed the importance of “after care” and policy measures that seek to facilitate this transition into a stable environment and make them less susceptible to recruitment by extremists.<sup>194</sup>

Accordingly, researchers explain that the “moment of release” presents an opportunity for policy innovations to develop bridges during the ensuing transition period.<sup>195</sup> Yet if services are not forthcoming, a void is left open for gangs and other extremists. By helping prisoners get through this time of greatest need, radical groups build upon the loyalty developed in prison or afterwards, which is also a tactic of gangs and white supremacist groups.<sup>196</sup> In this regard, one might reconsider Padilla and Reid as poster boys for unsuccessful re-entry rather than for prison-based extremism. As one study notes that, “if anything, these cases are a good illustration of why the systematic provision of after-care is so critical.”<sup>197</sup> Of the chaplains asked about this particular point, 78% of them stated that support from religious groups after release is one of the most critical factors for an inmate’s successful re-entry.<sup>198</sup>

Administrators should implement re-entry services as an integral part of the corrections process with the following goals as guidance:

- **Connect re-entry to education on the inside and the outside.** Re-entry programs should involve educational training on the inside and focus on educational opportunities to continue studying on the outside. Education increases rehabilitation and reduces recidivism, both of which directly impact extremism, for al-Qa’ida and similar groups prey on uneducated and economically desperate individuals.<sup>199</sup> Education as a counter-balance to radicalization should therefore be a focal point of any prevention effort.
- **Ensure that all inmates receive re-entry services.** As their release date approaches, inmates should receive, at a minimum, basic services such as obtaining a driver’s license, a birth certificate, and a social security card, as well as outpatient mental health care services, if needed. Prison and criminal justice officials should explore possible public-private partnerships to improve service provisions and share the financial and material costs.
- **Explore ways to parole inmates into stable religious communities.** Although this may be challenging, there is already an intensive outreach effort among African-American mosques and some partnerships are being established.<sup>200</sup> Prison administrators should consider building on this model and seek to raise funds through faith-based initiatives.

Devising ways to improve the situation of Muslim inmates is not the sole duty of criminal justice officials. Muslim communities and society at large have a significant stake in this matter and thus are partially obligated to help combat radicalization. Communities, which are victimized by acts of religious violence, must take the lead in quelling extremism. According to one report, some have already done so: “The Muslim community has been extremely active in combating terrorism, particularly with partnerships with law enforcement.”<sup>201</sup> Like the prison converts mentioned above, these communities have helped foil terrorist plots and remain a force for moderation. They should support other long-term strategies, such as:

- **Investing in efforts that will ensure the education and development of a long-term indigenous religious leadership.** Even without the BOP’s hiring freeze, it is likely that state and federal prisons will continue to experience shortages of professional Muslim religious workers and clergy given the lack of professional training and accrediting organizations. Communities must continue to support existing institutions and support the development of new ones.
- **Encouraging information sharing as regards chaplains.** This is especially important where immigrant-origin American Muslim chaplains seek to guide mostly African-American prison congregations. As one African-American Muslim chaplain pointed out, an immigrant chaplain who is unaware of how Islam has developed among African-Americans is likely to quickly run into conflict and lose the inmates’ respect as well as any credibility that he might have acquired.<sup>202</sup> It is recommended that briefing materials and other resources be available to all chaplains so that they can familiarize themselves with the full diversity of this country’s Muslim community, including those behind bars.
- **Encouraging intra-faith dialogue.** Although Muslims have been involved in interfaith dialogue with Jews, Christians, Hindus, and other religious groups, there has been little dialogue among themselves. Such dialogues, however, benefit all parties involved and are particularly important for Muslims, given that their various internal divides have proved somewhat artificial. With a significant number of Sunni Muslims having received their first start in nationalist understandings of Islam, the groups are less opposed than might be imagined. Instead, they might be better understood as being in a symbiotic relationship with the marginal groups that primes and prepares them to transition to more normative forms. At the very least, this decades-old trend offers common ground for discussion.



- **Increasing the social services infrastructure.** After their release, many of these Muslims need considerable help in finding a job and a temporary place to live, as well as in accessing mental or physical clinical services. Unfortunately, some preliminary evidence from New York and Indiana indicates that Islamic organizations are not doing enough to help them.<sup>203</sup> In general, the United States has witnessed unprecedented numbers of released inmates returning to communities that are less stable and less able to provide the social services that inmates need to re-enter society.<sup>204</sup> This is largely due to cultural resistance, as well as a lack of funds in many of those urban areas that need services the most.<sup>205</sup> Local communities, particularly those with more resources and funds, must continue to help poorer communities build the necessary infrastructure that will help rehabilitate parolees.<sup>206</sup> Indeed, former prisoners are often at a double disadvantage: they return to communities already struggling with high rates of poverty and unemployment, and they themselves are burdened with the stigma of criminal conviction and a lack of vocational training.
- **Lower barriers to re-entry.** In general, the nation needs to reform its criminal justice policy. Re-entering society is so difficult because it has been made that way through a host of restrictions, including those on voting, welfare services, housing, employment, driving and professional licensing. Each of these restrictions can, in some small way, guarantee failure. These civil barriers push the released prisoners back into a life of crime and render them more susceptible to recruitment by extremists. The final takeaway is that we must either adopt policies that seek to help these ex-prisoners or suffer the consequences of allowing others to do so.

These strategies are useful particularly because they impact more than just Muslim inmates; they help the whole inmate population and individuals and families on the outside as well. Supporting a more pluralistic environment is an overall good, for it gives insight into managing other religious groups. Likewise, stabilizing re-entry is important not just for preventing extremism among Muslims, but across all groups, since most released prisoners face the same obstacles. In the coming years, prisons will be releasing more inmates than any other time in this country's history. This fact makes the implementation of more effective policies all the more urgent.

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27 For an overview, *see* *ibid.*, 21, 22-23.

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29 *Ibid.*, 25-26.

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32 Frank J. Cilluffo, Senate hearing, *Prison Radicalization* (2006).

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- 101 For instance, during his 2011 Congressional testimony, Patrick Dunleavy identified only three individuals, out of forty-two Muslim

chaplains working New York State Department of Corrections. However, the case of Zulqarnain Abdu Shahid, who was accused of bringing contraband into a prison (not spreading extremism) had his case thrown out by a grand jury, which met on two separate occasions. Dunleavy described another case, that of Osameh Al Wahaidy, as “indicted by the US Attorney’s office in New York for providing material support to a terrorist organization through a suspicious charity.” There was no mention of his promoting extremism. He eventually pled guilty to engaging in financial transfers to Iraq without a license (violating the 1990s U.N. sanctions regime that killed an estimated 500,000 Iraqi children) and was given a light sentence (two years probation) and a \$5,000 fine. Al Wahaidy was eventually reinstated to his chaplaincy position, in part because he received support from two prison officials who commended him for his work, including “defusing potential problems among Muslim inmates, including those who had a ‘warped view of the religion.’” See Patrick Dunleavy, “Testimony Before the House Committee on Homeland Security ‘The Threat of Muslim American Radicalization in U.S. Prisons.’” *U.S. House of Representatives Committee on Homeland Security*, (June 15, 2011), <http://homeland.house.gov/sites/homeland.house.gov/files/Testimony%20Dunleavy.pdf>; Al-Hajj Talib ‘Abdur-Rashid, “Statement of Imam Al-Hajj Talib ‘Abdur-Rashid Regarding June 15, 2011 Hearing,” Imam Talib’s Blog, June 15, 2011, <http://imamtalib.blogspot.com/2011/06/witness-inaccurate-mis-leading.html>; “UN Says Sanctions Have Killed Some 500,000 Iraqi Children,” Reuters, July 21, 2000, <http://www.commondreams.org/headlines/072100-03.htm>; John O’Brien, “Auburn Imam Receives Probation for Violating Sanctions Against Iraq,” *The Post-Standard*, August 13, 2000, [http://www.archives2005.ghazali.net/html/aburn\\_prison\\_imam.html](http://www.archives2005.ghazali.net/html/aburn_prison_imam.html). A number of Muslim chaplains working in New York State facilities were identified in: “Probe of Muslim Clerics Urged,” *Los Angeles Times*, March 8, 2003, <http://articles.latimes.com/2003/mar/08/local/me-religbriefs8.3>.

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105 Cilluffo et al., *Out of the Shadows, IV* (“The inadequate number of Muslim religious services provides increases the risk of radicalization.”); U.S. Department of Justice Office of the Inspector General, *Review of the Federal BOP* (“the BOP has not developed a recruiting strategy or alternative endorsement requirements to end its shortage of Muslim chaplains...In our view, these and other practices identified in this report create unnecessary risks to prison and national security,” 56.

106 Hamm, “Prisoner Radicalization: Assessing the Threat,” 17.

107 For instance, the 2004 Bureau of Prisons report on Muslim chaplains notes that BOP staff frequently permitted “the practice of allowing inmates to lead religious services.” U.S. Department of Justice Office of the Inspector General, *Review of the Federal BOP*, 49.

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109 Hamm, *Terrorist Recruitment*, 42-43.

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112 Allen Beck et al., *Sexual Victimization in Prisons and Jails Reported by Inmates: National Inmate Survey, 2008-09* (Washington, D.C.: Bureau of Justice Statistics, 2010), 21. This number should be seen as a low-end baseline estimate, for many assaults are unreported by inmates. For a critique of data collection on inmate violence, see Gibbons and de. B. Katzenbach, *Confronting Confinement*, 24-25.

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115 *Ibid.*

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117 For an overview of polling results, see Dulce Maria Licea-Acosta, “Exploring Strategies to Address the Prevalence of Islamophobia in America,” (Duke University, 2012), <http://dukespace.lib.duke.edu/dspace/bitstream/handle/10161/5358/Acosta-Licea%20MP.pdf?sequence=1>, 7-8.

118 Imam Frederic Thaufeer Al-Deen, in telephone interview with the author, August 4, 2012. This imam, a former state and federal prison chaplain, critiqued the survey results and raised a number of questions about it, such as “Where are the statistics of successfully rehabilitated prisoners by faith and other demographics, post release?”; “Where is the description of the touted vehicle to rehabilitative success, the faith-based job training and pre-release programs and their supposed growth?”; and “If the religious extremism is so common and a threat to prison security, where are the statistics in the form of in prison criminal statistics?”

119 Letter from Roy Wales, a.k.a. Abdullah al-Muhajdir, Prisoner at Hudson Correctional Facility, to Peter King, U.S. House of Representatives, March 9, 2011.

120 “Peter King: We Want to Stop Prisoners from Being Radicalized in Prison,” YouTube video, 4:25, from a news broadcast by Fox News Insider on June 15, 2011, posted by “FoxNewsInsider,” June 15, 2011, <http://www.youtube.com/watch?v=3RnF6Rp4lp4>.

121 David R. Mandel, “Radicalization: What Does it Mean?” in *Indigenous Terrorism: Understanding and Addressing the Root Causes of Radicalisation Among Groups with an Immigrant Heritage in Europe*, ed. T. Pick and A. Speckhard (2009).

122 These perceptions are reflected in various policy documents that not only fail to distinguish between extremist thought and criminal behavior, but also see religious practice and/or conversion to Islam as a sign of extremism. For instance, see Mitchell Silber and Arvin Bhatt, *Radicalization in the West: The Homegrown Threat* (New York City Police Department, 2007), <http://on.nyc.gov/e3H1PZ>; Federal Bureau of Investigation, *Federal Bureau of Investigation Counterterrorism Analytical Lexicon* (2006), <http://bit.ly/T6N9Yq>, 3; Federal Bureau of Investigation, *The Radicalization Process: From Conversion to Jihad* (2006), <http://bit.ly/5RwUp4>; Department of Justice, *The Attorney General’s Guidelines for Domestic FBI Operations* (2008), <http://1.usa.gov/ebNZw7>; Federal Bureau of Investigation, *Domestic Investigations and Operations Guide* (2011), <http://bit.ly/urteie>.

123 *Transcript of House Homeland Security Committee Hearing on Radicalization of Muslim Americans in U.S. Prisons*, P. 50-54. Available at: [http://www.micevhill.com/attachments/immigration\\_documents/hosted\\_documents/112th\\_congress/HouseJune152011Hearing.pdf](http://www.micevhill.com/attachments/immigration_documents/hosted_documents/112th_congress/HouseJune152011Hearing.pdf).

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125 Bjelopera, *American Jihadist Terrorism*, 23-25.

126 Hamm, *Terrorist Recruitment*, 114.

127 Bert Useem and Obie Clayton, “Radicalization of U.S. Prisoners,” *Criminology and Public Policy* 8 (2009): 564; Gartenstein-Ross and Grossman, *Homegrown Terrorists in the U.S. and U.K.*

128 Cilluffo et al., *Out of the Shadows*, 1.

129 Brian Michael Jenkins, *Would-Be Warriors: Incidents of Jihadist Terrorist Radicalization in the United States Since September 11, 2001*. (Santa Monica, CA: RAND Corporation, 2010), VII; Also see: Charles Kurzman, David Schanzer, and Ebrahim Moosa, “Muslim American Terrorism Since 9/11: Why So Rare?” *Muslim World* 101 (2011): 464-83.

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132 Hamm, “Locking Up Terrorists,” 3.

133 Hamm, *Terrorist Recruitment*, 42.

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135 Hamm, “Prison Islam,” 681.



- 136 Neumann et al., Prisons and Terrorism, 27.
- 137 See also: U.S. Department of Justice Office of the Inspector General, Review of the Federal BOP, 6.
- 138 Ilardi, "Prison Radicalization," 10-11.
- 139 U.S. Department of Justice Office of the Inspector General, Review of the Federal BOP, 6.
- 140 Cilluffo et al., Out of the Shadows, III.
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- 142 Hamm, Terrorist Recruitment, 29-30.
- 143 U.S. Senate Committee on Foreign Relations, *Al-Qaeda in Yemen and Somalia: A Ticking Time Bomb*, January 21, 2010, <http://www.foreign.senate.gov/imo/media/doc/Yemen.pdf>, 1.
- 144 Ibid., 9 (emphasis added).
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- 147 Useem and Clayton, Radicalization of U.S. Prisoners, 563.
- 148 Hamm, "Prisoner Radicalization: Assessing the Threat," 18.
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- 152 Ibid., 115.
- 153 Ibid., 114-15.
- 154 Bert Useem, "Testimony of Professor Bert Useem," U.S. House of Representatives Committee on Homeland Security, June 15, 2011, <http://homeland.house.gov/sites/homeland.house.gov/files/Testimony%20Useem.pdf>, 2-4.
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- 158 Hamm, Terrorist Recruitment, 111.
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- 160 Useem and Clayton, "Radicalization of U.S. Prisoners," 564.
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- 163 Ibid., 432.
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- 165 Michael Mayko, "FBI Informant Testifies in Terror Case," Connecticut Post, November 30, 2007, <http://winterparking.blogspot.com/2007/11/ct-post-fbi-informant-testifies-in.html>.
- 166 Levi Pulkkinen, "Man at Center of Seattle Terror Plot Admits Guilt." *Seattle Post-Intelligencer*, December 6, 2012. <http://www.seattlepi.com/local/article/Man-at-center-of-Seattle-terror-plot-admits-guilt-4098072.php>; Lindsay Chamberlain, "Informant Who Divulged Terror Plot to FBI is a Convicted Felon." *KING 5 News*, No date. <http://www.king5.com/home/Informant-who-divulged-terror-plot-to-FBI-is-a-convicted-felon-124511549.html>.
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- 168 Ibid.
- 169 "Islamist Prisoners Spread Radicalization in UK Jails, Report Finds," Al Arabiya News, last modified, February 6, 2012, <http://english.alarabiya.net/articles/2012/02/06/192969.html>.
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- 175 Laurie Goodstein, "Prisons Purging Books on Faith From Libraries," *The New York Times*, September 10, 2007, <http://www.nytimes.com/2007/09/10/us/10prison.html?pagewanted=all>.
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- 193 Senate hearing, Prison Radicalization (2006), 8.
- 194 Neumann et al., Prisons and Terrorism.
- 195 Jeremy Travis et al., *From Prison to Home: The Dimensions and Consequences of Prisoner Reentry* (Washington, DC: Urban Institute, 2001), [http://www.urban.org/pdfs/from\\_prison\\_to\\_home.pdf](http://www.urban.org/pdfs/from_prison_to_home.pdf), 19.
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