

Jeff Sessions's Dubious Refugee Math

A rational approach to life cannot eliminate all risk – and trying to creates its own dangers – a reality many Americans forgot post-9/11 and that runs counter to President Trump's Muslim-targeting entry ban, as Arnold R. Isaacs describes.

By Arnold R. Isaacs

How frightened should Americans be of refugees, and how much safer will they be under President Trump's more restrictive refugee policy? If Americans are concerned about actual attacks involving committed terrorists sneaking through the vetting process with the intent to kill or maim Americans, the answer – based on statistics developed by Trump's Attorney General Jeff Sessions – appears, for all practical purposes, to be virtually zero.

Of course, Sessions doesn't frame his statistics that way. He agrees with Trump that existing screening procedures are inadequate and don't do enough to keep terrorists from posing as refugees. But the evidence he has offered to support that position – and remember, this is from a vehement supporter of Trump's immigration views, not a critic or a neutral researcher – showed exactly the opposite.

Sessions's analysis of refugee-terrorism links was in a statement he issued last August, when he was still a senator from Alabama. In the statement, titled "Refugee Terrorism Increases While Obama Administration Increases Flow," Sessions alleged that "top officials" had admitted "their inability to properly vet refugees," and called for "analyzing the immigration histories of recent terrorists so that we can more effectively safeguard our immigration system from being infiltrated."

Offering just such an analysis, Sessions presented a list of 20 refugees who were "convicted for, or implicated in, terrorism or terrorism-related offenses" after being admitted to the United States.

Here are some of the facts about those 20 cases:

- No American was killed or injured by any of those subjects. Not one of the 20 was charged for a violent act of any kind in the United States, or had any concrete or credible plan for one. (In November 2016, after Sessions's list was released, a Somali refugee injured 11 people on the Ohio State University campus, but none of the victims died.)
- No one on Sessions's list came from Syria. Six came from Iraq and six from

Somalia (one of those born in a Somali refugee family in Kenya). Seven are Bosnian Americans, all involved in the same case, and one was from Uzbekistan. No one on the list was from Iran, Sudan, Libya, or Yemen – meaning that Sessions identified no cases from five of the seven countries whose citizens in all visa categories, not just refugees, were banned from entry for 90 days under Trump’s immigration order.

– Of the 20 names on the list, 11 have been found guilty, six are still awaiting trial, and one case had already been dismissed when Sessions released his list. (That defendant agreed to leave the United States when the charge was dropped, so it may not quite count as an entirely clear-cut exoneration. On the other hand, the prosecutors’ agreement to that deal is a pretty strong sign that they did not consider him a real threat.) Of the remaining two, one was killed in Syria and never charged with a criminal offense, and one, named in an arrest warrant issued by federal prosecutors in Virginia, is apparently in Somalia.

– Of six Iraqis on the list, four have been convicted, one is still awaiting trial, and charges against the sixth were dropped. Two of those found guilty were involved in what Trump aide Kellyanne Conway incorrectly called a “massacre” in Bowling Green, Kentucky; in fact there was no attack there, and charges against the two had nothing to do with any act in the United States but were related to support for “terrorists” in Iraq. (The conspiracy they were convicted for, by the way, was one of a fairly long list of plots that were not initiated by defendants but invented as sting operations by undercover FBI agents.)

– At least two of the Somali refugees came to the United States as young children, so obviously could not have been identified as threats by any security vetting procedure, however strong or weak. A number of others on the list came as teenagers or had been in the United States for a substantial number of years before their offenses took place. (Altogether Sessions’ list identifies eight of his 20 subjects as U.S. citizens, meaning they would have spent a minimum of five years as permanent residents plus additional time – often one or even several years – to complete the naturalization process.) In those cases the strong probability is that their terrorist leanings developed after they were screened for refugee status and admitted, not before.

An Overestimate

From all available information, it is highly unlikely that most of these cases match the model Sessions and Trump have promoted, in which a violent radical pretends to be a refugee, manages to sneak through the security vetting, and enters the United States with the intent of committing terrorist acts. If we assume that half of Sessions’s 20 examples fit that script – almost certainly an

overestimate – and if we assume that the list represents the best case a strong advocate could make for that scenario, the following arithmetic applies:

Ten terrorists are approximately one of every 80,000 refugees who have come to this country since 2001. If refugee admissions are capped at 50,000 instead of the 110,000 President Obama announced for 2017 – a provision of Trump’s executive order that has gotten less attention than its impact on refugees and other immigrants already approved for admission – and if the percentage of potential terrorists eluding detection remains the same as Sessions’s list indicates, letting in 60,000 fewer refugees a year will keep out at most one might-be terrorist.

Here are a couple of other calculations:

By Sessions’s count, one Iraqi has been convicted of a terror offense for every 30,000-plus Iraqi refugees in this country, or nearly twice the number of Iraqis admitted annually in recent years. If that statistic remains valid, we would have to ban all Iraqi refugees for two years to keep out one possible terrorist.

Blocking Syrian refugees, for whatever period, will keep out *no* terrorists, based on past experience, since none of the 18,000 Syrians admitted as refugees have been involved in terror. That’s right. Syrian refugees, despite being singled out in Trump’s immigration order for even more restrictive procedures than other refugees, have not been implicated in any terrorist case at all.

So, if you extrapolate from Sessions’s analysis, the restrictions Trump advocates might keep *one* potentially dangerous person out of this country every year. That’s right, one less possible terrorist in a year (to be precise, a year and four months). Moreover, again extrapolating from Sessions’s data, that one person will be statistically unlikely to commit a violent act in the United States.

To be clear, this analysis is specifically about people admitted as refugees, not other immigrants. Terror crimes by foreign-born persons in all categories have been rare, but the incidence among refugees is even lower.

Regarding Sessions’s statement of last August, his list included only half of the “at least 40 individuals” who the statement said were involved in terrorism after coming to this country as refugees since September 11, 2001. That is two or three times more than most studies have reported, though still a tiny fraction of the more than three-quarters of a million refugees, more than one-third of them Muslims, who have been resettled in this country during that period.

Sessions did not say why only 20 of those 40 subjects were identified, or how he

chose which cases to include. Since he presumably wanted to make the most persuasive possible argument for restrictions, it does not seem logical that he would have omitted any examples that clearly support his criticism of the refugee screening process. One can't be certain of that, without knowing which cases were left off the list.

So, did Sessions' examples illustrate that present rules for admitting refugees are too loose and pose too great a risk that terrorists will come here and harm Americans? To put it mildly, the evidence is less than convincing.

The conclusion is inescapable: Sessions's evidence did not demonstrate that refugee screening has been ineffective. It did not even come close. It does not support any argument that more restrictive refugee procedures will make Americans safer. It makes exactly the opposite case, and shows that he and the President he now serves are stoking public fear with falsehoods, not facts.

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