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One year ago, in June of 2015, the Center on National Security at Fordham Law released a report on the first 59 ISIS cases in U.S. federal courts. That report documented the charges, the overall biographical characteristics of the subjects, and the dispositions of those cases.

Now, one year later, there have been a total of 101 ISIS-related cases. Ninety-four were indicted in federal courts. In the remaining seven, the suspects were killed by law enforcement. As before, these cases present a wealth of information, both about the ways in which the criminal justice system is processing these investigations and prosecutions and about the accused individuals themselves. This July 2016 report updates the prior one and adds new avenues of analysis to the understanding of the threat posed by ISIS in the United States.

THE INDIVIDUALS

The wide range of individuals attracted to ISIS remains a constant, yet there are some overarching trends. They are predominantly male, young, and U.S. citizens, with more than half born in the United States. All but one were Muslim at the time of arrest. Most were attracted at least in part by social media, and many had expressed some form of social alienation, loneliness or identity issues.

Despite the trending youthfulness of these individuals, those who conducted lethal attacks, such as the San Bernardino, Garland, and Orlando attackers and the individual who tried to attack a policeman in Boston – all of whom were killed by law enforcement – were older. The average age of those who conducted attacks was 29 years old. The average age overall of those indicted for ISIS-related crimes is

Eighty percent of the subjects were indicted on material support charges. The 50 charts and figures included in this report, to an extent, discern some of the trends in terms of recruitment, threats, counter-recruitment strategies, and motivations.

THE CASES

All told, the ISIS cases make up a fraction of a percent of federal criminal cases. Moreover, in 2016 the number of ISIS arrests to date has been significantly lower than it was last year. However, the seriousness of the allegations, the heightened concern about the growth of ISIS worldwide, and the elusiveness of individuals who self-recruit over the Internet make the information surrounding these cases of vital concern. Although there are only 101 publicly known cases, the Director of the FBI, James Comey, has noted that over 900 investigations are open and that they span all 50 states.
26 and the most common age among them is 20.

Their young age contributes to lower education levels, as many are still in high school or college. Their youth also contributes to the lack of a criminal record overall, though many may have had informal encounters with police prior to their arrest on ISIS charges. These encounters have often included traffic violations and only in a couple of cases included arrests on more serious charges. Finally, their age coincides with the use of social media, including watching and sharing graphically violent videos, as a consistent element across the cases.

In addition to being young, and relatively unmarked by prison or criminal enterprise, these individuals are often seekers. Some are seeking religious attachment. One third of the indicted individuals are converts to Islam. The ISIS recruits are attracted to the idea of serving the larger purpose of the caliphate. They are also political seekers. Many have gone from an interest in joining or identifying with al Qaeda or another terrorist organization to a focus on ISIS. Several were searching for a spouse.

Overall, there is a sense of identity crises and alienation from society across the wide range of cases. Anxieties over not fitting in, examples of personal isolation and social anger are frequent. Several have expressed homophobia, anti-semitism, or anger at non-ISIS Muslims. Of the 97 individuals who were either in the United States or who were arrested after leaving the United States, nearly 80% of the cases indicated dissatisfaction with the United States.

More than 10% have been under some kind of treatment for mental illness, or have been diagnosed as schizophrenic, bipolar or suspected of suffering from acute anxiety. Nearly 10% were alleged to have some history of recreational drug use.

Despite the fact that nearly 80% of the charged defendants are U.S. citizens, an identification with foreign conflicts rather than with American politics and society is apparent across the sample of indicted individuals.

Also related to the youth of these individuals, and their generation’s facility with the Internet, social media has played a large role in recruitment and expressions of support for ISIS. At least 90% of the ISIS-related cases involve some form of Internet communication, and 60% of the cases involve two-way communication between ISIS associates or sympathizers, including FBI informants.

Family has played a prominent role in these cases. Because of the young age of those indicted on ISIS-related charges, many still live at home with their parents. In several of the cases, parents tried to intervene to prevent their children from fleeing to join ISIS abroad or from identifying with the group at all. Sixteen percent of the accused have been indicted alongside relatives.

Average age is 26
77% are U.S. citizens
87% are male
1/3 are converts to Islam

5 individuals are charged with joining ISIS in Syria
42% are accused of plotting against U.S. targets
50% were involved in discussing, procuring, or possessing firearms
THE PLOTS

There are some striking differences from last year’s report. The rate of indictments is down. So too the alleged interest in joining the ranks of foreign fighters in Syria has dropped measurably, with only 6 out of 16 cases, or 38%, in 2016, including allegations of wanting to fight abroad for ISIS. Instead, their focus, as described in criminal complaints, is on remaining in the United States and carrying out acts of violence here. Those allegedly planned attacks, according to the complaints, are aimed primarily at government and military officials and personnel. Planning for specific civilian attacks along the lines of the Garland, San Bernardino and Orlando shootings rarely shows up in the other indictments. Moreover, there has been a noticeable trend towards the use of guns and blades.

In last year’s report, there appeared to be no well-documented ties to ISIS abroad. There remain frequent references to Abu Bakr al-Baghdadi, the leader of ISIS, and to Anwar al-Awlaki, the social media guru who led the promotional campaign of AQAP until his killing by a U.S. Predator drone in September 2011. But there were no actual ties alleged in the complaints. This year, recent court filings have alleged that a New England ISIS plot involving 3 individuals in the U.S. had direct ties to a known ISIS associate overseas. This plot, involving 4 of the ISIS cases in total, represents the first disclosed instance of direct ties to ISIS.

The preventive model that took hold after 9/11 remains strong in the counterterrorism strategy of law enforcement. The newer ISIS cases involve FBI informants and undercover agents with greater frequency than in last year’s report. The use of social media monitoring and interaction has been combined with face-to-face contact with informants and undercover agents. Nearly half of the cases have been resolved, and to date have resulted in a 100% conviction rate, with only seven going to trial, and the rest resulting in guilty pleas. The average sentence is 9.2 years, remaining largely steady since the first ISIS-related indictment in March of 2014.

OFF-RAMPS

Both before trial and after conviction, there has been a small but discernible trend towards intervention, diversion, and rehabilitation in these cases. Two defendants have received on-pretrial release to the custody of their parents. One was held in a halfway house rather than in jail pending resolution of his case. Two were released on probation following their convictions. Judge Michael J. Davis, presiding over several cases in Minneapolis, has called for a more formal off-ramp program for those who have been convicted, and has brought in the services of Dr. Daniel Koehler from Berlin, Ger-
many, to perform risk assessments and to help design rehabilitation programs for these individuals.

Given the recent attacks at home and abroad, these patterns may change, but it is important to have the relevant facts at hand. ISIS-related cases in the U.S. involve mostly American citizens, many of whom are converts, the majority of whom are 26 or under. This report suggests that efforts to intervene with or redirect these late adolescents towards more constructive futures will require focus on individual needs and circumstances, rather than on predictive large scale socio-economic determinants.

Karen J. Greenberg
Director
Center on National Security
Fordham University School of Law
METHODOLOGY

We present the most detailed and definitive analysis of ISIS cases in the United States available to the public today. These findings are based on publicly disclosed ISIS-related incidents, prosecutions, and investigations in the United States.

STANDARDS

The data for this report was collected, organized, and coded by a team of researchers in consultation with an advisory panel of terrorism trial experts. As categorical and methodological questions arose, the research team drew upon the experience and knowledge of the advisory panel to ensure that the most objective and stringent standards were incorporated into the research and analytical process.

CASES

We refer to each accused individual as a separate “case,” even though multiple individuals may have been involved in a single common criminal matter or terrorist incident.

The cases in our database consist of individuals accused of violating statutes that are traditionally regarded as being directly related to international terrorism. Such statutes prohibit the use of weapons of mass destruction, conspiracy to kill persons overseas, providing material support for terrorists or terrorist organizations, receiving military-style training from terrorist organizations, and bombing public places or government facilities. Additionally, the database also includes individuals accused of violating other statutes not inherently associated with terrorism, but where the investigation alleges a link to international terrorism. These cases include violations involving fraud, immigration, firearms, drugs, false statements, perjury, and obstruction of justice.

A third class of cases includes individuals who died in the course of carrying out plots to attack individuals within the United States. These individuals have not faced federal charges because they are deceased. Nevertheless, they constitute ISIS-related terrorist incidents that must be included in the database.

For each of these general categories, it must also be alleged by federal investigators or established by known facts that these violations occurred on behalf of ISIS or in support of ISIS-inspired conduct.

CRITERIA

Our criteria for adding cases to the ISIS database are pegged to Department of Justice criteria for filing federal charges in ISIS-related
cases. Incidents of suspected ISIS-inspired crimes that did not involve the federal legal system were not included in this dataset.

**PROCESS**

The process for categorizing the cases, sifting the documents, and coding the data was highly iterative, yielding a steady flow of new methodological questions requiring careful determinations as new cases came to light and as new sources became available for existing cases. While certain attributes were consistently found in court documents for every case (i.e. charges, gender, and location), other attributes required additional research into each person’s background and circumstance (i.e. immigration status, family status, or history of mental illness). We assessed the reliability of first-hand interviews published in press accounts on a case-by-case basis. Information from reputable news media sources has been incorporated into our dataset.

Having categorized and indexed the wide array of relevant facts available for each case, we then analyzed the database as a whole, comparing and correlating attributes in the aggregate and then dissecting the resulting sub-categories to identify patterns and anomalies. This analytical process, entailing the sorting and sifting of thousands of data points from thousands of pages of documents, yielded the findings presented herein.
PART ONE: STATISTICAL OVERVIEW

TOTAL CASES
101

CHARGED IN FEDERAL COURT
94

DECEASED (NOT CHARGED)
7

CONVICTED
46

CONVICTED BY TRIAL
7

PLEADED GUILTY
39

ACQUITTED
0

SENTENCED
14

AVERAGE SENTENCE
9.2 years

PROSECUTION STATUS

Convicted 45%
Pending 55%

CONVICTIONS

Trial 15%
Plea 85%

CASES

Charged 93%
Deceased 7%
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### ISIS CASES, DISTRIBUTION BY AGE

#### AVERAGE AGE:

- **FOREIGN FIGHTER**: 48, 24.2
- **FACILITATOR**: 19, 29.3
- **DOMESTIC PLOTTER**: 42, 25.9
- **CYBER TERRORIST**: 5, 24.6
- **ISIS ASSOCIATE**: 2, 23.0

#### PREDOMINANT AGE:

- **FOREIGN FIGHTER**: 48, 24.2
- **FACILITATOR**: 19, 29.3
- **DOMESTIC PLOTTER**: 42, 25.9
- **CYBER TERRORIST**: 5, 24.6
- **ISIS ASSOCIATE**: 2, 23.0

#### CATEGORY DEFINITIONS

- **FOREIGN FIGHTER**: Allegedly joined or took steps to join ISIS abroad.
- **FACILITATOR**: Allegedly aided others in attempting to join ISIS abroad but did not take steps to travel themselves.
- **DOMESTIC PLOTTER**: Allegedly took steps or planned to harm U.S. persons or property on behalf of ISIS.
- **CYBER TERRORIST**: Allegedly accessed protected computer networks or participated in a related plot.
- **ISIS ASSOCIATE**: Individuals who have attained leadership status within ISIS.
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**KILLED (NOT CHARGED)**

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Federal Charges

(For statute descriptions, see Appendix, page 30.)

**TERRORISM CHARGES**

CONSPIRACY TO KILL OVERSEAS: 18 U.S.C. § 956(a)
WEAPONS OF MASS DESTRUCTION: 18 U.S.C. § 2332a
TERRORISM TRANSCENDING NATIONAL BORDERS: 18 U.S.C. § 2332b
MATERIAL SUPPORT: 18 U.S.C. § 2339A
MATERIAL SUPPORT: 18 U.S.C. § 2339B
MATERIAL SUPPORT: 18 U.S.C. § 2339D

**WEAPONS CHARGES**

EXPLOSIVES VIOLATION: 18 U.S.C. § 842
EXPLOSIVES VIOLATIONS: 18 U.S.C. § 844
FIREARMS VIOLATIONS: 18 U.S.C. § 922
FIREARMS VIOLATIONS: 18 U.S.C. § 924
OTHER FIREARMS VIOLATIONS: 26 U.S.C. § 5841
OTHER FIREARMS VIOLATIONS: 26 U.S.C. § 5861
OTHER FIREARMS VIOLATIONS: 26 U.S.C. § 5871

**OTHER CHARGES**

MISPRISION OF FELONY: 18 U.S.C. § 4
ASSAULT: 18 U.S.C. § 111
ASSAULT: 18 U.S.C. § 115
SOLICITATION OF VIOLENT CRIME: 18 U.S.C. § 373
EXTORTION: 18 U.S.C. § 875
CIVIL FORFEITURE: 18 U.S.C. § 981
FALSE STATEMENTS: 18 U.S.C. § 1001
IDENTITY THEFT: 18 U.S.C. § 1028A
COMPUTER FRAUD: 18 U.S.C. § 1030
ATTEMPTED MURDER: 18 U.S.C. § 1113
ATTEMPTED MURDER OF FEDERAL OFFICER: 18 U.S.C. § 1114
BANK FRAUD: 18 U.S.C. § 1344
ATTACKS ON US SERVICEMEN: 18 U.S.C. § 1389
UNLAWFUL PROCUREMENT OF CITIZENSHIP: 18 U.S.C. § 1425
OBSTRUCTION OF PROCEEDINGS: 18 U.S.C. § 1505
WITNESS TAMPERING: 18 U.S.C. § 1512
DESTRUCTION OF EVIDENCE: 18 U.S.C. § 1519
FALSE STATEMENT ON PASSPORT APPLICATION: 18 U.S.C. § 1542
PASSPORT FRAUD: 18 U.S.C. § 1546
STUDENT AID FRAUD: 20 U.S.C. § 1097
DRUG DISTRIBUTION: 21 U.S.C. § 841
There has been a decrease in the number of individuals seeking to go abroad to fight on behalf of ISIS in Syria. The CNS July 2015 *By the Numbers* report found that 52% of the cases were foreign fighters. From July 2015 to July 2016, foreign fighters have comprised just 26% of the cases.
Of the 43 cases with known targets, there has been a shift from primarily government targets to mostly civilian targets. The overall trend suggests a movement towards a desire to attack public spaces.
Deployed Fake Bomb
Deployed Live Bomb
Only Researched & Developed Bomb
Only Threatened to Bomb Target
Only Discussed Bombing in Abstract

WEAPONS & ISIS CASES (DISCUSSION, RESEARCH, PROCUREMENT, POSSESSION, OR USE)

ALLEGED STAGE REACHED IN ACQUISITION OR DEPLOYMENT OF EXPLOSIVES

Explosives
Firearms
Blades
None

(categories not exclusive)
Foreign Intelligence Surveillance Act (FISA)

FISA, the Foreign Intelligence Surveillance Act, is the legal mechanism through which the government gets authorizations, through classified courts, for surveillance of those suspected of being agents of a foreign power. Its use has been controversial since the passage of the Patriot Act, which lowered the standards for obtaining the warrant, and since the passage of the FISA Amendments Act of 2008 and 2013, which allowed for the ever-broader application of the statute.
Informants & Undercover Agents

UNDERCOVER AGENT/INFORMANT CASES BY MONTH

DISCLOSED INFORMANTS

TOTAL

ONLINE INFORMANT CASES BY MONTH

ONLINE INFORMANTS

TOTAL INFORMANTS

Total Share of Cases Known to Have Involved Government Informants or Undercover Agents: 59%

Domestic Plot Cases Known to Have Involved Government Informants or Undercover Agents: 71%
Social Media in Investigations

(For a breakdown of social media applications, see page 26.)

Social media is a common means for law enforcement to detect those suspected of ISIS-related crimes. At least 33% of prosecutions have come to the attention of law enforcement throughout these means.
Overseas Influences

JIHADIST INFLUENCES MENTIONED IN COURT FILINGS

- al-Baghdadi: 26%
- al-Awlaki: 22%
- bin Laden: 10%

PLEDGING ALLEGIANCE TO ISIS (SWEARING BAY’AH)

- Swore Bay’ah: 22%
- Interest in Swearing Bay’ah: 9%
- Bay’ah Not Mentioned in Complaint: 69%
Average sentences for individuals convicted of ISIS-related crimes are five years lower than those convicted of al Qaeda-related crimes in the years 2001-2014.

The granting of probation to convicted individuals has no precedent in al Qaeda cases.
Examination of the individuals in these ISIS related indictments and attacks yields few shared characteristics in terms of understanding the path to extremism and/or violence. *Eighty percent are Americans, one-third are converts to Islam, and two-thirds are 26 years of age and under.* Few have any criminal record. Many are drawn into ISIS either on the Internet or along with close friends or family members. Ninety percent of the individuals allegedly expressed an interest in supporting or joining the caliphate. Almost 80% indicated dissatisfaction with the U.S. Over 25% allegedly expressed a desire for martyrdom. At least 10% were looking to ISIS for a spouse.

**COMMON NARRATIVES IN ISIS CASES**

- The Caliphate: 90%
- Dissatisfaction With U.S.: 80%
- Martyrdom: 25%
- Seeking Spouse: 10%

**OF THE 97 INDIVIDUALS WHO WERE INSIDE THE U.S. PRIOR TO ARREST:**

- At least 77 of them (79%) expressed dissatisfaction with U.S.
- 32 of them (33%) indicated belief that Islam is not compatible with the U.S.
- 28 of them (29%) indicated dissatisfaction with U.S. society.
- 17 of them (18%) indicated dissatisfaction with U.S. government policy.
Gender

OVERALL DISTRIBUTION BY GENDER

Female: 13%
Male: 87%

FOREIGN FIGHTERS
Female: 8%
Male: 92%

FACILITATORS
Female: 21%
Male: 79%

DOMESTIC PLOTTERS
Female: 10%
Male: 90%

CYBER TERRORISTS
Female: 20%
Male: 80%
At least 10 individuals attempted to join or succeeded in joining the military or law enforcement.

Approximately 10% of cases involved medication for mental illness.

Approximately 10% of cases involved drug and/or alcohol abuse.

Competency exams were ordered in 10% of the cases. One has been declared incompetent to stand trial.
**Social Media**

**SOCIAL MEDIA AND APPS IN ISIS CASES**

- Facebook
- Twitter
- YouTube
- Skype
- Google+
- WhatsApp
- Bitcoin
- IRC
- justpaste
- Kik
- Tumblr
- ask.fm
- Instagram
- Paltalk
- Pastebin

**Cases Involving Social Media Use:**

89%

**Cases Involving Two-Way Internet Communication:**

55%

**Cases Involving Consumption of ISIS Messaging:**

69%

**Of the Cases Involving ISIS Messaging:**

58%

Featured Graphic Violent Content
Interpersonal Networks

**INTERPERSONAL CONNECTIONS BETWEEN ISIS CASES**

- Has No Connection With Other Cases: 54%
- Has Online Connections: 8%
- Has Online & Local Connections: 9%
- Has Local Connections: 29%

**Related By Family:**
- 16%

**Related By Domicile:**
- Housemates & Neighbors: 10%

**ISIS CASES RELATED BY FAMILY (16 individuals total)**

- Married: 6 cases
- Siblings: 4 cases
- Cousins: 4 cases
- Uncle-Nephew: 2 cases

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28
At least 35 are from two-parent households.

31 individuals are known to have been residing with their parents during their alleged conduct.
APPENDIX: STATUTES

**TERRORISM CHARGES**

18 U.S. Code § 956 - Foreign Relations: Conspiracy to Kill, Kidnap, Maim, or Injure Persons or Damage Property in a Foreign Country

18 U.S. Code § 2332a - Terrorism: Use of Weapons of Mass Destruction


18 U.S. Code § 2339A - Providing Material Support to Terrorists

18 U.S. Code § 2339B - Providing Material Support or Resources to Designated Foreign Terrorist Organizations

18 U.S. Code § 2339D - Receiving Military-type Training from a Foreign Terrorist Organization

**WEAPONS CHARGES**


18 U.S. Code § 844 - Importation, Manufacture, Distribution and Storage of Explosive Materials: Penalties


18 U.S. Code § 924 - Firearms: Penalties

26 U.S. Code § 5841 - Machine Guns, Destructive Devices, and Certain Other Firearms: Registration of Firearms


26 U.S. Code § 5871 - Machine Guns, Destructive Devices, and Certain Other Firearms: Penalties

**OTHER CHARGES**

18 U.S. Code § 2 - General Provisions: Principals

18 U.S. Code § 4 - General Provisions: Misprision of Felony

18 U.S. Code § 111 - Assault: Assaulting, Resisting, or Impeding Certain Officers or Employees

18 U.S. Code § 115 - Assault: Influencing, Impeding, or Retaliating Against a Federal Official by Threatening or Injuring a Family Member

18 U.S. Code § 371 - Conspiracy to commit offense or to defraud United States

18 U.S. Code § 373 - Solicitation to commit a crime of violence

18 U.S. Code § 875 - Extortion and Threats - Interstate Communications

18 U.S. Code § 981 - Forfeiture: Civil Forfeiture

18 U.S. Code § 1001 - Fraud and False Statements: Statements or Entries Generally

18 U.S. Code § 1028A - Fraud and False Statements: Aggravated Identity Theft

18 U.S. Code § 1030 - Fraud and False Statements: Fraud and Related Activity in Connection with Computers

18 U.S. Code § 1113 - Homicide: Attempt to Commit Murder or Manslaughter

18 U.S. Code § 1114 - Homicide: Protection of Officers and Employees of the United States

18 U.S. Code § 1344 - Mail Fraud and Other Fraud Offenses: Bank Fraud

18 U.S. Code § 1389 - Military and Navy: Prohibition on Attacks on United States Servicemen on Account of Service

18 U.S. Code § 1425 - Nationality and Citizenship: Procurement of Citizenship or Naturalization Unlawfully

18 U.S. Code § 1505 - Obstruction of Justice: Obstruction of Proceedings Before Departments, Agencies, and Committees

18 U.S. Code § 1512 - Obstruction of Justice: Tampering with a Witness, Victim, or an Informant

18 U.S. Code § 1519 - Obstruction of Justice: Destruction, Alteration, or Falsification of Records in Federal Investigations and Bankruptcy

18 U.S. Code § 1542 - Passports and Visas: False Statement in Application and Use of Passport

18 U.S. Code § 1544 - Passports and Visas: Misuse of Passport

18 U.S. Code § 1546 - Passports and Visas: Fraud and Misuse of Visas, Permits, and Other Documents

20 U.S. Code § 1097 - General Provisions Relating to Student Assistance Programs: Criminal Penalties

21 U.S. Code § 841 - Drug Abuse Prevention and Control: Offenses and Penalties: Prohibited Acts A
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