

THE THREAT OF MUSLIM-AMERICAN RADICALIZATION IN U.S. PRISONS

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Committee on Homeland Security

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Chairman King, Ranking Member Thompson, and distinguished members of the Committee, thank you for the opportunity to testify today.

By way of background, I have worked in law enforcement as a local and federal prosecutor since 1996. From 2000-2007, I served as an Assistant United States Attorney with the United States Department of Justice, working in the United States Attorney's Office for the Central District of California.

After the tragic events of 9/11, I spent a great deal of my time as an Assistant United States Attorney working on counterterrorism matters. I worked very closely with federal agents and local law enforcement officers on a joint terrorism task force conducting investigations of threats of terrorist activity and terrorist financing.

In July of 2005, I became involved in the investigation and prosecution of a group of individuals who were involved in a seditious conspiracy to wage a war of terrorism against the United States government by murdering United States military personnel and Jewish persons in southern California. These individuals were members of a group known as Jam'iyyat Ul Islam Is Saheeh ("JIS"), which was created within the California Department of Corrections prison system.

Today, I intend to discuss JIS and the seditious conspiracy which was engaged in by JIS's founder and leader, Kevin James, his chief operative or cell leader, Levar Washington, and the two other cell members, Gregory Patterson and Hammad Samana.

This investigation and prosecution was one of the most challenging in my nearly 15 years in law enforcement but, ultimately, also one of the most rewarding, as federal and local law enforcement worked together seamlessly to successfully disrupt and dismantle this conspiracy and avoid any loss of life.

Let me first begin by discussing Kevin James and JIS.

JIS Origin

In approximately 1997, Kevin James founded JIS based on his interpretation of Islam while he was serving a sentence in the California Department of Corrections prison system. In fact, James remained in prison throughout this conspiracy and the resulting investigation.

James preached that it was the duty of JIS members to target for violent attack any enemies of Islam or infidels. James identified “infidels” as the U.S. government and Jewish and non-Jewish supporters of Israel.

James recruited fellow prison inmates to join JIS but also sought to establish a cell or group of JIS members outside of prison to wage war or jihad against these perceived infidels.

James required prospective JIS members to take an oath of obedience to him and swear not to disclose the existence of JIS. James also mandated that prospective JIS members obey a rule that required them to communicate with James at least once during every 90 day period.

JIS Protocol

Kevin James also created and disseminated a document referred to as the JIS Protocol. In the JIS Protocol, James stated that Muslims must be allowed to govern themselves by Sharia and that JIS must wage the educational as well as organizational war or jihad. The JIS Protocol described jihad as the only true anti-terrorist action and a defensive battle against the aggression of theological impostors led by Zionism.

The JIS Protocol stated that faithful mujahids are strictly forbidden to obey disbelievers and are commanded by Allah to battle against disbelievers utilizing the most strenuous effort. In the document, James identified JIS targets as the Western forces of the U.S. and their infidel society and Israel. James also wrote that the group was not concerned with loss of life in pursuit of its objectives because martyrdom in service of Allah meant automatic paradise.

“Notoriety Moves”

Kevin James wrote a document called “Notoriety Moves,” which was essentially a proposed press release to be disseminated following an attack by JIS. James wrote that on missions that were to be done for leaving impressions, the document would be left behind and if “187’s” [California Penal Code section for murder] were involved, a videotape would be sent to all major news stations with a JIS member reciting the document.

The “Notoriety Moves” document advised sincere Muslims not to socialize or aid the targets of JIS. The document listed these targets, including “Jewish and non-Jewish supporters of an Israeli state,” “so called Muslims who believe it is permissible to join or support the American Army (military) in any way,” “so called Muslims labelled [sic] Shi’i, and supporters of the infidel state of Iran,” “so-called Nation of Islam and its idol worshipping supporters of Farrakhan,” and “so-called Muslims who are employees of non-Islamic governmental

institutions that are blatantly in opposition to the laws and religion of Islam.” James warned these identified targets that they had a “legitimate reason to fear for their safety.”

Levar Washington

Levar Washington, a convert to Islam, met Kevin James in late 2004 after Washington was transferred to New Folsom Prison near Sacramento, California. At New Folsom Prison, James recruited Washington into JIS. Washington swore an oath of loyalty and obedience to James. Washington was paroled from prison in November of 2004, and he therefore had the ability to carry out a violent operation on behalf of JIS outside the prison walls.

Blueprint 2005

Kevin James gave Washington instructions on how to prepare for this jihad in a document entitled Blueprint 2005. In this document, James instructed Washington to, among other things,

- (1) recruit five “special operations members, preferably felony free,” and train them in “...covert operations”;
- (2) acquire two pistols with silencers; and
- (3) appoint a special operations member to find contacts for explosives or learn to make bombs that could be activated from a distance.

Armed with his instructions, Washington got to work. He met Gregory Patterson, a convert to Islam, and Hammad Samana at a mosque in Inglewood, California. Washington recruited Patterson and Samana into JIS and Patterson and Samana swore an oath of obedience to Washington and JIS.

The operational cell now had 3 members, with James in prison as the leader of the conspiracy. James communicated with Washington regarding how and where to recruit new JIS members. James also warned Washington to be careful because “there are agents everywhere looking for Al-Qaida recruiters or any other threat to national security.” James advised Washington that his “... squad will be engaged on all levels.”

Pre-Operational Activities

The cell of Washington, Patterson, and Samana began to prepare for waging jihad against the United States military and Jewish persons in southern California. Gregory Patterson used a computer to conduct Internet research on El Al, the national airline of Israel, and the Israeli Consulate in Los Angeles. Patterson also conducted Internet research on Jewish events in Los Angeles relating to Yom Kippur, in order to maximize casualties in an attack on Jewish worshippers due to increased attendance at religious services on the religious holy day. Hammad Samana conducted Internet research on military targets, including military recruitment centers.

The cell had access to a shotgun, but, in order to purchase an additional firearm and fund their jihad, Washington and Patterson began to rob gas stations in southern California using the

shotgun. Samana also participated in the robbery of a gas station. Over the course of the conspiracy, Washington and Patterson robbed multiple gas stations.

In June 2005, Gregory Patterson purchased a .223 rifle for use in the operation. He was in the waiting period to actually receive the weapon when he was arrested.

Washington and Patterson also obtained an apartment in Los Angeles, which served essentially as a terrorist safehouse. The conspirators used the apartment as a place to clandestinely meet and plan their attacks. They also stored their supplies for jihad in the apartment.

Targeting

As the summer progressed, the cell began to refine their plot and focus on potential targets. They discussed targeting El Al Airlines at the Los Angeles International Airport and the Israeli Consulate in Los Angeles but eventually rejected them as possible targets. Instead, the conspirators focused on attacking U.S. military recruitment centers in southern California. In addition, the conspirators decided to target Jewish persons, specifically during or after these people had worshipped at religious services in Los Angeles.

To memorialize their plans, Samana created a document entitled “Modes of Attack.” The Modes of Attack document contained “options” for the cell’s attack, listing “LAX” and “Consulate of Zion,” as well as “Military Targets,” including “Army Recruiting Centers throughout the county,” and “campsite of Zion.”

On July 4, 2005, Washington, Patterson, and Samana conducted target practice with the shotgun in Kenneth Hahn Park in Los Angeles as preparation for their planned attacks in the Los Angeles area.

“Operation Torrential Rain”

During one of the gas station robberies, Patterson dropped his cell phone. Local law enforcement, which had noted a string of robberies in the same general area, began an investigation based on the cell phone. Ultimately, local law enforcement, specifically the Torrance, California, Police Department (“Torrance PD”), was able to identify both Patterson and Washington as suspects in the robberies. At that time, Torrance PD did not have any idea that they were tracking would-be jihadists.

Ultimately, on July 5, 2005, Torrance PD surveilled Patterson and Washington to Fullerton, California, and arrested the duo after Washington conducted an armed robbery of a gas station while Patterson waited in the getaway car as its driver.

In conducting a search warrant of the Los Angeles apartment used by the conspirators, officers found 3 tactical vests, ammunition, knives, and numerous documents.

At this point, federal law enforcement became involved in the investigation led by the Federal Bureau of Investigation and the United States Attorney's Office for the Central District of California, for whom I worked at the time.

I received a telephone call from my counterpart at the FBI requesting my assistance with the investigation and assumed the duties as the lead prosecutor on the case.

A full scale investigation was launched. The investigation was named "Operation Torrential Rain," in recognition of the Torrance PD's excellent police work in breaking the case. At this time, in addition to the FBI and the U.S. Attorney's Office, numerous local law enforcement agencies were involved in the investigation, including the Los Angeles Police Department and the Los Angeles Sheriff's Department.

While 3 of the conspirators were in custody – Kevin James in New Folsom Prison and Gregory Patterson and Levar Washington in the Los Angeles County Jail - the fourth conspirator, Hammad Samana, was still at large. We identified Samana, located him, and began conducting surveillance of him.

As part of the investigation, we interviewed numerous individuals, including inmates in the California Department Corrections prison system, and searched prison cells, including the cell of Kevin James.

A tremendous amount of information was generated as a result of the investigation. I had to make sense of all of the information and materials and determine whether there was a viable criminal case to be made against the conspirators.

With the help of the FBI and my colleagues in the Justice Department, we were able to pull the elements of the investigation together into a criminal case.

Based on my previous work as a counterterrorism prosecutor, I was aware of Title 18, United States Code, Section 2384, which established the crime of seditious conspiracy. The statute had been previously used by federal prosecutors in New York in the prosecution of Sheik Omar Abdel Rahman and his fellow conspirators for their plot to destroy New York City landmarks.

We successfully indicted James, Washington, Patterson, and Samana, charging them with seditious conspiracy and a number of other federal criminal violations, including conspiracy to murder U.S. military personnel, conspiracy to murder foreign officials, interference with commerce by robbery, and conspiracy to possess and discharge firearms in furtherance of crimes of violence.

Ultimately, all four defendants entered guilty pleas to the charge of seditious conspiracy and were sentenced to federal prison terms, including 22 years for Levar Washington and 16 years for Kevin James.

In my opinion, this JIS case is an outstanding example of how local and federal law enforcement can work together efficiently and productively in preventing terrorist attacks and securing our homeland. It was a great personal honor to have participated in the case.

Thank you.