25

THE JOINT TERRORISM TASK FORCE

Investigating to disrupt and prosecute terrorists

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For years, military and civilian national security experts have called for a “whole-of-government approach” to fighting terrorism.¹ The Joint Terrorism Task Force (JTTF) represents by far the most successful model for such an approach. The original JTTF, established in New York City in 1980, now brings together agents and officers from more than 50 U.S. intelligence and law enforcement organizations, as well as representatives from the equivalent agencies of America’s staunchest allies overseas.

The New York JTTF has successfully investigated hundreds of cases, ranging from the 1993 World Trade Center bombing to the attack on the U.S. Consulate in Benghazi in 2012. The model pioneered in New York has been replicated elsewhere with comparable success; JTTFs now exist in nearly 200 cities in the United States, with hundreds of participating state, local, and federal agencies.² The key to the JTTF’s accomplishments lies in its seamless blending of apparently disparate resources, talent, and connections focused on a common purpose. Regardless of his or her parent agency—be it local, state, or federal—each officer and agent of the JTTF enjoys the same status within the organization.

Throughout its history, the men and women of the JTTF have made it their business to insist upon the highest standards of investigative integrity, embodied in the tried and true methods developed by the United States over generations in both military and civilian settings. Even after the worst attack on the U.S. homeland since Pearl Harbor, JTTF operatives refused to violate the Constitution, evade U.S. law, or turn to the exotic means of interrogation that unfortunately led some of their parent agencies astray. In the years immediately following 9/11, this proved a hard line to maintain, but in hindsight, the record vindicates this rigorously constitutional approach.

This chapter outlines the history and achievements of the New York JTTF. It is a story that encompasses some of the biggest terrorist investigations of the past 30 years. As a result, the activities of the JTTF represent a fascinating lens through which to view the ongoing war against terrorism.

The blind sheikh cell

During the 1970s, the Federal Bureau of Investigation (FBI) and the New York City Police Department (NYPD) frequently found themselves running parallel investigations targeting terrorist groups such as the anti-Castro Omega 7, the anti-Yugoslav Croatian National Resistance, and the remains of left-wing extremist outfits like the Black Panthers and the Weather Underground. With so much criminal activity of local, national, and international concern occurring around New York City, jurisdictional rivalries sometimes became heated.

Neil Herman, then a young FBI agent stationed in New York, recalled seeing police officers and FBI agents “almost come to blows over witnesses, crime scenes, and evidence collection.”³ The final straw came in 1978, when NYPD officers and FBI agents disputed access to a bomb factory run by Puerto Rican nationalists. In response, the FBI and the NYPD agreed to create a new joint unit that would initially bring together 10 agents and 10 detectives. The JTTF was born.

Throughout the 1980s, the JTTF successfully investigated domestic militants and the bank robberies that financed their activities. It was not until 1990 that the unit received its first major case with direct ties to the Middle East. Meir Kahane, the Israeli-American leader of the extremist Jewish Defense League, was assassinated in the ballroom of a Marriott hotel on Lexington Avenue in New York City.⁴ The perpetrator, arrested shortly thereafter, was an Egyptian-born U.S. permanent resident named El Sayyid Nosair, a follower of the extremist cleric Omar Abdel Rahman.⁵

The “blind sheikh,” as Abdel Rahman was known, had once shared a jail cell with future al-Qaida leader Ayman al-Zawahiri. By the time of the Kahane assassination, Abdel Rahman had relocated to New York City, where he preached violence against the West from the pulpits of hardline mosques.⁶

Nosair’s connections to extremism did not stop there. He had also worked at the Afghan Services Bureau (*Maktab al-Khidamat*), an organization originally set up by Usama Bin Ladin and others to channel funds to foreign fighters battling the Soviet Union in Afghanistan. Prior to Kahane’s murder, a JTTF team had photographed Nosair and around a dozen others undergoing firearms training at a Long Island range. A raid on Nosair’s apartment in Jersey City turned up a cornucopia of evidence, including bomb-making manuals, surveillance notes from prominent sites like Times Square and the World Trade Center, and a manifesto urging the destruction of the “tall buildings of which the Americans are so proud.”⁷

Most alarmingly of all, Nosair had somehow amassed a cache of military documents, including confidential messages to the Joint Chiefs of Staff. It would eventually become clear that a U.S. Army officer, Ali Mohammed, had been passing the secret documents to Nosair and other members of the blind sheikh’s network.⁸ JTTF investigators soon realized that the cell around Rahman was financed via bank robberies carried out by a group of radical African American Muslims—the self-styled “Forty Thieves”—who worshipped at the same mosques as Nosair’s Arab associates.⁹

There was compelling evidence of a potential terrorist conspiracy extending well beyond Nosair. Prosecutors, however, were not interested. They saw this wider political angle as introducing an unnecessary level of complication into what, in their eyes, ought to have been an open-and-shut murder case. The conspiracy angle was quickly shut down. The “Forty Thieves” aspect of the case was removed from the JTTF’s jurisdiction and handed over to a sister unit, the Bank Robbery Task Force; the separation between the two halves of the case became so absolute that when authorities caught the leader of the “Forty Thieves,” the JTTF team was barred from interrogating him, thus cutting off a potential route into the blind sheikh’s inner circle.¹⁰

At trial, following the logic that Nosair’s actions were a clear case of murder, the prosecutor adduced no evidence of the defendant’s radical beliefs. Ironically, the jury in state court found Nosair not guilty of murdering Kahane, and he was jailed only for the aggravated assault of two bystanders he had shot in the process of escaping the scene,¹¹ although later he would be found guilty of Kahane’s murder in federal court.

Meanwhile, an FBI senior manager decided to put terrorism on the back burner. In 1992, the head of the bureau’s Criminal Division in New York told two JTTF leaders that terrorism was “dead” and transferred them to chasing down gang members instead. FBI brass also shut down two successive informants the JTTF had been cultivating within the blind sheikh’s orbit.¹² During this period, Ramzi Yousef, a fiercely ambitious Pakistani trained by al-Qaida in Afghanistan, landed in the United States and joined the cell, rising quickly to become its de facto operational leader.¹³ The lack of informants blinded the JTTF both to Yousef’s arrival on the scene and to the deadly bomb plot that he soon hatched.

On February 26, 1993, a van-sized fertilizer bomb exploded under the World Trade Center's North Tower, killing six people, wounding over 1,000, and gouging a hundred-foot crater through the roof of the building.¹⁴ The ensuing investigation galvanized the JTTF and knit its component agencies still closer together. Agents and officers finally had the freedom and resources to clamp down on the blind sheikh's cell. One of the previously fired informants was reinstated and, wearing a wire, recorded the cell preparing for what was to have been its next move—a series of bombings at New York landmarks, including the United Nations building and the Lincoln Tunnel.¹⁵

Yousef fled the country but was later hunted down and arrested in Islamabad.¹⁶ The main conspirators all eventually received life sentences. The blind sheikh, Abdel Rahman, died of natural causes in jail in 2017 at the age of 78, while Yousef remains incarcerated at the “Alcatraz of the Rockies,” the supermaximum security prison in Florence, Colorado.¹⁷

In all of the JTTF's investigations into the blind sheikh's cell, there hovered one name: Usama bin Ladin. The shadowy Saudi apparently paid for the blind sheikh to live in exile in New York and some of Yousef's plane tickets. He bankrolled Nosair's criminal defense to the tune of \$20,000, leaving it with a surplus that later helped fund the 1993 World Trade Center bombing.¹⁸ Throughout the early 1990s, Bin Ladin was viewed as a financier rather than an operational leader, but that impression began to change in November 1995 when militants trained in al-Qaida's Afghan camps detonated a car bomb in Riyadh, Saudi Arabia, killing five U.S. military personnel.¹⁹

Two months later, the Bill Clinton administration declared Bin Ladin a threat to national security and ordered intelligence and law enforcement agencies to collaborate to bring him down. In response, the JTTF established a dedicated Bin Ladin desk with six full-time investigators, who soon went to work drawing up an indictment against the al-Qaida leader.

Jamal al-Fadl, a disgruntled former associate of Bin Ladin's, aided them in this task, after he walked into the U.S. Embassy in Eritrea in the summer of 1996 offering testimony that one intelligence official would later call “the Rosetta Stone.” Al-Fadl's defection would prove timely, for in August of the same year, Bin Ladin would publicly declare war on the United States and its allies. Over the months that followed, he would repeat that threat several times before finally converting it into action.²⁰

The prelude to the 9/11 attacks

In February 1998, Bin Ladin and the leaders of four other jihadi groups issued a *fatwa* calling on Muslims to kill Americans.²¹ I was a newly qualified FBI agent at the time, one of very few in the bureau who could read Arabic. I felt strongly that Bin Ladin posed a threat to the United States, and I wrote an internal memo outlining my concerns.

The memo brought me to the attention of the FBI's counterterrorism leadership, and ultimately onto the JTTF as a new agent. Around the time I joined in May 1998, Bin Ladin gave an interview to John Miller of ABC News.²² I told my superiors that this was his third and final warning of an imminent attack. Unfortunately, my call was correct. On August 7, near-simultaneous truck bombs exploded at the U.S. Embassies in Dar es Salaam, Tanzania, and Nairobi, Kenya.

Based on the methodology used in the attacks, the stream of threats emanating from Bin Ladin, and the language used in two early anonymous claims of responsibility, my colleagues and I quickly concluded that al-Qaida was to blame. Thanks to supervision from the JTTF and other American agencies, the law enforcement investigation into the bombings was meticulous from the start. Prosecutors from the Southern District of New York flew to the crime scenes in East Africa to establish a protocol for ensuring that every piece of evidence gathered would subsequently be admissible in U.S. courts.²³

Within days, a JTTF team captured one of the bombers. FBI agent John Anticev extracted from him the telephone number for an operative in Yemen responsible for connecting members to each other by phone:

in effect, al-Qaida's switchboard operator. Other lines of inquiry led to a raid on the office of a front charity, which turned up the passports of many al-Qaida operatives used for travel in and out of Somalia. The photographs from these passports became the basis for the first al-Qaida photobook, which would prove indispensable in future interrogations.²⁴

On November 4, 1998, based on evidence gathered by the JTTF teams, a New York grand jury indicted Bin Ladin and other al-Qaida leaders on 238 counts of conspiracy to murder Americans and attack U.S. facilities.²⁵ This step received scant media coverage because complex court proceedings could not compete for column space with the ongoing fallout from the Clinton-Lewinsky affair, Newt Gingrich's weak showing in the midterms, and the impending impeachment of President Clinton.

More seriously, there was little chance of following up on the indictment by arresting the defendant per normal protocol. Bin Ladin had been living in Afghanistan for more than two years, and he was on good terms with his hosts, the Taliban—a regime that the United States did not even recognize as a legitimate government.

Nevertheless, the JTTF's investigation continued. One allied country that figured prominently was the United Kingdom. In London, British authorities arrested Bin Ladin's media fixer, Khalid al-Fawwaz, a key conspirator in the embassy bombings. JTTF operatives helped Scotland Yard build a case that allowed for Fawwaz's detention pending extradition to the United States. He is now serving a life sentence in an American prison.²⁶

In cooperation with the Greater Manchester Police, the team traced another conspirator, Anas al-Libi, to Manchester, England. He was arrested, but the evidence was not yet strong enough to detain him. Authorities released al-Libi, and he predictably fled the country.²⁷ We did, however, raid al-Libi's home, where we uncovered a document that would become notorious as the "Manchester Manual," one of al-Qaida's principal playbooks.²⁸

From interrogating al-Qaida suspects, I knew the torture methods that al-Qaida members were trained to expect if captured by a dictatorial Arab government, including being sodomized by dogs and seeing their mothers and sisters raped in front of them.²⁹ Evidently, our enemies were being trained to resist the most horrific violence, techniques the United States would not employ. Clearly, if the U.S. government was to get useful information out of any future al-Qaida captures, it would have to use a subtler and more intelligent method.

Luckily, U.S. military and civilian investigators had already spent decades developing just such a system. I refer to it as the Informed Interrogation Approach. It has three principal facets, all derived from insights into the psychology of individuals detained for questioning.

First, the interrogator uses the detainee's feelings of sudden dislocation and isolation to become the one person to whom the detainee feels he or she can talk. This leads into the second aspect: the need the detainee then feels to build a relationship with the interrogator. Third, the interrogator must give the detainee the impression of already knowing everything there is to know about him or her, so that any lies told by the subject will be easily identified. The interrogator can unleash a barrage of circumstantial detail or mention some nugget of intimate personal knowledge—as I did once when I asked an al-Qaida suspect if I could call him by his childhood nickname.

It should be noted that this technique is not about "being nice to terrorists," as a guard at Guantanamo Bay once complained to me. On the contrary, the best interrogators build rapport with subjects to undermine their inbuilt resistance. Our adversaries had been trained to expect the worst kind of torture, so when they instead received an outward show of respect and dignity, they lacked the psychological resources to deal with it. Caught off-guard, they became more likely to cooperate.

This approach has been proven to work over many years and thousands upon thousands of interrogations; I myself have seen it in action hundreds of times. It is no accident, therefore, that the Informed Interrogation Approach bears striking similarities to the techniques mandated by the U.S. Army Field Manual.³⁰

My JTTF colleagues and I soon had a chance to put these methods to use in the embassy bombings investigation. We flew to Morocco to interview a local, L'Houssaine Kherchtou, who had once served as personal pilot to Bin Ladin. Having taken the time to do the requisite research, we knew that al-Qaida had treated Kherchtou poorly. When his wife needed a cesarean section, for example, the organization refused to pay, leaving her to beg for the money on the streets of Khartoum.³¹

By contrast, my colleagues and I outwardly treated Kherchtou with dignity, such as eating our meals together. All the while, we used his wife's ill treatment as a lever to pry him away from Bin Ladin. Kherchtou gave us chapter and verse on al-Qaida's activities in the three years since the previous star witness, Jamal al-Fadl, had defected. Today, having provided testimony that helped convict several key embassy plotters, Kherchtou resides in the U.S. witness protection program.³²

During 1999, the approach of Millennium Eve—an obvious symbolic target for any number of terrorist groups—put authorities around the world on edge. When Jordanian intelligence learned of a plot to attack U.S. and Israeli interests in their country, I was sent with a JTTF team to Amman to assist with the investigation. On the last day of November, the authorities intercepted a call from Pakistan in which an al-Qaida commander named Abu Zubaydah apparently gave the Amman cell leader the order to begin operations. With our support, the Jordanians rounded up the plotters, uncovered their hideouts and bomb factory, and foiled the plot.³³

Two other millennium-related plots failed thanks more to good luck than other factors. In December 1999, border patrol agents searched a car coming off the ferry from Canada at Port Angeles, Washington, and discovered a bomb intended to be used at Los Angeles International Airport.³⁴

On January 3, a cell in Aden, Yemen's principal port city, attempted to blow up the U.S. naval destroyer *The Sullivans*, only to see their boat sink under the weight of explosives packed into it. Unfortunately, the Aden cell was determined to try again. The second time, they would have more luck. On October 12, 2000, the same small boat, having been recovered and refloated, hit the hull of the USS *Cole* as she was refueling in Aden. Seventeen American sailors lost their lives.³⁵

Days later, I was sent to Aden with JTTF colleagues to investigate. Our relationship with the Yemeni authorities was delicate at best. The government of Yemeni President Ali Abdullah Saleh had supported Saddam Hussein in the Gulf War, and despite the best efforts of the Clinton administration (of which the policy of refueling in Aden was a part), Yemen was not yet ready to cooperate fully with the United States.

On the drive into the city, I opted to ride with the Yemenis on their truck instead of inside an air-conditioned bus, partly as a show of friendship, but also partly to keep a wary eye on them. We eventually made some good friends among the Yemeni law enforcement and intelligence community, many of whom sympathized with America's loss. Other elements would remain obstructive, and we were forced to get tougher. For example, we criticized them for bugging our hotel room and a group of us bluffed our way into a local facility to retrieve a piece of physical evidence they were hoarding.

While in Yemen, the JTTF worked hand-in-glove with the Naval Criminal Investigative Service and in particular a very talented agent of theirs, Bob McFadden. The Central Intelligence Agency (CIA) would prove less accommodating. They refused to share information relevant to the case—including evidence the FBI had originally collected and shared with them—on the basis that the FBI was a law enforcement agency under the terms of the Foreign Intelligence Surveillance Act.³⁶ This was a misreading of the law, as the same statute also designated the FBI an intelligence agency.³⁷ Eventually, the 9/11 Commission would vindicate the FBI's position.³⁸

Politics, too, soon reared its head. We quickly established beyond any real doubt that al-Qaida had been behind the attack on the *Cole* and repeatedly briefed the White House, the CIA, the Department of Defense, and other agencies. We received no response. Sandy Berger, Clinton's national security advisor, would later say that there was no consensus that al-Qaida was responsible.³⁹ That was simply not true. The

reality was that, with the political situation back home so precarious in the wake of the knife-edge 2000 presidential election and the court proceedings that followed, neither the Clinton White House nor its successor wanted to spend political capital going after a foreign terrorist group.

After President George W. Bush took office in January 2001, Deputy Secretary of Defense Paul Wolfowitz described the *Cole* case as “stale,” and Secretary of Defense Donald Rumsfeld agreed that too much time had passed to take action to punish al-Qaida.⁴⁰ The 9/11 Commission would later find that the lack of an adequate response emboldened Bin Ladin to carry out an even more elaborate attack.⁴¹

The 9/11 attacks and the aftermath

Despite the lack of political support back home, the frequent clashes with Yemeni and American security agencies, and the daily death threats from local jihadis, the JTTF team continued to make progress on the *Cole* case. We interrogated captured members of the Aden cell and once again used the Informed Interrogation Approach to convince them to reveal information. Armed with significant knowledge about the detainees, and aware that lying was a grave sin according to their version of Islam, we were able to catch small inconsistencies in their stories and shame them into providing the truth. On other occasions, we used subterfuge of our own: we convinced one plotter to reveal his alias by claiming that we had a passport of his in another name.

In the course of these successful interrogations, a Yemeni named Fahd al-Quso imparted a nugget of information that, at the time, seemed to make little sense. During the planning phase of the *Cole* attack, he said that he and one of the designated bombers had been tasked with carrying some \$36,000 to a senior al-Qaida operative named Khallad. The exchange of funds took place in Bangkok.⁴²

This was puzzling. Why, at the height of planning for a high-stakes operation in Yemen, would two of the principal plotters be sent halfway around the world to deliver money to another, seemingly unconnected, cell? It suggested that an additional plot could be underway, potentially one with much greater significance to al-Qaida. We asked the CIA and National Security Agency what they knew about Khallad's activities in Southeast Asia, but they refused to share information, still acting on their mistaken view that the law did not allow it.⁴³

On September 12, 2001, with the twin towers a burning ruin in New York City, the CIA finally shared the intelligence we had requested months before: pictures of Khallad at a meeting in Kuala Lumpur with Khalid al-Mihdhar and Nawaf al-Hazmi, two of the hijackers of American Airlines 77, the plane that hit the Pentagon. The \$36,000 delivered to Khallad by the *Cole* plotters had apparently been destined to pay for al-Mihdhar and al-Hazmi's first-class flights to the United States, plus other expenses. Because the CIA had failed to alert any domestic agencies, these two known terrorists were able to enter the United States, obtain driver's licenses, open credit cards, and buy tickets on Flight 77, all under their real names. One of them had left the United States and re-entered, twice, with impunity.⁴⁴

It is, of course, hard to prove the counterfactual, but the 9/11 Commission found that, by March 2000, the CIA knew that al-Mihdhar and al-Hazmi held valid U.S. visas. Had the CIA shared this knowledge, al-Mihdhar and al-Hazmi would most probably have been arrested or placed under surveillance. At the very least, al-Qaida would have lost two members of its 9/11 cell. Those two could have led us to others—in which case, there is every possibility that we could have prevented the 9/11 attacks.

As the Commission wrote:

We believe that if more resources had been applied and a significantly different approach taken, Mihdhar and Hazmi might have been found. . . . Investigation or interrogation of them, and investigation of their travel and financial activities, could have yielded evidence of connections to other participants in the 9/11 plot. The simple fact of their detention could have derailed the plan.⁴⁵

As soon as we received the Kuala Lumpur pictures, we showed them to *Cole* plotter Fahd al-Quso. Al-Quso immediately identified one of the participants in the meeting as yet another hijacker, Marwan al-Shehhi, the man who piloted United Flight 175 into the South Tower of the World Trade Center. Al-Quso told us that he and al-Shehhi had met at a guesthouse in Afghanistan run by Bin Ladin's former bodyguard, a Yemeni named Abu Jandal (a *nom de guerre* meaning "father of death"). At that moment, Jandal just happened to be in the custody of the Yemeni security services. We demanded that Jandal be brought to us immediately.

Together with Bob McFadden of the Naval Criminal Investigative Service, we interrogated Jandal. Again, we used our knowledge of him, together with outward displays of kindnesses, to break down his resistance. Knowing he was diabetic, we brought him sugarless cookies to eat, and he started talking after being asked about his family and life. Like Kherchtou, Jandal had been treated by al-Qaida in ways he found demeaning: instead of being sent on the important mission he felt he had earned, Jandal had been made an errand boy, tasked with delivering a dowry to the family of a Yemeni teenager whom Bin Ladin had decided to marry. More importantly, Jandal opposed Bin Ladin's pledge of allegiance to Taliban leader Mullah Omar because he felt it made al-Qaida subservient to the Taliban.

We chatted about religion and the American Revolutionary War. Jandal was stunned to discover that the United States, a country he had spent his life hating, had itself been founded by rebels against unjust rule—which was precisely how many in al-Qaida perceived themselves. We pulled out the al-Qaida photo book and asked him to identify faces. He pointed to the most famous operatives, like Bin Ladin and al-Zawahiri. Then he prevaricated, saying he could not name any others.

"Are you claiming you don't know al-Sharqi?" I asked him, using the alias for Marwan al-Shehhi, the hijacker al-Quso had identified as having stayed in Jandal's own guesthouse. We had caught Jandal in a sinful lie. Embarrassed, he began to cooperate, and identified a number of other hijackers.

It was then that we hit him with the full horror of 9/11, including descriptions and photographs of the devastation in New York. Initially, he denied that Bin Ladin could have been behind it. "The sheikh is not crazy," he told us.⁴⁶ After we showed him that some of the pictures he identified were of the hijackers, he recalled the truth and agreed to cooperate fully.

Jandal gave us reams of valuable detail on his own path into al-Qaida, Bin Ladin's inner circle, the training camps, the attack planning process, the methods al-Qaida militants used to conceal their identities, and much more. Jandal's statements proved central in securing Pakistan's cooperation in the war on terrorism and went on to be used in planning the U.S. invasion of Afghanistan.

When that invasion came, JTTF agents accompanied one of the first waves of U.S. ground forces. We brought with us the same investigative expertise that we had employed in the *Cole* case, the embassy bombings, and countless previous investigations. Over the border, at the U.S. Embassy in Islamabad, the JTTF created a center for processing terrorist suspects—taking their fingerprints, mugshots, and signed statements, all in accordance with U.S. laws. This was important work, for if there were ever to be a successful prosecution for 9/11, the evidence gathered would have to live up to the rigorous standards of American justice.

In the ruins of Bin Ladin's Kandahar hideout, we recovered boxes upon boxes of evidence, including pictures, video, and other information about dozens of al-Qaida operatives and recruits. This evidence helped form the basis for the FBI's first ever Most Wanted Terrorists list. With everything we knew about al-Qaida, and with near global support behind us, it was tempting to believe that the only step left to complete was to round up the bad guys and bring them to justice. It would not be that simple.

Failed experiments: enhanced interrogation techniques

As the Taliban government collapsed, senior al-Qaida figures began streaming across the border into Pakistan. It was a logical move, as they had found sanctuary there before. After 9/11, however, the paradigm

had changed. Thanks in part to the damning statements we had extracted from Jandal in Yemen, the Musharrraf regime was now a willing partner in the war on terrorism. Pakistani and U.S. agents fanned out across the country to apprehend al-Qaida members.

In March 2002, a joint team of FBI, CIA, and Pakistani forces cornered Abu Zubaydah, the commander who had given the go signal for the millennium plot.⁴⁷ In the firefight that followed, Zubaydah was gravely wounded but stabilized enough to face interrogation. For security, Zubaydah was taken to a third country. He was surprised, to say the least, to find himself face-to-face with two Arabic-speaking JTTF agents: myself and my partner. As always, we did our homework and learned everything we could. When we went in, we asked his name, and he replied with a known alias.

“How about if I call you Hani?” I asked him. Zubaydah looked astonished. Hani was the nickname his mother had called him as a child. “OK,” he said, and immediately started talking. Within hours, he had told us of Khalid Sheikh Mohammed’s role as the mastermind of 9/11—which we did not yet know at the time—and gave us information that led directly to the thwarting of a terrorist attack, the details of which can still not be discussed publicly.⁴⁸

Our success reportedly upset CIA director George Tenet, who wanted his own agents running the interrogation. A CIA team soon arrived to take over, bringing with them a contractor who described himself as a psychologist. The CIA, they said, wanted to try “something new” with this interrogation. This set off alarm bells. Why try something new, we thought, when Zubaydah was cooperating? The contractor’s “methods” included forced nudity, sleep deprivation, and extremes of temperature. Physical abuse, unlike psychological needling, was something Zubaydah understood and had been trained to resist. He simply stopped talking.

After a while, the team began to receive increasingly anxious messages from Washington wondering why our previously steady stream of information had suddenly dried up. My partner and I were put back in charge of the interrogation. With that, Zubaydah returned to cooperating, telling us, for example, about Jose Padilla, the would-be “dirty bomber”—information that led to Padilla’s arrest in May 2002.⁴⁹

Yet the CIA leadership continued to insist that Zubaydah was not cooperative. This claim emanated from the mistaken belief that Zubaydah had been al-Qaida’s third in command, instead of what he really was: an independent operative who had only associated with al-Qaida for a handful of operations. He simply was not privy to discussions at the top of the organization. Yet the false idea that he was not cooperating was deployed as a justification for resuming the physical methods.

Zubaydah clammed up again. FBI Director Robert Mueller decided that the bureau could have no part in what was, at best, borderline torture, so I was ordered to return home. According to the Senate Intelligence Committee, Zubaydah was put in solitary confinement for 47 days shortly after I left without being asked a single question⁵⁰—a fact that suggests his captors realized that he did not have any more useful information to share, or at least nothing they needed urgently enough to ask.

In July 2002, still harsher methods were sanctioned and formalized into a list of “enhanced interrogation techniques.” The CIA waterboarded Zubaydah 83 times. Khalid Sheikh Mohammed received the same treatment 183 times.⁵¹ Techniques such as these produced little if any valuable intelligence. The enhanced interrogation techniques, for example, clearly failed to extract actionable information about al-Qaida cells in Jakarta, Riyadh, London, Madrid, or Bali, all of which would strike within a couple of years of Khalid Sheikh Mohammed’s arrest. Worse, torture would lead Ibn al-Sheikh al-Libi, a detainee interrogated in a third country, to concoct a story about a non-existent connection between al-Qaida, Saddam Hussein, and weapons of mass destruction, which formed part of the faulty justification for the 2003 invasion of Iraq.⁵²

The failure of these methods should come as no surprise because they are deeply flawed in a number of ways. First, terrorists are specifically trained to resist torture. Second, the interrogator who relies on force does not typically take the time to become an expert on the subject matter pertaining to the detainee and so does not detect possible lies.

Third, the techniques are desperately slow, taking place in a number of steps. One involved depriving a detainee of sleep for 180 hours at a time—in other words, over a week. Waterboarding a person 83 or 183 times takes even longer, because of the need to allow the detainee time to recover between sessions to keep him alive. In a genuine “ticking time bomb” situation, the device would have exploded before these techniques had a chance to work.

Fourth, even if useful evidence is recovered, it is irrevocably tainted and cannot be used in subsequent prosecution. This is why Khalid Sheikh Mohammed and others in U.S. custody whom we know to have been involved in 9/11 still cannot be convicted of any crime—a gross perversion of justice.⁵³ Finally, by forcing the FBI to withdraw from participation in CIA-led interrogations, the techniques served to recreate the arbitrary barriers that blinded us to the 9/11 plot.

I should make clear that, in my experience, the real professionals in the CIA—the seasoned interrogators and officers on the ground—wanted nothing to do with the contractors and their methods. They knew that enhanced interrogation techniques, apart from being abusive and un-American, represented a waste of time that our country could ill afford. During Abu Zubaydah’s interrogation, in fact, one CIA psychologist left the location in protest, while the senior agency interrogator at the site repeatedly complained up the chain of command, only to be overruled from above.

The JTTF as the gold standard

Shortly after coming to office, the Barack Obama administration formally ended the use of enhanced interrogation techniques.⁵⁴ These techniques lowered our standing among our allies even as they provided jihadis all over the world with a propaganda windfall that they are still exploiting today. Moreover, by degrading the quantity and quality of intelligence being extracted from detainees, the techniques actively hampered our counterterrorism efforts.

During his first term, President Obama also pursued a policy of closing the detention facility at Guantanamo Bay. The administration sought to build support for closure in part by showing that the detainees could be prosecuted successfully through the regular federal courts. To this end, a test case was selected: Ahmed Ghailani, a Tanzanian al-Qaida operative who helped build the bomb that killed 11 people outside the U.S. Embassy in Dar es Salaam in 1998.⁵⁵ The New York JTTF, with its long history of bringing international terrorists to justice, was the natural choice for building the case against Ghailani.

Ghailani had been captured in Pakistan and held at an unidentified CIA “black site” prison before being transferred to Guantanamo Bay. The circumstances of his detention, and the harsh treatment to which he had been subjected, tainted much of the evidence against him. For example, the judge ruled inadmissible the testimony of a key prosecution witness—the man who had sold Ghailani the explosives used in Dar es Salaam—because investigators had obtained that witness’s name during interrogation sessions in which enhanced interrogation techniques were used.

In 2010, a jury acquitted Ghailani of all but one of the nearly 300 charges against him. This was a disappointing result, but it is important not to lose sight of the fact that Ghailani’s conviction on the one remaining charge was enough to imprison him for a life sentence.⁵⁶

The 9/11 plot slipped past the U.S. intelligence apparatus in part because of a failure of communication between intelligence and law enforcement agencies. There is evidence that the situation has improved. A case in point is that of Najibullah Zazi, an immigrant from Afghanistan who was radicalized in Queens, New York, before moving to Colorado. In 2009, the National Security Agency intercepted an e-mail Zazi had sent to a known al-Qaida e-mail address in which he referenced an imminent “marriage”—common al-Qaida code for a suicide bombing. As it turned out, Zazi and two friends were planning to detonate devices on the New York subway on the anniversary of 9/11.⁵⁷

The National Security Agency passed the e-mail to the CIA, which in turn shared it with the FBI. As a result, personnel from the New York and Denver JTTF offices were able to keep Zazi under near-continual surveillance as he drove from Colorado to Manhattan and contacted his co-conspirators. Eric Jergenson, a JTTF agent based in Denver, interrogated Zazi using the Informed Interrogation Method, bringing the suspect food and allowing him to talk until his story collapsed under the weight of the lies.⁵⁸ As a result of casework, the two JTTF offices amassed enough evidence to indict Zazi and convince him to plead guilty in February 2010.⁵⁹

Intelligence and law enforcement have also developed a framework for cooperation when it comes to terrorist suspects apprehended overseas. The April 2011 capture of Ahmed Warsame, a senior al-Shabaab commander and liaison to al-Qaida in the Arabian Peninsula, prompted a discussion among agencies as to whether he should be detained and interrogated for intelligence purposes or brought to the United States to stand trial. In the end, a compromise was reached: he was questioned by American intelligence aboard the USS *Boxer*. Then he was Mirandized and interrogated by JTTF law enforcement officials before being duly charged with rendering material aid to al-Shabaab and al-Qaida in the Arabian Peninsula—charges to which he would eventually plead guilty.⁶⁰

During both phases of his interrogation, Warsame reportedly cooperated with the authorities, rendering valuable intelligence on senior figures from both al-Shabaab and al-Qaida in the Arabian Peninsula. Manhattan U.S. Attorney Preet Bharara later described this arrangement as “an intelligence watershed” and “a seamless orchestration by our military, intelligence, and law enforcement agencies that significantly furthered our ability to find, fight and apprehend those who wish to do us harm.”⁶¹ The procedure has since become standard for terrorism suspects captured under battlefield conditions.⁶²

Speed and efficiency remain hallmarks of the JTTF’s work. After a crude bomb with a timing device was discovered smoldering in a vehicle in Times Square in May 2010, JTTF investigators were able to identify the would-be bomber, Faisal Shahzad, and arrest him at JFK airport as he attempted to flee the country a mere two days after planting the device. Later that year, Shahzad pleaded guilty to all charges and was sentenced to life imprisonment.⁶³

The JTTF’s successes are not limited to American courts. Following the 2010 bombings in Kampala, Uganda, during the World Cup final, JTTF operatives, together with colleagues from the U.S. Department of Justice, traveled to Uganda to assist the local authorities with their investigation and prosecutions.⁶⁴ Ultimately, all seven members of the cell were convicted to life sentences.⁶⁵ The same model was later followed to support the investigation and prosecutions after al-Shabaab’s attack on the Westgate shopping mall in Nairobi in 2013.⁶⁶

Because it represents the gold standard in uniting disparate agencies for big investigations, the JTTF’s caseload has sometimes extended beyond terrorism. For example, it put together the case against Abduwali Muse, the Somali pirate responsible for the violent capture of the container vessel *Maersk Alabama* in 2009—the incident dramatized in the movie *Captain Phillips*. Like many JTTF targets before him, Muse was prosecuted in the Federal District Court in Manhattan. He pleaded guilty and was sentenced to 33 years and nine months in prison, which he is now serving.⁶⁷

Even in the harshest and most politically fraught environments, JTTF personnel have shown themselves able to operate effectively. In 2012, JTTF agents traveled to Libya to investigate the attack on the U.S. Consulate in Benghazi. The evidence they gathered pointed to Ahmed Abu Khattala. JTTF agents again joined forces with U.S. Special Operations Forces to capture him. In November 2017, a jury in the United States convicted Khattala of terrorism charges, although it acquitted him of murder, the most serious offense.⁶⁸ Overall, the traditional investigative methods of the JTTF have proven the best tools for uncovering the truth.

Conclusion

The JTTF system, first pioneered in New York in 1980, remains the most effective model for joint counterterrorism law enforcement. Of the approximately 30 terrorist plots against New York City thwarted since 9/11, the majority were disrupted by joint work through the New York JTTF.⁶⁹

The JTTF model is the best we have, and it has led to some remarkable results. If there is one lesson to be gleaned from the failed experiments in “enhanced” interrogation techniques and extrajudicial detention, it is the power of adhering to our fundamental values—among them cultural pluralism, due process of law, and the avoidance of cruel and unusual punishments. The Informed Interrogation Approach and the JTTF’s traditional investigation methods accord with each of these principles. Their success—and the failure of the alternatives proffered during the 2000s—shows that sticking to American principles is invariably not only the right route but also the smart one.

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