



Democracy, Terrorism and the American Criminal Justice System

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Introduction

"Mastermind Gets Life for Bombing of Trade Center," headline news article in the New York Times dated January 9, 1998. After being sentenced to life plus 240 years in prison, Ramzi Ahmed Yousef convicted of masterminding the 1993 World Trade Center Bombing proclaimed in court. "I am a terrorist and I am proud of it!" ¹

Growing up as a child in America had its challenges. In the late 60s and early 70s, life was good, but not great! America was engaged in the Vietnam War, and the fight for civil rights was the climate that permeated the daily news. Even though the war was going on, kids thought as kids, saw the world through the eyes of a child, and were free from life's worries. The only thing that would bring you fear was the "bogymen." Kids always thought this fictitious grizzly monster would attack them in the dark. Back then, you made a conscious decision to be terrorized by going to the theatre or a haunted house. Today, the paradigm of fear has shifted to our front doors, our malls, our work places and schools. The sheer meaning of the word terror denotes a far more sinister implication than before. Today's children have every reason to be fearful of a terrorist attack. It is a real life "bogymen" that really *is* out to get you. This "bogymen" is a monster called a terrorist. This terrorist will use any means necessary to wreak havoc or deliver catastrophic destruction upon innocent people anywhere in the world by using any weapons at their disposal. Nothing is beyond the terrorist's methods of inflicting fear, hurt and pain upon his or her victims. The victims of such an attack do not have to be guilty of anything. The terrorist's targets are citizens of the United States of America, Israel or an ally to either of the two.

On September 11, 2001, international terrorists ² attacked the World Trade Center in New York, the Pentagon building in Washington, DC, and United Flight #93 bound for San Francisco from Newark, New Jersey. United Flight #93 eventually crashed over Shanksville, PA, in the Stony Creek Township. The first thought I had on September 11th was of the President of the United States. I wondered, "Where is the President, and how did this happen without the government having prior knowledge?" What had America done to have such hatred directed towards her? The questions were not simply related to the magnitude of the attack, but seemed to revolve around why America was the target. The United States had never seen such an attack like this before, aside from the Japanese attack on Pearl Harbor in Hawaii on December 7, 1941.

It has been seven years after the 9-11 attack and it remains vivid in our minds. We discuss the attacks, recall the day of the event with clarity, but continue our daily routines without delving deeper into the understanding of why the terrorists decided to attack America without provocation. We are offered explanations from the mass media, critics, and other experts in the field of terrorism. But one reputable (and most credible) source emerged on September 20, 2001 at approximately 9:00 p.m. EST. The President of the United States, George W. Bush, addressed the Joint Session of Congress in Washington, D.C., and the nation, about the 9-11 attacks. At that time, the American people heard the President say:

Americans are asking, "Why do they hate us? They hate what we see right here in this chamber - a democratically elected government. Their leaders are self-appointed. They hate our freedoms - our freedom of religion, our freedom of speech, our freedom to vote and assemble and disagree with each other. ³

After hearing this speech, I thought about democracy and what it means. I also thought about the United States Constitution, "We the People...Blessing of Liberty..." The thought of being attacked for freedom, and to be hated by other countries because of this "blessed liberty," really saddened me.

In developing this curriculum unit, I had the opportunity to participate in the *Theories and Practice of Democracy* seminar at the Yale National Teaching Institute with Political Scientist and Sterling Professor Ian Shapiro. I discussed the comments made by the President during his speech and expressed my confidence in his explanation for the attacks (as most Americans did), mainly that the attacks were actions against democracy and American values. Historical events such as 9-11 have a way of changing the scope and focus of the American judicial system in criminal cases. It was important for me to have a keen insight on this topic in order to effectively teach my students beyond the mere textbook. In the Yale seminar and through my research, I have found there were other factors beyond American values as a moving force for terrorism. As such, the President's rationale for the 9-11 attacks was diluted from what terrorists really want. (I will address what terrorist want later in this curriculum unit).

My research has unveiled many pertinent facts that could be known "if" a person paid attention to them. Subsequently, they would remain hidden to those with limited interest in global events. As with most tragedies, the focus is never on a problem until a critical incident occurs. Afterwards, many changes are made to avoid such an incident again. From 9-11, many changes in laws related to the criminal justice system have been implemented. These laws are for the purpose of avoiding another attack upon American soil. By enacting such laws, there are areas where citizens are faced with limited civil liberties in order to maintain security. Further, new laws are setting precedent (and will continue to set precedent), as it relates to terrorism and the American criminal justice system.

Rationale

The topic of terrorism can be overwhelming for an adult, let alone a child. America's children live in a big world and may be overlooked when we are dealing with something as serious as terrorism. Whether students live in the suburbs or urban communities, all young people face the same thoughts of another terrorist attack. For this reason, more than others, I offer this research on their behalf. Hopefully, being educated on terrorism will help to decrease the fear associated with this type of criminal act.

I teach at Howard High School of Technology in Wilmington, Delaware. I teach Introduction to Criminal Justice to 10th and 11th graders in the Legal Administrative Assistant Career Program. Upon completion of this course, these high school students will receive three college credits from an articulation agreement with the local community college. This course addresses the serious question of how the criminal justice system should deal with terrorism. When teaching this topic in the past, my students have shown a keen interest in the idea of terrorist actually being freedom fighters rather than terrorist. They have stated that with the present Iraq war, Iraqi citizens may view the America military as terrorist in their land, even though Americans see our military as freedom fighters. The students were also under the impression that on 9-11, America was targeted because of democracy and its values.

The students I teach do not have a real sense of everything involved with terrorism. Many have never heard the terms counterterrorism, narcoterrorism, bioterrorism, ecoterrorism, etc. (These terms are defined in this unit under *Overview and Facts on Terrorism*). This issue of my students being ignorant to the ways of the "real" world, and the threats posed against them and their future, are important to me. Because these students will be pursuing a career in the legal field, they must be knowledgeable of the criminal justice approach to curtailing terrorism. Rather than the students to accept surface explanations on this topic from the media, I believe through this curriculum unit they will be able to approach the topic more objectively.

In teaching this curriculum unit, I will utilize resources from the 2008 Yale National Teaching Institute *Theories and Practice of Democracy*. There are various resources located in the "Materials I Reviewed" section of this curriculum unit that include books, articles, law enforcement expert opinions, news articles, Internet resources, and information on democracy, the USA Patriot Act, the American criminal justice system, and court cases on law and terrorism.

Objective

Teacher Objective

The teacher's objective is to teach a comprehensive unit on terrorism. This curriculum unit will focus on law enforcement responses to terrorism (state and federal) courts and corrections, including an overview of the 1993 World Trade Center bombing, and the most recent case of *Boumediene, et al. v. Bush*, decided by the United States Supreme Court in June 2008 that relate to enemy combatants from the "war on terror." Students will get an overview of the USA Patriot Act, a review of world political events associated to terrorist acts. This curriculum unit will define key terms associated with terrorism and analyze terrorist explanations for attacks upon America and other civil nations. Another important component to this unit will be on hate crimes against Arab Americans individuals of the Muslim faith, people that resemble Arab Americans and are not, and the avoidance of categorizing all Muslims as radical fundamentalist.

Student Objective

The student will better understand the complex issues involving terrorism, domestic and international responses to terrorism, hate crime distinctions, and hopefully a coherent rationale (if such is possible) of those who chose to become a terrorist. The student's responsibility will be to take the information offered in this curriculum unit and research the topic further. It is reasonable to expect the students to be able to apply this

knowledge to their daily lives, but more specific to the legal field. The students' further objective will be to work hard in trying to understand the terminology associated with this topic. Not only should the student learn the terminology; but they should be able to analyze various points of view, in order to develop their own opinion and to critically think about the pros and cons of terrorism. The student should have a better understanding of the criminal justice system and its response to terrorism.

Teaching Strategy

I teach in 90-minute blocks. Each lesson can be used in two week increments. The teaching strategies I will use involve cooperative learning assignments, websites dedicated to lessons on teaching about terrorism, a classroom textbook, one documentary film, mock trial case development, video creation against terrorism, researching information about dangerous terrorist networks (where they are located, are there any sleeper cells in America, who sponsors them, their targets, etc.) a review of terrorism court cases, and guest lecturers from law enforcement or the judiciary. These activities will be collaborative, pair-share and role play. In teaching this curriculum, it is very important to utilize KWL in order to assess what the student is learning, as all students are not aware of the same degree of content related to this subject. KWL (what the student **K**nows, **W**ant to know and what they **L**earned after the lesson). It is also important to be sensitive to the feelings of students, because they may know of someone that was a victim of a terrorist act, be from a country that is known for terrorist activity, or even have a friend or family member involved in some component of fighting the "war on terror." This would include members of law enforcement, the military, victims, etc.

Included in teaching this curriculum unit, the teacher should be proficient in developing a PowerPoint presentation about the information included in this unit. The PowerPoint will be utilized in the directed instruction of the lessons. Because this topic is ever evolving, future information on the topic will be incorporated into the unit, i.e. court decisions, current events, etc. Additional critical thinking questions can be incorporated into the lesson that may not be included in this unit, along with talking points for class discussion on the topic.

Students will provide information on democracy and terrorism from governmental sources such as the United States Department of State, Central Intelligence Agency, Federal Bureau of Investigation, Department of Homeland Security and other governmental, judicial and law enforcement agencies. Hopefully, after students are educated on this poignant topic, their fears will be reduced and they will have a better understanding of issues surrounding terrorism. In this case, they will be able to view this topic more intelligently and objectively.

Because my students are pursuing careers in the legal field, I intend to invite to my class an official from either the FBI terrorist unit, The Department of Homeland Security terrorism task force, the United States Attorney General's Office. Having such a resource to talk one-on-one with students will enhance the students understanding of potential threats, as well as the various measures these agencies have in place to eliminate threats and harm to American citizens. I will also invite a member of the judiciary to come into the class to discuss the role of the judiciary in the recent cases involving foreign terrorist. This would be a defense attorney who understands the roles played in defending a terrorist. These guest lectures may be tailored to your own individual city or state.

The students will have the opportunity to view a documentary film. The film entitled *Divided We Fall: Americans in the Aftermath* (2006) by Valerie Kaur is a documentary that shows the blatant hatred and prejudice against those who wear turbans or those who resemble Middle Eastern people. This unfair treatment was (and still is) directed towards innocent, law abiding people that live in America, many being American citizens. This film involves the aftermath of September 11th and the hate attacks upon such non Arab Americans. The film is touching. One comment stated in the film says it all, "when you look at a turban, you should see a brother, not an enemy." After the terrorist attacks on 9-11, many people were mistreated and even killed simply because they looked like those who flew planes into the World Trade Center.

The students will also read the required textbook *Terrorist* by John Updike. This fictional book will ignite much discussion by the students because of the main character, who is a Muslim, and his perspective of America and its Christian values in conflict with those of the Islamic culture and religion. Another book to be used is entitled, *The Terrorist Trial of the 1993 Bombing of the World Trade Center* by Michael J. Pellowski. This author has written more than fifty books for young people. This book lays out the hunt for the culprits of the 1993 WTC bombing and the controversial trial that followed.

Overview and Facts on Terrorism

Terrorism

In terrorism, we know there is violence. We also know that with the violence, innocent people are the targets. Although many people view terrorism as a weapon for the weak, many of the terrorist organizations hold terrorist acts in high esteem and relished the perpetrators as martyrs. For the purpose of this curriculum unit, I will offer two terrorism definitions: 1) Louise Richardson, author of *What Terrorist Want* defines terrorism as "those who deliberately and violently target civilians for political purposes;" and 2) James Fagin author of my classroom textbook *Criminal Justice, 2005* defines terrorism as "a use of violence and fear in an effort to panic or punish groups, institutions, or countries that they perceive as perpetrating social injustice." In each definition, the keyword is violence for social or political gain. The terrorist's organization, Al Qaeda who attacked America, feels we are participating in an unjust act by being in Saudi Arabia and our affiliations with Israel. Terrorist are classified as domestic or international. A domestic terrorist signifies a person who inflicts violence upon ones own country for the reasons stated above. An international terrorist is one who inflicts violence upon a country outside of their own country for the reasons stated above.

To complete the act of terrorism, there must be a mechanism or person to carryout the violent act(s). This could be in the form of what is known as a suicide or homicide bomber (hereinafter "suicide"). Terrorists can be male or female. There is no one demographic profile for female attackers. ⁴ According to a survey conducted by the Chicago Project on Suicide Terrorism, in looking at 381 suicide terrorists, 59 or 15 percent were female. As a portion of all suicide attackers whose sex could be ascertained during the period of 1980 to 2003, al-Qaeda employed no female suicide attackers, the Palestinians used 6 female attackers, or 5 percent; the Lebanese used 6, or 16 percent; the Tamil Tigers used 23, or 20 percent; the Chechens used 14, or 60 percent; and the PKK used 10 female attackers, or 71 percent. Although more work is needed to examine this variation, the groups that used the fewest female suicide attackers (al-Qaeda and the Palestinians) are also the most associated with Islamic fundamentalism (which frowns on female warriors in general). ⁵ I find this interesting because my research showed that females are often seen as second-class citizens in many

countries. However, being a female second-class citizen who is a terrorist can also be beneficial in surprising the enemy. Females could certainly be advantageous to any terrorist organization. Whether male or female, the terrorist's mind set is not of an irrational person. On the contrary, these individuals are of normal intellect. Their motivation arises out of their feelings of mistreatment and victimization by their oppressors, or in America's case, the American government. They see America as a bully and themselves as the victim. Most often, the reasons for the attacks are to compel modern democracies to withdraw military forces from a territory that the terrorist consider to be their homeland. ⁶ It is interesting that democratic states are the most vulnerable to such attacks. This is because democracies are seen as civil people and "soft" when attacked, meaning they will not strike back in most cases, and are especially reluctant to retaliate when the possibility to harm innocent civilians is present. These democracies have a high ability to affect state policy. ⁷ The terrorist sees no difference between the gruesome use of a military machine gun and a suicide bomber. They feel that both have lethal weapons to strike their adversary even if there may be a civilian cost. They feel the purpose is the same, and that is to force or demand the enemy to comply. The terrorists and the American military are both trying to convince the other of their positions through violence. American values such as religion, freedom of speech, free elections, voting rights, and capitalism are not the reasons why the terrorist attack. If this were the case, they would have attacked on American soil long before the 1993 WTC bombing or the September 11, 2001 attacks. Their gripe is the occupation of American forces in their Holy of Holies, meaning Mecca and Medina in Saudi Arabia. The United States has a foothold in the Middle East. These terrorist see America as uncaring about the values of Islam. They also see other Muslim countries such as Saudi Arabia and Egypt being weak to America. Basically, terrorist see these Arab countries as a "sellout" to the United States.

Besides being suicide bombers, terrorists can use other ways to inflict violence upon the masses. This would include but is not limited to: 1) *bioterrorism* which is the deliberate release of viruses, bacteria, or other germs (agents) used to cause illness or death in people, animals, or plants; ⁸ 2) *narcoterrorism* which is understood to mean the attempts of narcotics traffickers to influence the policies of a government or a society through violence and intimidation; ⁹ and 3) *ecoterrorism* which includes threats to contaminate such things as water supplies or to destroy or disable energy utilities, and practices such as the deployment of anthrax (which was used immediately after 9-11. ¹⁰ (See Terrorism Glossary link - Appendix C)

Acts of terrorism against America have much to do with how the United States is viewed around the world. *Imperial Hubris* was written by Michael Scheuer who held a career as a "headquarters' officer." For seventeen years, Scheuer's career focused exclusively on terrorism, Islamic insurgencies, militant Islam, and the affairs of South Asia - Afghanistan and Pakistan. According to Scheuer, none of Osama Bin Laden's reasons for attacking America have anything to do with freedom, liberty and democracy. It has everything to do with the United States policies and actions in the Muslim world. According to Scheuer, the war has to do with the "tenants of the Islamic religion," meaning Muslims feel their faith, brethren, resources and land are under attack by the West. ¹¹ One major fact that Scheuer brings to the reader's attention is that the U.S. leaders refuse to accept the obvious: We are fighting a worldwide Islamic insurgency - not criminality or terrorism - and our policy and procedures have failed to make more than a modest dent in enemy forces. This says to me that the battle of terrorism is far greater than our government could hope to eradicate. It further says that instead of defeating the Islamic fighters, American policies continue to incensed them more - meaning with the "war on terror," we are creating more enemies than the ones we had prior to 9-11. Even "non radical sympathizers" have fallen to the Islamic fighters. Many of the books I have read on this topic concur with Scheuer in this explanation of terrorist acts by Bin Laden. One such book is by author Noam Chomsky who wrote *9-11*. Chomsky agrees that the 9-11 attacks had little to do with "globalization" or "economic

imperialism" or "cultural values" - these are unfamiliar to Bin Laden and his associates or radical Islamists.¹² These terrorists hold grudges from the past and still hold America accountable for their actions. Specifically: 1) the Clinton Administration bombed the Al-Shifa Pharmaceutical plant in Sudan. Al-Shifa provided medicine for humans and the veterinary in this region. The drugs administered there helped to kill parasites in the herds so that they would not ultimately contaminate humans. After the bombing, many people and animals died (and are still dying, this is a human rights' issue), Bin Laden often mentions this incident in his communiqués; 2) terrorists fault America for the overthrow of the Guatemalan government in 1954, this led to many atrocities; 3) America is blamed for the assassination of Lumumba which plunged the Congo into slaughter that still continues today; and 4) America supported Turkey when they crushed their own Kurdish population. The Clinton Administration gave the Turkish government 80% of the arms for this ethnic cleansing in the 1990s and is scarcely known. These are a few of the issues that offend international terrorist and how they justify their actions against America.¹³ Regardless of the justification on the part of the terrorist, terrorism is a cowardly act and in my opinion barbaric. No person that would inflict hurt and pain on another under the name of social change, political pressure, religious ideologies or any other reason should be met with understanding. Terrorism will never be an acceptable excuse to kill others.

State Sponsored Terrorism

In his speech at The National Cathedral on September 14, 2001, President Bush talked about regimes or persons that would chose to commit terrorist acts upon America. He stated, "The United States will make no concession to terrorist demands and will strike no deals with them. We make no distinction between terrorists and those who knowingly harbor or provide aid to them."¹⁴ Those who harbor terrorist in their country are called state-sponsored or rogue states. This is pertinent because if a country sponsors training camps and finance terrorists, they can also help these regimes get weapons of mass destruction (WMD). Countries such as Iran, Syria and most recently the re-development of the Taliban terrorist group in Afghanistan, have all been identified as state sponsors to terrorist organizations. Such terrorist groups include Al'Qaeda led by Osama Bin Laden and targets America, Hamas, a Palestinian group that targets Israel and is supported by Lebanon and Syria, Hezbollah, who recently fought against Israel, is also supported by the countries mentioned above. Terrorist are organized in "sleeper cells." Sleeper cells, such as those organized for the 9-11 World Trade Center, the Pentagon and Flight 93 can be comprised of four to twelve individuals. These cells may be located throughout different parts of the world or within a certain geographical area without one group knowing about the other. The network is complex and requires extensive and elaborate navigation on the cells as well as those who sponsor them. This would include financial institutions as key players and rogue states. (For additional information on terrorists organizations, see link in Appendix B)

Osama Bin Laden and the Jihad

On September 11, 2001 many people asked the question, who is Osama Bin Laden? They may have thought this was a name somewhat familiar to them, but really did not know of this person and how he came to inflict so much damage to the peace of the United States. Although 9-11 may have been the first time some Americans learned of Bin Laden, others (especially the American government) who was well aware of him. Osama Bin Laden was born in 1957 and the seventh child of 50 brothers and sisters. His father owned a prominent construction company and did the work for the royal family in Saudi Arabia. Osama Bin Laden received a degree in public administration and had a strict Islamic religious upbringing. While Bin Laden attended college, it was not uncommon for terrorist organizations to recruit from higher educational institutions. Bin Laden made connections to the Muslim Brotherhood (now called Hamas), a Palestinian terrorist organization. In the early 1980s, Bin Laden fought against the Soviets in the Afghanistan invasion and

supported the mujahedeen. With the support from America, the Afghanistan fighters were successful in pushing back the Soviet forces. The irony of this situation with Bin Laden is that when Bin Laden fought with the Afghanistan fighters and America supported them, he was considered a "freedom fighter," but after Bin Laden attacked America on 9-11, he is now Public Enemy No. 1. During the mujahedeen, Bin Laden had an organized way of keeping track of the soldiers who came and left. The place that he set up was called Al-Qa'edah which means "The Base." ¹⁵ After the invasion of Kuwait by Iraq in 1990, Bin Laden called for soldiers to fight, but became more energized when he learned that the Americans were coming. The Gulf War ended in 1991. This is a key development because this is the beginning of Bin Laden's strategies to keep America out of the Middle East. He called for a fatwa and 4000 Muslims went to Afghanistan to be trained to fight. He has either been implicated or took responsibility for terrorist attacks or bombings in Sudan, Yemen, Riyadh, Khobar (in Saudi Arabia) Kenya, Tanzania and the United States. If you read *Frontline* "Bin Laden the Person" you will get a more humanistic view of him. It talks about Bin Laden as an intelligent, shy person. He finds himself humble in the presence of religious scholars and cooks for many of his members.

Osama Bin Laden has called for a jihad against America. A jihad is a Muslim holy war. ¹⁶ The terrorist see themselves as the victims because they are trying to get justice for America imposing on their land, their ideas, values and morals. But the question of freedom fighter vs. terrorist is a question worth discussing. This question often comes up when teaching about terrorism. When you think of a freedom fighter, you think in terms of an individual or group who fight oppressive forces for the sake of freedom. In this context, the international terrorist freedom fighter would not fit the true meaning of fighting for freedom. Their fight is that of a holy war, a cause superior to that of freedom, because they feel that America is intruding upon their spiritual and sacred law which is a tremendous breach against their religion and Allah. In contrast to the terrorist, the American military may be considered freedom fighters because their purpose is to secure the homeland (which indirectly includes religion, but is not the sole reason for fighting) for the cause of freedom, not for religion.

All Muslims are not Radical Fundamentalist - a look at Hate Crimes

While we learn about radical Islamic groups, we must be cautious not to lump the good with the bad. You must be careful to distinguish between "radical" or "fundamentalist" Islamic groups versus law abiding religious Muslims. It should be noted here that "whether secular or religious, Muslims are associated with a majority of suicide terrorist attacks. However, Muslims are not especially likely to commit suicide. If anything, there are strong data that suggest Islam reduces the likelihood of suicide. Suicide rates in Muslim societies are among the lowest in the world, significantly below those in Christian and even Jewish societies." ¹⁷ In the documentary film *Divided We Fall: Americans in the Aftermath*, a student of Islamic decent embarks upon a journey to tell the stories of many American Muslims who have been victims of hate crimes after 9-11. If we treat all members of one group in a hateful manner because of a few, this mistreatment is discriminatory and unfair. All Muslims should not be racially profiled as terrorist simply because of how they look. This is the same profiling that other minority groups still fight against in American society today.

The FBI is responsible for keeping the statistics on hate crimes. A hate crime is defined as:

"A criminal offense committed against a person, property or society which is

motivated, in whole or in part, by the offender's bias against a race, religion, disability, sexual orientation, or ethnicity/national origin." ¹⁸

According to the FBI, in 2006, 2,105 law enforcement agencies reported 7,722 hate crime incidents involving 9,080 offenses. There were 7,720 single-bias incidents that involved 9,076 offenses, 9,642 victims and 7,324 offenders. (See chart in Appendix D)

Terrorism and the Criminal Justice System

The criminal justice system is comprised of law enforcement, courts and corrections. Each entity intertwines with the other. When a crime is committed, law enforcement or police conduct an investigation about the alleged offense. They are responsible for arrest, booking, investigation and initial criminal charge(s) against the suspect. Once the suspect has been charged, they will be brought before a magistrate or judge for an initial appearance in court. At this time, the defendant will be formally charged and allowed to enter a plea of guilty or not guilty. If a person pleads guilty, they bypass the trial stage of the criminal justice process and go to sentencing. If the person pleads not guilty, the case is sent for preliminary hearing. During preliminary hearing, evidence is brought before a judge or magistrate to show probable cause that the defendant in all likelihood committed a criminal offense and should stand trial. If the judge or magistrate finds that there is enough evidence for trial, this sets the stage for the trial process and the case will be moved for pretrial hearings, trial and ultimately sentencing if the person is found guilty of the charge. If a person is indicted on a criminal charge, meaning a Grand Jury has determined there is probable cause to believe the defendant should stand trial, the defendant will be set for pretrial hearings and trial without having a preliminary hearing. Upon ending the trial, the defendant may be released if the jury or judge find the defendant not guilty or remanded to the custody of corrections officials if found guilty. If the defendant is found guilty, he or she will enter into corrections. (During this time, the defendant may also file an appeal to a higher court if unsatisfied with the results of their trial). Corrections would include probation, community service, jail, prison or death row. The Department of Corrections is responsible for supervision of the inmate until release from corrections.

Specific provisions related to the criminal justice system are provided in the United States Constitution. The 4th, 5th, 6th, 8th and 14th Amendments each sets forth fairness of law for the accused as it relates to citizens being protected from search and seizure without a search warrant, excessive bail, habeas corpus, the right to a speedy trial, an impartial jury, or any denial of due process under the law. (See U.S. Constitution for specific reference). When dealing with terrorism cases, each area of the U. S. Constitution comes into play the same way it does in everyday criminal cases. What is different is that terrorist acts are viewed as a national security violation when ordinary criminal violations of law are handled by local, state and federal law enforcement. With terrorism, police are expected to retrieve intelligence. Criminals engage in crime for economic gain or psychological gratification. Terrorists are political actors using crime to strike their enemies. ¹⁹ In detecting terrorist activity causes the law enforcement officer to deal with criminal behavior in a different manner than traditional crime. Law enforcement officers may find themselves seeking to obtain information on a terrorist organization that leads to no criminal violation of the law. This is different from how law enforcement handles criminal offense. Usually, a crime occurs and law enforcement responds. This is considered crime control. Even crime prevention would not fall under this category, because crime prevention is social control, like large crowds, traffic flow, etc. With terrorism, law enforcement must gather intelligence to see if a plot is being hatched. This presents a problem where ordinary citizens are placed in a position to be under the microscope of law enforcement when they may not be involved in any terrorist activity. Such is the case with the recent

warrantless wiretaps authorized by the President against ordinary citizens. The question to be answered is does local and state law enforcement agencies play a specific part in protecting America from terrorist the same way federal and national law enforcement is designed and permitted to protect citizens?

The 1993 World Trade Center Bombing Trial

Prior to the September 11, 2001 attacks on the World Trade Center the Twin Towers was the target for terrorist on February 26, 1993. This was the first time such an attack had occurred on American soil. Just before 12:18 p.m. employees and people who came and left the WTC experienced a normal business day. At 12:18 p.m. a bomb detonated beneath the building in the parking garage area. Six people were killed and over 1,000 people were injured. Emergency responders and law enforcement investigators from the FBI, AFT and local law enforcement began their investigation into the cause of the explosion. The duty of law enforcement is to preserve the crime scene and retrieve evidence for ultimate prosecution of the offenders. At the time of the blast, investigators did not immediately know that the bombing was an act of terrorism. Through the carnage, investigators located part of a van that yielded an identification that later showed it belonged to a Ryder Rental truck. The truck was rented to Mohammad Salameh who had reported the truck stolen. He had called the rental company to retrieve his deposit for the truck. Investigators arranged to have Salameh come in to the rental company, thinking he would receive his deposit. Instead, an undercover agent posed as a representative to return Salameh's deposit. Salameh was later arrested. Eventually several other suspects were arrested. Ahmad Ajai was already in custody on the day of the bombing, but had what is known as a "terrorist kit" in his possession. This kit included notes on explosives, manuals and formulas for bombs manufacturing, videotapes on terrorist activity against the United States and fraudulent identification. Nidal Ayyad was a chemist who was responsible for ordering chemical products to develop the bomb, and Mahmoud Abouhalima had "smokeless gun powder." It was also discovered that Salameh also rented a storage unit for the products to be housed. All four suspects were ultimately arrested for the bombings. Two additional terrorist were at large. Ramzi Yousef, who was labeled as the mastermind and plotted with Ajai in Afghanistan to bomb the WTC, fled to the Middle East. He was later arrested and tried in a separate trial.

The 1993 case was tried by prosecutors Gilmore Childers and Henry DePippo in the Federal District Court in New York City, New York. There were no eyewitnesses to the bombing. All the evidence in the case was circumstantial. The defendants were charged with conspiracy to commit a terrorist act against the United States. The defendants stood trial as co-defendants. A Motion to Severe was denied by Judge Duffy, who ruled over the trial. There was talk of a chemical agent combusting in the bomb, but that was not proven in trial and there was controversy around the FBI chemist lying about urea nitrate being found at the scene. One of the challenges for the defense lawyers was coordination of the courtroom objections, cross-examinations and case strategies. It was a delicate walk to avoid one defense attorney saying something that would incriminate another defendant. Another challenge for defense attorneys is that they did not fully understand the Islamic culture and the ways of the Muslim religion. Communicating in English was less of a problem because of court interpreters were present to translate and because these defendants had been in (and out) the United States prior to this incident. In reading accounts from defense attorneys representing the defendants, I was impressed to read that the defendants, not American citizens, were eager to engage in the American judicial process. It is ironic that they chose to target an American landmark, but worked to assist their defense counselors in their defense of the criminal charges against them. No defendant testified in the trial on their own behalf. It speaks volumes to the American judicial process in that these defendants chose to kill on American soil would receive due process of law on American soil, when if they had committed this criminal offense in their own countries, they would not have had the benefit of a trial or due process of law.

When I read the comments by the mastermind of the 1993 WTC bomber Ramzi Yousef, "I am a terrorist and I am proud of it" I thought how inhumane. The sad reality is that Yousef is representative of many more terrorists who could care less about wiping out scores of people for their cause. Yousef was born in Pakistan and his real name is Abdul Basit Karim. He was known by Interpol (international police agency) as a Muslim radical terrorist. ²⁰ He is connected to terrorist organizations in Afghanistan. When he arrived in the United States he told agents he wanted asylum from Kuwaiti guerrilla organization. This story was a lie. The agents allowed him into the United States. (Remember that in 1993 the guidelines to allow foreigners into America were not as strict as they are today. It was much easier to get a visa or to come into the United States). Yousef made contact with the other members in his organization such as Abouhelima, and eventually became roommates with Salameh. He was responsible for organizing the players in the bombing. He wanted to bomb the WTC because of United States support of Israel. He felt it was the only viable response to both countries policies toward the Palestinians and people in other Muslim countries. "This is the only language which you understand," Mr. Yousef said. "It is very painful to innocent people and very painful for anyone to lose a close relative or a friend, but it was necessary. This is what it takes to make you feel the pain which you are causing to other people." ²¹ This dialogue is chilling, yet telling. The terrorists that flew planes into the WTC on 9-11, no doubt, had the same sentiments of Yousef. Mr. Yousef was apprehended, tried and convicted of masterminding this horrific terrorist event. Yousef, like the other defendant in the first trial, did not testify on his behalf. Yousef, along with the other five defendants were sentenced to 240 years in prison by Judge Duffy. He calculated the sentence by figuring the life expectancy of each of the six people killed in the bombing and subtracting the number of years left in their lives. ²² There were no great or unusual twists in the case. It was pretty much cut and dry. The case was won (and lost by the defense) on good and thorough work by the criminal justice system, i.e. law enforcement officers, trial attorneys, defense attorneys, the judge, jury and now corrections. The criminal justice system worked. With the current Patriot Act, the 1993 arrest, trial and convictions were conducted without laws that infringed upon the civil liberties of American citizens. I conclude that many of the provisions created, and now stand as law, could potentially violate such civil liberties. The 1993 WTC bombing case serves as a model that a terrorist can participate in the American judicial system and receive a fair trial.

USA Patriot Act

USA PATRIOT Act (is an acronym for "**U**niting and **S**trengthening **A**merica by **P**roviding **A**ppropriate **T**ools **R**equired to **I**ntercept and **O**bstruct **T**errorism") is legislation enacted as a direct response to the September 11th attacks. The purpose of the Act was to give criminal justice agencies greater flexibility in counterterrorism measures. This Act is controversial because citizens feel their civil liberties are diminished, because many of the provisions provided in the United State Constitution are reduced. Supporters for the Act say it will help to ensure greater protection from terrorist activity. The question is why was it necessary to enact the Patriot Act when the criminal justice system worked to convict the culprits in 1993. This is not to say that the criminal justice system was perfect prior to 9-11, but an overreaction by the President and Congress to give greater authority to law enforcement may have been premature.

There are ten sections in the Act. Several sections are specifically related to the criminal justice system. The Act is designed to enhance domestic security, improve surveillance, stop terrorism finances, better protect U. S. borders, compensate the families of public safety officers killed during a terrorist attack, expand the Regional Information Sharing Network (RISS) which is a nationwide law enforcement information network, and to strengthen criminal laws related to terrorism. One very controversial section (Title II) deals with the improvement of surveillance. This title grants authority to federal law enforcement agencies to intercept

communication about terrorism, allows searches of computers, allows intelligence agencies to share information with criminal justice agencies, explains procedures for warrants, creates new definition of intelligence, allows for roving wiretaps (where the person is targeted rather than a land phone, Blackberry, cell phone, etc), and provides for expanding intelligence gathering. ²³ This is important because none of these new intelligence gathering techniques were in place in 1993 during the investigative phase or trial process of the 1993 WTC bombing case. There was no Patriot Act and the six defendants were apprehended through aggressive law enforcement measure to bring those who committed the bombing to justice. Attorney General Janet Reno poured a lot of manpower into finding these terrorist and prosecuting them. The measures used by the investigators for the 1993 case worked! The necessary authority to wiretap using the approved review of a magistrate for such tapping worked! Locating and apprehending Ramzi Yousef and Eyad Ismoil who helped load the bomb into the truck in 1993 both were brought back from Middle Eastern countries, tried and convicted. The criminal justice system worked! Each defendant enjoyed due process of law (although several of the defense attorneys felt some things that the judge said in his charge to the jury prior to deliberation and some ruling were unfair, they believed in the judicial process). Robert E. Precht who was the defense attorney for Mohammad Salameh in the 1993 WTC bombing trial said it best, "It especially seems premature to give up on the criminal justice system when there is no evidence that the system is unable to handle terrorism cases. The 1993 Trade Center trial was swift, and it did not disclose government secrets. While I believe the trial was unfair, the fault was not that the system lacked safeguards. Rather, the participants failed to use them.... the jury trial system is premised on the idea of impartiality, a concept alien to military tribunals, which lack any safe guards for insuring it. ²⁴ The one thing that was not in place at the time these defendants were charged was the death penalty for terrorist act, but was broadly expanded after 1994. Each of the defendants in 1993 WTC bombing case received life sentences of 240 years. For further information on the USA Patriot Act 2001, you can retrieve a copy at: <http://fl1.findlaw.com/news.findlaw.com/cnn/docs/terrorism/hr3162.pdf>. One question you can discuss with your class is what do you think the Framers meant when they gave the President power to use in protection of the states? Do you think they would approve of the government listening in on the American people's conversations without a search warrant in order to detect terrorist activity? Is this a violation of the First Amendment rights of the people to speak freely? You can locate many news articles online about "warrantless wiretaps" used on American citizens that were secretly authorized by the President.

Boumediene, et al. v. Bush - U.S. Supreme Court Decision, June 2008

What impact does the "war on terror" have on the America judicial system? Because of the "war on terror," there is a new paradigm in effect. This shift appears to be from historical or traditional jurisprudence on American soil to that of a foreign land, specifically, Cuba. The most recent case that the United States Supreme Court had to make a ruling on was *Boumediene, et al. v. Bush*. Lakhdar Boumediene and thirty-six others held at Guantanamo filed habeas corpus petitions in federal courts challenging their detention. Boumediene is one of six men born in Algeria who were arrested in Bosnia in October 2001, on suspicion of planning an attack on the US embassy there. ²⁵ Many of these individuals have been detained for as long as six years. The American criminal justice process would include a suspect that is arrested to be read their Miranda Rights. *Habeas corpus* requires a person to be brought before a court to be formally charged with a criminal violation of law and to be allowed to challenge such violation. In the *Boumediene* case, because the detainees are considered enemy combatants, ²⁶ no such process occurred. The other question here is, are these enemy combatants POWs? Under traditional war guidelines, as set forth in the Geneva Convention, they are not. They are not fighting as an organized force with uniforms and not under the banner of a specific country. Many of these enemy combatants were picked up in the middle of a war in Afghanistan, and other

places away from their homes. Many contend that they are not members of a terrorist organization such as Al Qaeda or the Taliban. They are non citizens of the United States, and have been detained at the naval base in Guantanamo Bay, Cuba without having seen a lawyer or even knowing the reasons for being detained. They also have no right to a trial.

Prior to the *Boumediene* case, the Supreme Court ruled on the 2006 case of *Hamdan v. Bush*. In a 5-4 majority decision, the court ruled that no military commission can try Hamdan, who is the former aid to Osama Bin Laden. The issue in the case dealt with this detainee receiving a court hearing by a military commission. The problem was that the military commission did not give the detainees a presumption of innocence or guarantee a public trial. ²⁷ American criminal justice is an adversarial process whereby in a court of law, the accused have the right to an attorney, the right to face their accusers and all benefit of fairness as set forth under the United States Constitution including rules of evidence and trial court procedures. After the 2006 Hamdan decision, Congress initiated the military commission called Combatant Status Review Tribunals (CSRTs). "These tribunals complied with only a minimal description of what due process required. The Detainees were provided with special legal "representatives" appointed by the administration rather than lawyers of their choice. They were not allowed to confront government witnesses, they could call only those witnesses the government decided could be produced "reasonably," hearsay evidence was allowed against them, the government's factual claims were to be presumed correct unless rebutted." ²⁸ Justice Stevens in the majority opinion concluded "Common Article 3 of the Geneva Convention, a provision that guarantees a "minimum" protection for detainees applies to the war against Al-Qaeda, and is thus part of the "law of war." In the present case, however, the court ruled that the military commission was unsatisfactory for due process of law for the detainees.

President Bush made a decision to house enemy combatants in the "war on terror" at Guantanamo Bay, Cuba. To date, each of his presidential orders pertaining to detainees have been struck down by the high court. In a 5-4 ruling in favor of *Boumediene, et al.* (liberal justices as the majority), the Court said that aliens detained as combatants in Guantanamo have a constitutional right to challenge their detention in American courts. This means the detainees now have the same rights in a foreign territory as someone living on American soil. This ruling was unprecedented. Never before has foreign aliens enjoyed the same rights of those imprisoned within the United States. The *Boumediene* decision was divisive for the American people. Many Americans felt this decision would allow terrorists to be released so they could return to the battlefields in the Middle East, and ultimately terrorize or harm innocent American citizens again. Liberal opinions on this decision feel that in a democracy, it is unfair to indefinitely keep someone in custody without the person being charged with a crime. The right to constitutional *habeas corpus* should always be extended to a person that has been taken into custody whether on American soil as an American citizen, or in this case, a non citizen of the United States being held as a enemy combatant in Guantanamo Bay, Cuba.

Terrorism Novels and Court Documents

Terrorist by John Updike: In a previous seminar "Crime Fiction" at the Yale National Institute, I learned the use of fiction to teach students. This fictional book by Updike tells the story of a young man, Ahmad Ashmawy who is troubled. He experiences marginality when living between two cultures. Ahmad, whose mother is American Irish by ancestry and his father is of Egyptian ancestry, attends the local mosque that he finds to be just as contradictory as the predominant African-Americans and Jews he live around in Trenton, New Jersey. Ahmad is an outcast at school. He feels at home nowhere! The plot is set after 9-11 and Ahmad identifies with the terrorists. He ultimately embarks upon the quest to become a terrorist.

The Terrorist Trial of the 1993 Bombing of the World Trade Center by Michael J. Pellowski.: This book lays out the hunt for the killers of the 1993 WTC bombing and the controversial trial. There is a "Questions for Discussion" section, along with a Chronology of the events of the bombing and trial. It also offers information on Islam and the history of terrorism. This is a very easy read with information about the WTC's architecture.

Court Case: *Boumediene et al. v. Bush*, President of the United States, et al., Cornell University Law School. *Boumediene, et al. v. Bush* (Nos. 06-1195 and 06-1196), 476 F. 3d, reversed and remanded, 2008 can be retrieved at: <http://www.law.cornell.edu/supct/html/06-1195.ZS.html>. The decision in this case allows detainees to receive constitutional privileges. The teacher can design a mock trial or role-play on this Supreme Court proceeding in a collaborative assignment.

Classroom Activities

Students should have read the required books and court case documents prior to the lessons. The teacher should have also taught the students many of the critical information about democracy, terrorism and the USA Patriot Act as stated in this curriculum unit. Before starting the lesson about terrorism, I would suggest you have the students write on three separate piece of paper (or the teacher could develop a handout) KWL (what the student **K**nows, **W**ant to know and what they **L**earned after the lessons). It would be good to have a discussion about the "KW" prior to class.

Lesson No. 1 - Video Production Entitled: Students Against Terrorism

Anticipatory Set: Because 9-11 was the reason for the new USA Patriot Act legislation, the focus of this warm-up is on the WTC buildings. Retrieve a picture of the WTC buildings before and after the attack. Show the *before* photo and ask students to state what the building represent. [Students may say the building shows beauty, peace, etc.] Show the *after attack* picture and ask students to give their thoughts. [Students may say they feel sad, fear, anger, anxiety, etc.] Start a discussion about what America should do to protect itself from another attack? List the suggestions on the board.

Directed Instruction: [KWL] Ask students what they know and what they want to know about the USA Patriot Act. Explain the various ways the Patriot Act serves to fight terrorism. By using a jigsaw in small collaborative groups (three depending on the number of students you have), type the Titles mentioned in this unit under USA Patriot Act on a separate piece of paper. Assign each group the task of locating the specific information related to the topic from the Patriot Act online. Each group will report their findings in an oral presentation to the whole group.

Activity: Video Production entitled "*Students Against Terrorism*." By developing knowledge on terrorism, students should tell what they know about terrorism and counterterrorism measures such as the Patriot Act. In the video, students should express their compassion, grief, anger, fears, hope and offer ideas on how to resolve conflict, give suggestions to the President, explain the purpose of the Patriot Act and how law enforcement and the courts are trying to prevent future attacks; have students obtain comments on anti-terrorism measures from officials such as the mayor, law enforcement, court officials for local, state and federal agencies, solicit comments from school administrators, clergy, rabbi, priest or imam, other students in schools, parents or members in the community. The video should be approximately 10-15 minutes in length.

This activity may run approximately two weeks.

Assessment: Students will be assessed on the final video production to include planning strategy, creativity, content and final product including video length requirements.

Lesson No. 2 - 1993 WTC Bombing Mock Trial

Anticipatory Set: As a demonstration, stack 2 sets of 10 dominoes side by side. Ask one student to roll a small marble to try and knock over the 2 sets of dominoes. [This will not knock over all the dominoes]. Restack the dominoes and ask another student to join the previous student. Now give each student a grapefruit or large size ball. Ask the students to try and knock down the 2 sets of dominoes. [Both sets should fall]. Now display a picture of the WTC standing tall before any attacks either on a LCD projector or other visual aid. Introduce the events of the 1993 WTC bombing and ask the students if they think this failed attempt to tumble the WTC encouraged the September 11, 2001 attacks. You may pose the question, "if the 1993 attack had been successful in destroying the WTC, should the Clinton Administration have started a "war on terrorism?" Why/why not? Conduct a class discussion.

Directed Instruction: With the information included in this curriculum unit, along with information in the required book on the 1993 WTC bombing trial, students should be taught the criminal justice process and the anatomy of a trial proceeding. Preparing a PowerPoint on the key information in the case would be helpful for the students. Explain the plot to bomb the WTC, the investigation, arrest through trial and sentencing. I would focus on each of these areas separately so the student will completely understand the progression of the case. A chronology is outlined on page 101 in the book.

Activity: Students are placed into groups. Group 1 (6 students) will play the role of the defendants; Group 2 will include the judge and attorneys (total of 5 students, 1 as the judge, 2 as the prosecutor and 2 as defense attorneys); Group 3 will be the victims/witnesses. The court will need a court clerk, bailiff, and jury (a jury can be as little as 2 people or the judge may decide the case). Each group should study their character's role through the book or online sources. Prior to the trial, they should turn in a two-page summary of their character. All students should be familiar with the facts of the case. Students will role play the case from the beginning of the plot to the end of the sentencing. In the past when conducting mock trials, students take ownership of their roles. It is effective in bringing home the facts of the case).

Assessment: When presenting the case, I would videotape it so the students can critique themselves. The assessment would be the character information sheets and the mock trial presentation rubric as stated in Appendix E in this curriculum unit.

Lesson No. 3: Research on Specific Terrorist Groups

Anticipatory Set: Write two questions on the board 1) why do people resort to violence to make a point? and 2) is violence effective in making your point? Give students 5 minutes to write a response on a piece of paper. After 5 minutes, have students exchange papers with another classmate. Students are to take a few minutes to discuss things they see in common and those things uncommon. After a few minutes of discussion, ask a student to come to the board to write a list of reasons why people resort to violence to make a point. Also ask for suggestions for ways to resolve a conflict without violence. Continue the class discussion.

Directed Instruction: Students should have read the book *Terrorist* prior to the lesson. I would require the students to do a book report to make sure everyone understands the progression and reasons behind

terrorism. From the information in this unit, the teacher should teach the students about why people become terrorists. Have a class discussion on key facts related to terrorism. I would also have students maintain a list of terrorism terminology. For the directed instruction and open forum in the classroom, I would focus on the terrorist group Al Qaeda (do not assign this group to students, information on this group can also be found at the link provided in Appendix B). Al Qaeda would be good to discuss as a whole class since their target is America. Discuss Al Qaeda's reasons for attacking America. Students could express their concerns about being attacked and the teacher could dispel their fears if necessary.

Activity: Students will be paired for this activity. Each pair will be assigned a terrorist organization to research online. (See Appendix B for list) Students will develop a PowerPoint presentation on their group and answer the following questions: 1) how long has the terrorist group been active? 2) Where do they operate? 3) What are their goals or purpose (why are they terrorists?) 4) Who are the founder(s) and/or leader of the group? 5) How large is this group or is their an estimate of the number of members? 6) What terrorist acts have they claimed responsibility for (or was known to be responsible for? 7) what are their methods of attack, meaning car bombs, etc. 8) Who are they sponsored by? 9) What other facts did the student learn about the group, as an example: any identifiable terrorist symbols, signs or insignias? Students should print a copy of their PowerPoint so the teacher can make a booklet of the information students gathered. The book should stay in the classroom as a reference. This will help the students become aware of the various terrorist networks around the world.

Assessment: Students should be assessed on their research for the PowerPoint. A total of 50 points (5 points for each section mentioned in the PowerPoint) and 5 points for their PowerPoint creation.

Lesson No. 4 - A Lesson on Hate Crime - Video: Divided We Fall

Anticipatory Set: Write the word "terrorist" on the board. Have students draw a picture of what they think a terrorist looks like. Allow students to share their drawings in open class forum. This is a way to start talking about hate crimes and how there are various looks of people who are not terrorist, but may live in a geographical areas where terrorist may have come from. Impress upon students that a terrorist can look like any one from any nationality.

Directed Instruction: The directed instruction will be the viewing of the video on anti-Arab Americans after September 11th. The video: *Divided We Fall: Americans in the Aftermath* (2006) tells the story of a Sikh man brutally killed after 9-11. The author, Valerie Kaur documents many other stories of abuse towards people "resembling" Middle Eastern people across America. This heart-wrenching account of many non Arab, non Muslim people (many who are American citizens) are targets of hate crimes simply because they wear a turban on their heads or "resemble" those responsible for flying planes into the WTC. Miss Kaur presents an informative and historical insight into the Sikh people and religion. [Note: this documentary movie will be available on DVD after September 2008, and will include a curriculum focus on hate crimes and discrimination within the DVD to assist the teacher in the classroom.]

Activity: After viewing the documentary, students should read the article from rethinking-school.org website that outlines the timeline of *Attacks on Muslims and Arab-Americans* after 9-11. (See link at: http://www.rethinkingschools.org/special_reports/sept11/pdf/Attacks.pdf). As a class, openly read the various cases mentioned in the timeline. Students are to then write a journal (including drawing(s)) to express their feelings about one of the incidents mentioned in the article. They should explain how the victims in the stories may have felt. Their writing should also explain how law enforcement, courts and corrections should respond

to this incident. Students should express how they feel hate crimes should be handled by neighbors, family, friends and their community. They should also explain how the terrorist created this problem in the first place, by attacking the United States on September 11, 2001. [Teachers should also use the curriculum resource packet included with the DVD for additional activities and classroom discussion related to hate crime.]

Assessment: Students will be assessed on their journals for point values to be determined by the teacher. If the teacher uses the curriculum resources included with the DVD, point value can be added for each assignment at the discretion of the instructor.

Additional Classroom Activities

Guest Speaker: Invite a guest speaker from the U.S. Attorney General's Attorney's Office (or your State Attorney General's Office), District Attorney's Office, a defense attorney from the Federal Public Defender's Office or Private Defense Attorney, Department of Homeland Security, FBI or local, state or federal law enforcement agency (or court) personnel involved in counterterrorism measures.

Online Assignment: Rethinking: Poetry in the time of Crisis looking at Muslims as a target of mistreatment in America. 2) Bill Bigelow offers a handout for use with his lesson on "What is Terrorism? "Who are the Terrorists?" Teachers can conduct a lesson where students will read a fact situation and decide if a terrorist act has occurred. RethinkingSchools.org. is an excellent website with many resources to help you teach students about terrorism, the USA Patriot Act, Arab culture, how to talk to children about violence, the war on terror and much more.

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Resources related to the above objective

The resources stated above include a comprehensive overview of a real problem that deals with terrorism. Various aspects as discussed about the topic are addressed. These resources will enlighten both the educator and the students alike.

APPENDIX A

The New Castle County Vo-Tech School District in the State of Delaware governs the standards for the Legal Administrative Assisting Program. The two standards applicable to the Introduction to Criminal Justice course is Sections 1.1 and 3: Section 1.1: Students will summarize the history of America's attempts to reform the justice system by tracing significant historical events in American crime and justice through the 20th century. Section 3.3: Students will identify citizen rights protected under the Bill of Rights especially relating to the First, Fourth, Sixth and Eighth Amendments.

APPENDIX B

List of Known Terrorist Organizations, Center for Defense Information (CDI):
<http://www.cdi.org/terrorism/terrorist-groups.cfm>

APPENDIX C

Terror Research.Org Website - Terrorism Glossary:

<http://www.terrorresearch.org/terrorresearch/terrorism-glossary.aspx?ln=all>

Terrorism Research Website with definitions on counterterrorism terms:

<http://www.terrorism-research.com/glossary/>

APPENDIX D

Hate Crime Incidents, Offenses, and Victims, by Bias Motivation, 2006

Bias Motivation	Incidents	Offenses	Victim ¹
TOTAL	7,722	9,080	9,652
RACE	4,000	4,737	5,020
Race-multiple race groups [for which Islam would be included] ²	229	291	320
Anti-Islamic	156	191	208

¹ The term *victim* may refer to a person, business, institution, or society as a whole.

² In a *multiple-bias incident*, two conditions must be met: (a) more than one offense type must occur in the incident and (b) at least two offense types must be motivated by different biases. [2006 Hate Crime Statistics, Department of Justice, Federal Bureau of

Investigation, <http://www.fbi.gov/ucr/hc2006/incidents.html>]

APPENDIX E

Cateogries	3	2	1
Presentation	Student used excellent voice & clarity to enhance presentation	Student used adequate voice & clarity to enhance presentation	Student was unclear and could not be heard
Character Development	All characters were presented in an efficient manner	Some characters were presented in an adequate manner	Characters were not developed in an effective manner
Content	Criminal justice and trial process included and sufficiently displayed	Criminal justice and trial process displayed with limited clarity	Criminal justice and trial process displayed ineffectively and unclear
Key Legal Terms	Correct legal terminology and proper use	Legal terminology and use mostly correct	Legal terminology limited or improper use
Creativity	Excellent creativity	Somewhat creative	Creativity is limited

Rubric - Lesson No. 2 - 1993 WTC Bombing Mock Trial

NOTES

1. Benjamin Weiser, The New York Times, 1/9/98
2. An international terrorist is one who inflicts violence upon a country outside of their own country for social or political gain.
3. Press Release, *Address to a Joint Session of Congress and the American People*, September 20, 2001, www.whitehouse.gov/news/releases, retrieved 1/27/08
4. O'Rourke, P. 1
5. Pape, P. 201, 208
6. Pape, P. 4
7. Pape, P. 44
8. Department of Health and Human Services Centers for Disease Control and Prevention <http://emergency.cdc.gov/bioterrorism/overview.asp> retrieved 7/14/08
9. Dictionary, <http://www.answers.com/topic/narcoterrorism> Answers.com
10. About.com, Dictionary, retrieved 7-14-08
11. Scheuer, P. 9
12. Chomsky, P. 77
13. Chomsky, P. 46-47
14. The National Security Strategy of the United States of America , P. 5, 2
15. *Hunting Bin Laden*, Frontline Television News
16. The Oxford American Dictionary and Thesaurus, 2nd Ed.
17. Pape, P.181
18. "Hate Crime definition," FBI, at: http://www.fbi.gov/ucr/Cius_98/
19. White, P. 478
20. Pellowski, P. 44
21. Weiser, P. 1
22. Precht, P. 165
23. White, P. 465

24. Precht, P. 169

25. Dworkin, P. 4

26. An "enemy combatant" is an individual who, under the laws and customs of war, may be detained for the duration of an armed conflict. Council on Foreign Relations, 2002

27. Lane, P. 2

28. Dworkin, P. 3

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