



Written by [Joe Wolverton, II, J.D.](#) on March 16, 2016

American Citizen Surrenders to Kurdish Troops in Iraq; Suspected of Fighting for ISIS

An American man from Virginia turned himself in to Kurdish military officials just after dawn on Monday, March 14, telling the soldiers deployed in the fight against ISIS that he wanted to surrender.

Mohamad Jamal Khweis, 26, is from Alexandria, Virginia, and as he approached the Kurdish troops they sounded an alarm, believing the young man to be a suicide bomber.



Khweis reportedly yelled to the guards in a mixture of broken Arabic and perfect English that he was there to surrender. He was taken into custody and was found to be carrying a Virginia driver's license.

As soon as the man's name and address were publicized across the Internet, reporters camped outside the suburban Washington, D.C., townhouse listed on the driver's license of Khweis.

The *New York Times* described the scene when the man believed to be Khweis's father (shown) tried to get rid of media parked in front of his house:

"Listen to me what I'm saying: He's old enough. I cannot ask him where he's going, where he's coming from," said the man, Jamal Khweis. He said he had spoken to the F.B.I. but did not know where his son was. "You say he's in Iraq. He's not. I know he will never go there."

At one point, he turned a hose on the reporters gathered on the front yard of his townhouse.

"I have nothing to say," he said. "I don't know anything about my son."

Apparently, Khweis was not known to be in Iraq or to be associated with ISIS prior to his surrender to the Kurdish troops.

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Department of Defense officials told the *New York Times* that they are aware of rumors of Americans fighting with ISIS in northern Iraq, but they had no information as to the identify of any specific individual. Until now.

"We're in touch with Iraqi and Kurdish authorities to determine the veracity of these reports," the Pentagon spokesman told the *Times*.

According to information given to the *Times* by Seamus Hughes, an expert on Islamic extremism at the Center for Cyber and Homeland Security at George Washington University, if the Kurdish military's story holds up and Khweis is discovered to have actually fought with ISIS, it would reportedly be the first American citizen known to have actively engaged in combat on the side of ISIS.

But then again, maybe not.

A story published in November 2015 by *The Guardian* reports that "81 percent of ISIS-linked suspects charged in the U.S. are American citizens."



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Here's the summary of the study as reported by *The Guardian*:

Sixty-eight people have been indicted because of alleged involvement in Isis, of whom 18 have been convicted, with an average sentence of 10 years three months, according to figures published this week by Center on National Security at Fordham University.

Yet despite a growing political clamour over a perceived security threat posed by an influx of Syrian refugees, the data shows that only three of those indicted in connection with Isis was a refugee or asylum seeker; none came from Syria.

Instead 55, or 80.9%, of the individuals concerned are US citizens, including 44 who were born in America. The rest include six born in Bosnia, four in Uzbekistan, three in Somalia and two in Sudan. Fifty-eight are men and 10 are women. The average age is 26 and around a third are under 21.

The Fordham University Center on National Security data indicates that more than half of those arrested in the United States believed to have ties to ISIS are classified as "foreign fighters/aspirants." In other words, they have fought with ISIS in the field or they were trying to make that happen.

When Karen Greenberg, director of the Center on National Security, was asked to respond to concerns that the FBI was once again entrapping young people — tricking them into saying things they otherwise never would have said but for the encouragement of undercover FBI agents — she responded, "Generally they're more like deterrent cases. It's no longer about trying to see how far you will go. It's more, 'You're 16, we don't want to know how far you will go.'"

In other words, "You haven't done anything, but we're going to arrest you just in case you ever planned to." This is off-putting to those of us who believe in due process and fear *Minority Report*-style preemptive prosecution.

Such "deterrence" is anathema to the American belief in the fundamental liberty of a man to be innocent until proven guilty, which serves as the ultimate protection of the person against a government possessed with power over life and death. Everyone is innocent and cannot be deprived of life or liberty unless and until the government can provide ample evidence of the suspect's culpability and the charges have been heard by an impartial jury and that jury finds the accused guilty. That is due process, and there is no more basic right and no more powerful barricade separating the people from tyranny.

And, despite the claims that the FBI is taking a more measured and "careful" approach to these arrests, there was a story published in the *New Yorker* magazine about a couple of kids from Illinois who were arrested and charged with "conspiring to provide material support for ISIS."

The reporter who wrote the story for the magazine, Mattathias Schwartz, commented, as reported by *The Guardian*:

In the case of the Edmonds cousins, it's clear that the government got involved at an early stage. Hasan does not appear to have made arrangements to connect with Isis in Cairo, and while Jonas spoke of his desire to carry out a domestic attack, there is little evidence that he had made concrete plans to do so.

It seems possible that Jonas's desire to execute the plot would have flagged without Hasan and the two undercover agents, who inserted themselves into his life and prodded him along. While the FBI



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agents conceivably could have attempted to counter the Edmonds cousins' radicalisation [sic], they allowed and perhaps encouraged it, and then put them behind bars.

Michael Desch, a professor of international security at Notre Dame, put a pretty fine point on the situation of the young men in Illinois in a statement quoted by *The Guardian*:

I would not defend these people at all — if someone gets caught up in something they shouldn't, they should not walk scot free — but it is striking that in a lot of cases the only contact with a terrorist organisation was one manned by the government.

As of today, there is neither word on the location of Mohamad Jamal Khweis, nor any indication that he is in American custody. The *New York Times* story does suggest that American authorities are investigating how Khweis ended up in northern Iraq on the front line of the battle between Kurds and ISIS.

For those of us concerned with the Constitution and the rule of law, every person (“all men are created equal and are endowed by their Creator with certain unalienable rights.”) must be afforded due process, must be charged with a crime, and must be allowed to answer those charges before an impartial tribunal.

And, just because a person is suspected of hating the United States and allying himself with a group with similar sentiment, that does not disqualify such a person from the enjoyment of this basic protection of his God-given right to life and liberty.

Photo of Jamal Khweis, father of Mohamad Jamal Khweis, speaking to reporters: AP Images



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