



The Criminal Justice System as a Counterterrorism Tool: A Fact Sheet

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The Obama administration is committed to using every instrument of national power to fight terrorism – including intelligence and military operations as well as the criminal justice system. As a counter-terrorism tool, the criminal justice system has proven incredibly effective in both incapacitating terrorists and gathering valuable intelligence from and about terrorists. In every instance, the administration will use the tool that is most effective for fighting terrorism, and will make those decisions based on pragmatism, not ideology.

I. Intelligence Collection

The criminal justice system has been the source of extremely valuable intelligence on al-Qaeda and other terrorist organizations. The criminal justice system provides powerful incentives for suspects to provide accurate, reliable information, and the Department of Justice and FBI work closely with the rest of the intelligence community to maximize information and intelligence obtained from each cooperator. Below are just a few public examples.

Cooperators Provide Intelligence on al-Qaeda and Other Terror Groups

- L'Houssaine Kherchtou, who was arrested, *Mirandized*, charged with terrorism offenses, and cooperated with the government, provided critical intelligence on al-Qaeda. He testified in 2001 against four al-Qaeda members who were later sentenced to life in prison after being convicted in connection with the East Africa Embassy bombings.
- After his capture in Afghanistan, John Walker Lindh pleaded guilty in 2002 to supporting the Taliban and, as part of his plea agreement, provided valuable intelligence about training camps and fighting in Afghanistan.
- Mohammed Junaid Babar, arrested in 2004 for supporting al Qaeda and plotting attacks in the United Kingdom, has provided intelligence on terrorist groups operating along the Afghanistan/Pakistan border and has testified in the successful trials of terrorists in the United Kingdom and Canada. He is scheduled to testify in another terrorism trial in New York later this year.
- David Headley, arrested in 2009 and charged in connection with a plot to bomb a Danish newspaper and his alleged role in the November 2008 terror attacks in Mumbai, has

provided extremely valuable intelligence regarding those attacks, the terrorist organization *Lashkar y Tayyiba*, and Pakistan-based terrorist leaders.

- Adis Medunjanin, an alleged associate of Najibullah Zazi, was taken into custody in January 2010, and, after waiving his *Miranda* rights, provided detailed information to the FBI about terrorist-related activities of himself and others in the United States and Pakistan. He has been charged with conspiring to kill U.S. nationals overseas and receiving military-type training from al-Qaeda.
- Other law enforcement cooperators are currently providing important intelligence regarding terrorist activity from East Africa to South Asia and regarding plots to attack the United States and Europe.

II Incapacitating Terrorists

Hundreds of terrorism suspects have been successfully prosecuted in federal court since 9/11. Today, there are more than 300 international or domestic terrorists incarcerated in U.S. federal prison facilities. Events over the past year demonstrate the continuing value of federal courts in combating terrorism. In 2009, there were more defendants charged with terrorism violations in federal court than in any year since 9/11.

Past Terrorism Convictions and Recent Terrorism Indictments

- Richard Reid was arrested in December 2001 and convicted pursuant to a guilty plea in October 2002 of attempting to ignite a shoe bomb while on a flight from Paris to Miami carrying 184 passengers and 14 crewmembers. He is serving a life prison term.
- Ahmed Omar Abu Ali was convicted in November 2005 of conspiracy to assassinate the U.S. President and conspiracy to commit air piracy and conspiracy to destroy aircraft. Ali was sentenced to 30 years in prison.
- In May 2006, Zacarias Moussaoui was sentenced to life in prison after pleading guilty to various terrorism violations, admitting that he conspired with al-Qaeda to hijack and crash planes into prominent U.S. buildings as part of the 9/11 attacks.
- In September 2009, Najibullah Zazi was charged with conspiring to use a weapon of mass destruction as part of an al-Qaeda plot bomb targets in the United States. Several of his alleged associates have been arrested and charged in federal court.
- During 2009, 14 individuals were charged in the District of Minnesota connection with an ongoing investigation of individuals who have traveled from Minnesota to Somalia to train with or fight on behalf of the terrorist group *al-Shabaab*.
- In September 2009, Daniel Patrick Boyd and others were charged with plotting an attack on U.S. military personnel at the Quantico Marine Base, as well as recruiting young people to travel overseas in order to kill.