Rehabilitation and Reintegration of Released Islamist Extremists in Germany

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About CEP and the authors

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This is an English translation of the study "Resozialisierung und Reintegration von (ehemaligen) Inhaftierten aus dem Phänomenbereich 'islamistischer Extremismus'" published in April 2020. To read the study in German, please visit https://www.counterextremism.com/german/publikationen

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1 Introduction

The stated aim of Germany's penal system is to reintegrate (former) criminal offenders back into society, namely through individualized planning of their treatment throughout their prison term. Evidently, this constitutional right to rehabilitation also applies to offenders with an Islamist or extremist background. Reintegration efforts and the treatment of extremist offenders in the penitentiary should create the basis for achieving sustained non-violent, crime-free behavior, and ideally for the "deradicalization" of extremist beliefs. Turning away from extremism and reintegration back into society, however, must be understood as a long-term and interdependent process. Whether or not reintegration efforts are successful in the case of released prisoners can be a crucial factor in individuals' processes to successfully break away from extremism. In the best case, reintegration can mark a positive turning point in the life of an extremist offender. Nonetheless, there are also risks as offenders being released from prison are confronted with major challenges in everyday life, all of which increase the chance of a relapse into old behavior patterns. Thus, it is all the more important to view the reintegration process of (former) extremists as a collective effort and shared responsibility of all actors involved: the judiciary, security authorities, and civil society organizations.

This report takes stock of and analyses the practical field of reintegration efforts for offenders with an Islamist background in Germany during and after detention. Specifically, this report focuses on the praxis of working with extremist offenders in prison, transition management, and post-release reintegration challenges. We conclude with recommending courses of action for policymakers and practitioners.

On the current situation in Germany: Over the last few years, convictions for offenses related to Islamist terrorism have increased sharply. The Chief Federal Prosecutor at the Federal Court of Justice (GBA) initiated criminal proceedings against a total of 2,461 suspects between 2015 and 2018 (Deutscher Bundestag, 2018). A large proportion of these cases have been dismissed or transferred to subordinary public prosecutors. During this period, the GBA brought 61 cases to court, all resulting in convictions for membership of or support for a (foreign) terrorist group and/or planning to commit serious acts of violent subversion (among other offenses). 38 individuals (62%) were sentenced to imprisonment from two years to "life" (15 years) with an average sentence of five years, 13 individuals were sentenced to probation (average 1.6 years) and 10 others to juvenile detention (average 3.7 years) (Deutscher Bundestag, 2018).

As a result, the number of Islamist prisoners in the German prison system has increased in recent years, mainly due to convictions in connection with German citizens seeking to join jihadist groups and traveling to conflict areas in Syria and Iraq. According to Germany's security authorities, approximately 1,050 persons left Germany between May 2013 and June 2019 to join or support the so-called Islamic State, Al-Qaida or other Islamist groups in Syria and Iraq. In a large number of cases, travel was disrupted in advance by security authorities. One-third of those who successfully left the country has now returned (Bundesamt für Verfassungsschutz,

2019a). In addition to travel into and out of war zones, six attacks motivated by Islamist-terrorist ideologies have been carried out in Germany since 2010 (Bundesamt für Verfassungsschutz, 2019b) and at least seven others have been foiled (Deutscher Bundestag, 2018).

There is no data available on the overall number of individuals currently in prison sentenced for such offenses. Although official figures generally differentiate between prisoners sentenced for different types of offenses vis-à-vis Germany's criminal code, they do not mention the context of violent extremism, i.e. whether crimes were motivated by right-wing, left-wing, or religious ideologies. The number of Islamist offenders imprisoned in Germany can therefore only be reconstructed approximately, e.g. through corresponding parliamentary inquiries and investigations at the federal state level (*Länder*). However, such an approximation must contend with varying categorizations, as the language and categories surrounding such parliamentary requests differ.

A distinction is often made between (1) prisoners convicted in the context of "Islamist terrorism" and (2) prisoners who have not been convicted in connection with "Islamist terrorism" but have been classified by the judiciary or security authorities as "radicalized". That said, the available figures indicate that the number of prisoners with an Islamist background has been rising steadily since 2014. For instance, in 2018, the Berlin judicial authorities reported on 20 prisoners who have been classified by security authorities as "dangerous" (*Gefährder*)[1] and 21 as "sympathizers" (Berliner Senat, 2018), whereas in 2015, only 11 were considered dangerous and 14 considered sympathizers (Berliner Senat, 2017). In Lower Saxony, three people were in prison in 2018 for material support or joining of a foreign terrorist organization, and 11 others were sentenced to probation, while in late 2017 there were 29 prisoners who "sympathized" with "radical Islamist beliefs" (Niedersächsisches Justizministerium, 2018). No data is currently available concerning the exact number of Islamist offenders released to date in Germany. Taking into account the number of convictions by the public prosecutor's office in connection with Islamist terrorism between 2015 and 2018 in comparison to the average sentencing time, it can be expected that annually between five and 12 convicted persons would be released from prison nationwide between now and the mid-2020s.

While some countries (e.g. USA, France, and the Netherlands) rely on specialized high-security prisons or separate prison wings for prisoners with an Islamist background, the common approach in Germany and Austria is a decentralized housing or dispersal prison regime, to facilitate integration into normal prison structures while at the same time preventing the further radicalization of group dynamics and new ties between extremist prisoners (for Austria see Hofinger & Schmidinger, 2017, pp. 138).

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[1] According to the nationally agreed definition by the State and Federal Criminal Police Offices, a *Gefährder* is "a person in respect of whom certain facts justify the assumption that he or she will commit politically motivated offences of considerable importance, in particular those within the meaning of Section 100a of the Code of Criminal Procedure" (BT-Drs. 16/3570). Section 100a of the Code of Criminal Procedure refers to serious crimes such as crimes against the state, capital offenses but also offenses of robbery and extortion and others.

Even though in principle prisons are not "breeding grounds" for radicalization (Yilmaz 2018, p. 33), the length of time spent in prison represents a vulnerable phase that may, under certain circumstances, encourage a shift towards radical attitudes. Yet prisons are also a place where extremists can be reached for the first time through prevention measures and intervention programs (Matt & Lisitzki, 2017, p. 477). In 2017, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth started the program "Prevention and Deradicalization in Prisons and Probationary Services" as part of the national funding scheme "Demokratie Leben!" ("*living democracy!*"). The program aims to counteract radicalization processes of non-extremist offenders in the penitentiary, to facilitate the deradicalization process of extremist prisoners, and to reduce the risk of recidivism after release (Jakob, Kowol & Leistner, 2019). This raises questions of which factors in the prison environment, the prisoner's preparation for release, aftercare, and supervision of conduct (by all actors involved in both reintegration and public protection) can have a positive effect on the legal probation of (former) offenders with an extremist background in Islamism.

This study focuses specifically on the vulnerable transition phase from imprisonment to an autonomous life in freedom. People who have only recently been released from prison face obstacles and frustrations that can lead to the risk of renewed radicalization (see e.g. Bjørgo & Horgan, 2008; Köhler, 2015). Importantly, in this transition phase, responsibilities shift between institutional actors, which in turn leaves new actors dependent on those previously responsible (during detention) to share their information and assessments. Transition management, therefore, poses challenges both in terms of preparing prisoners for life in freedom as well as in terms of shifting institutional responsibility and sharing information. A second focal point of this study is to examine whether existing structures and supportive measures for ex-prisoners, i.e. the probationary services and existing prevention and intervention program, ensure adequate care for (former) prisoners with Islamist backgrounds.

Since responsibility for both the penitentiary and police work lies with Germany's 16 federal states individually, each state has its particular approach and organizational structure for dealing with this target group. In this study, the federal states of Bavaria, Berlin, North Rhine-Westphalia, and Lower Saxony were selected for closer examination. On the one hand, there is a significant number of prisoners with an Islamist background in the states in this sample, including Berlin, to cover a city-state. On the other hand, the respective structures of deradicalization work differ significantly concerning the responsibilities of civil society and state actors. The present study is based both on the analysis of publicly available information on programs and structures in the states under study and on the analysis of 17 interviews with people working for various actors in this field, among them actors from civil society organizations, the judiciary, penitentiary, probation services, or experts working in police and interior authorities. The interviews were conducted between August and November 2019.

Following the completed data collection, it can be stated that the selected federal states represent a broad spectrum of the organizational structures in the field of deradicalization work and thus provide a solid account of the diversity of approaches and experiences in the reintegration of prisoners with an Islamist background. This

study nevertheless showed that deradicalization work and reintegration efforts in Germany represent a broad and complex field at the intersection of a large number of different actors. Hence, this study could only examine a part of this vast practical field.

2 Fundamentals

The rehabilitation of prisoners, that is, the reintegration of offenders into society, was defined in 1973 by the German Constitutional Court as one of the goals of imprisonment which was then adopted in the Prison Act (StVollzG) of 1977. Accordingly, the penitentiary must "contribute to the integration" of released prisoners, in order to foster a "socially responsible life without criminal offenses" (Stelzel, p. 2016, p. 10). The German term describing criminal rehabilitation, however, is *Resozialisierung*, which is subject to some controversy. For Cornel (2018, p. 32), *Resozialisierung* is "less a technical term with a clearly defined meaning, but rather a short term or synonym for an entire program." However, criticism has also been directed towards the meaning of the term because it emphasizes the individual deficits of the perpetrators while framing infringement of the law in terms of a lack of socialization. Matt (2007) suggests using the terminology of professional and social reintegration instead. In this way, the focus on deficits shifts to the reintegration of offenders into society – a challenge that most offenders in Germany have to face at some point.

Accordingly, reintegration measures should already begin during the prison phase. A conducive prison environment, which is an important factor for reintegration during the detention phase, may not necessarily contradict security measures, even in the case of violent extremist prisoners (Marsden, 2016; Neumann, 2010). When offenders experience a hostile prison environment, which can be characterized by e.g. overcrowding, staff shortage, or toxic staff-prisoner relationships, it may undermine the success of their reintegration process (Williams, 2015, pp. 6), whereas a conducive prison environment can facilitate and support this process (Auty & Liebing, 2019). In the literature, conducive factors are described as, for example, the safeguarding of basic needs, respect for cultural and religious issues, and the possibility of education and professional training (Williams, 2015). Some studies suggest that enabling religious practices, for example, through the presence of an imam, can have positive effects (Mulcahy et al., 2013, pp. 6). This would not only protect the free exercise of religion but also open the possibility of exchanging views on religion despite the limited options within the prison, which in turn could counteract the adoption of jihadist narratives. Studies also show that the use of prison Imams could reduce aggressiveness and increase self-confidence (Marsden, 2016; Hoffmann et al., 2017). Neumann (2010, p. 33) warns, however, that deradicalization work and religious counseling have different goals and that a combination of both would neither do justice to the different goals nor the actors involved.

The development and maintenance of social contacts are indispensable both for prevention and intervention work and for the penal system's goal of societal reintegration. This includes maintaining family and social ties in order not to lose

contact with the social network during prison time and after release. The Radicalization Awareness Network (RAN) recommends building healthy and trusted relationships between prison staff and prisoners, to counteract in-group vs. out-group thinking (RAN, 2017). At the same time, such relations would also challenge the jihadist ideology itself and form a cornerstone for prison-based deradicalization work (Hoffmann et al., 2017, p. 33; Hofinger & Schmidinger, 2017). Sensitizing and training prison staff and all other actors who come into contact with prisoners is therefore essential for a conducive prison climate (RAN, 2017). In addition to promoting social inclusion, specific training of criminal justice personnel would also enable the early detection of extremist tendencies and changes in attitudes. The identification of non-extremist tendencies is of particular relevance here, since false positive assessments not only severely impair social relations and the basis of trust, but could also have severely restrictive consequences for the prisoner (Williams, 2015).

In Europe, two predominant approaches of prison regimes exist concerning housing prisoners with Islamist backgrounds. They are either kept separately ("containment") or distributed among the normal population ("dispersal"). In recent decades, countries such as Belgium, France, and the Netherlands have set up special prisons or prison wings in which such prisoners are housed separately (RAN, 2017; Endres & King, 2018). Nevertheless, the containment approach is often criticized in literature. While separation may prevent influence on other fellow prisoners and improve monitoring, such amalgamation would inevitably result in group dynamics within these special units that could complicate the deradicalization process (Mulcahy et al., 2013, p. 11). On the other hand, distribution among the normal population could have a positive effect due to contact with other prisoners. This, however, would presuppose that prison staff would be able to identify potential dangers at an early stage so that they can respond in time (Hofinger & Schmidinger, 2017, 52). But in this case, a growing number of Islamist prisoners pose a challenge for which not all prisons are equally prepared. As a result, there is no unified model of housing extremist prisoners in Europe (Neumann, 2010; RAN, 2017). In Germany and Austria, housing regimes tend to be decentralized, but often under more stringent security conditions (Abraham 2018, 451; on Austria, see Hofinger & Schmidinger, 2017, pp. 138). Although prisons allow for exchanges between prisoners with Islamist attitudes and prisoners at risk of radicalization, they are not considered breeding grounds for radicalization per se (Yilmaz, 2018, p. 33). Veldhuis (2012) points out that an overly strong focus on the most extremist group of Islamist prisoners could also have negative effects on less ideologized inmates, who might feel stigmatized as a result.

Given that experiences of discrimination and stigmatization are risk factors for radicalization (Matt & Lisitzki, 2017), prisons can be spaces conducive to radicalization (Jakob & Leistner, 2018). Simultaneously, many of the prisoners for the first time have access to social-educational support as well as to prevention and intervention programs (Jakob & Leistner, 2018, p. 42). There are, however, high expectations of deradicalization work in the prison system (Hofinger & Schmidinger, 2017, p. 145). Though realistic expectations require the right setting for deradicalization processes in the prison system (Matt & Lisitzki, 2017). To this end, it is necessary to tailor such programs to the personality and needs of each individual (Canter et al., 2014; Dean,

2012). At the same time, prevention and intervention measures should not be viewed in isolation, but rather in conjunction with prison structures that reduce the negative effects of imprisonment as much as possible

Successful reintegration of offenders involves not only the provision of social and problem-solving skills in a behavioral-therapeutic environment but also transition-oriented assistance to promote reintegration (e.g. less strict prison regimes, parole, day-release, and remission). Barrelle (2015) in particular points out that successful disengagement from extremism is invariably linked to the turn towards and integration into society. To promote sustainable reintegration into society and a positive outlook for the future, a pro-social approach to dealing with (former) prisoners is crucial. In an interview study with Dutch jihadist prisoners, Weggemans and DeGraaf (2017) identified the following ideological, social, and practical/personal barriers as well as stimuli for reintegration before and after prison: the feeling of seemingly arbitrary sanctions leads to mistrust and this perpetuates feelings of injustice.

On the other hand, transparency and clear expectations regarding sanctions and privileges proved to be more beneficial. The religious exchange also tended to have a positive effect, whereas the proselytism of ideologized prisoners tended to hinder reintegration. A predominant focus on security regimes and risk management by prison staff did not contribute to an open and flexible reintegration-focused environment, as it reduced the prisoners' willingness to develop new pro-social ties and, where necessary, cut ties with old contacts. On a practical and personal level, trauma and stress as well as the feeling of having invested too much into an extremist career constituted a barrier. Also, professional training and the strengthening of skills, coaching and family support could provide the impetus for change. Weggemans and DeGraaf (2017) identify similar factors for the post-release period after, both beneficial and detrimental to reintegration. The actual experience of being released from prison can bring about more challenges, such as disillusionment or problems in dealing with restrictive orders or state authorities. In addition to cutting off negative influences and building beneficial social ties, targeted help in finding housing and work or personal support could have a beneficial effect.

Interventions in the realm of deradicalization work are essentially aimed at minimizing the risk of terrorism-related offenses and integrating the individual into society. However, the current state of research on deradicalization and disengagement is both conceptually and theoretically underdeveloped (Köhler, 2017; Altier et al., 2014). There is also a lack of empirical evidence for the effectiveness of deradicalization programs (Weggemans & DeGraaf, 2017; Neumann, 2010), although promising studies and practicable approaches are available (e.g. Barrelle, 2015; Cherney, 2020). In addition to the lack of control groups, another problem for research is that deradicalization and reintegration refer to highly individualized processes and thus makes it difficult to measure in terms of the specific factors that cause deradicalization (Altier et al., 2014). Instead of collecting recidivism data after several years, it can be more reasonable to use proximal success metrics that refer to short-term changes caused by a particular intervention (ibid.). To assess dynamic risk factors of radicalization in prisons (e.g. the extent of extremist convictions, propensity to violence, etc.), it may be advisable to

develop or refine differentiated instruments for monitoring and evaluating attitudes and patterns of behavior (Endres & King, 2018, p. 525).

3 Status Quo

3.1 Actors, Programs, Responsibilities

The EU Member States have different approaches to preventing radicalization and countering "violent extremism." In the Netherlands, for example, relevant civil society and state actors cooperate locally in so-called *safety houses* (lead by the municipality) to discuss specific cases, namely those that have become conspicuous due to serious acts or known problematic circumstances. The concept was not developed specifically for prevention and intervention in the field of radicalization, but rather makes targeted use of synergies in fighting all types of crime (OSCE 2019). This multi-agency approach is intended to improve case assessments and to better combine and integrate preventive and punitive measures targeting offenders. This exchange of information is also used to review the existing status of an offender and, for example, to inform the relaxation of monitoring in case of positive developments. The Aarhus model in Denmark follows a similar multi-agency approach: cooperation at the local level between the municipality of Aarhus, the police, and external actors such as the Ministry of Social Affairs, Aarhus University, and the Danish Intelligence Service (Bertelsen, 2015). The British Prevent Strategy, which is part of the national counter-terrorism strategy (HM Government, 2011), is characterized by a top-down approach. Public institutions such as schools and prisons are required to report suspicious cases to the Channel program. In the UK, risk assessments and intervention planning are discussed by multidisciplinary panels led by the police (HM Government, 2015).

The status quo in Germany differs considerably from the above-mentioned approaches in other European countries. Due to its unique and complex federal (funding-)structure, Germany's approach can be characterized as a "hybrid model of different responsibilities of civil society actors, state actors and security authorities" (Baaken et al., 2018, p. 172). The degree of cooperation varies among Germany's larger states and city-states, as implementing full cooperation between all relevant actors can be challenging in larger states and especially in rural regions. As a result, the respective political conditions and funding requirements also diverge because each state has different systems and responsibilities that are not centrally coordinated at the federal level.

Consequently, there are different forms of organizing the cooperation between ministries of justice, prisons, and (external) counselors who work on preventative or deradicalization interventions. At present, most, but not all, German states work with civil society-led deradicalization programs. Other federal states employ state-led deradicalization programs or structures with close linkages between security authorities and civil society organizations. The states examined in this study illustrate these various structures and approaches. In all of the states examined, fixed structures

for cooperation between prisons, ministries of justice, security authorities, and civil society organizations have been established.

In Bavaria, the deradicalization work is institutionalized through close cooperation between security authorities and civil society organizations. In cases deemed as "security-relevant," intervention measures are controlled by the *Kompetenzzentrum für Deradikalisierung* (KomZ), or the Competence Centre for Deradicalization, within the Bavarian State Criminal Police Office. As far as deradicalization work in the prison system is concerned, the KomZ also functions as a decision-making body for assessing intervention needs in individual cases. Cases of prisoners that prison staff view as potentially relevant are referred to the Central Coordination Unit for Measures against Salafism/Islamism in the Prison System of the Bavarian State Ministry of Justice. In case of an uncertain assessment from inside prison, a case would then be forwarded to the KomZ for further examination, as they employ an interdisciplinary team that conducts its own case analysis to assess whether a case is suitable for deradicalization work and/or security-relevant.

If the case is deemed suitable for intervention, a mandate is given to a civil society partner. In security-relevant cases, there is a regular exchange of information between the penitentiary and the KomZ. The involvement of the KomZ stops as soon as it considers a case to be no longer security-relevant. Through these additional checks for security relevance, the procedures for deradicalization work in Bavaria are organized centrally by a state actor to a greater extent than in other federal states. In this way, the police also adopt a socio-pedagogical approach when dealing with security-relevant cases. The staff of Bavaria's prisons is not trained by external actors, as is often the case in other federal states, but by the state's "*Landesamt für Verfassungsschutz*" (or the Office for the Protection of the Constitution; i.e. the state-level intelligence service).

In most cases, the judicial authorities coordinate and monitor the identification and categorization of prisoners who are deemed radicalized or at risk of being radicalized. Moreover, individual needs are assessed to determine whether there is a need for a deradicalization program or support from civil society organizations. In Berlin, this is done by the Ministry of Justice, which is also responsible for the housing, treating, and counseling of extremists in the prison system. This is similar to Lower Saxony, as there is no separate authority for such matters. In cases that have been identified as security-relevant, the prisons in Berlin and Lower Saxony are required to take appropriate measures and decide whether to call in external partners for intervention measures or to assign the case to in-house social workers and psychologists.

In Berlin, the prisons are working together with a network of civil society organizations within the framework of a deradicalization program. In accordance with the specific needs of each prisoner, a joint decision is made in Berlin on case-by-case bases as to which civil society organization offers the most suitable service. While some federal states focus primarily on interventions that directly target the deradicalization of Islamists, Berlin is also pursuing two other approaches that focus on psychological and psychotherapeutic services and on improving psycho-social skills, which are only

indirectly aimed at deradicalization. After deciding which procedure is most appropriate in each case, an initial interview with the prisoner is conducted by the respective institution.

North-Rhine-Westphalia (NRW) and Baden-Württemberg are examples of federal states using their state agencies to run prison-based deradicalization programs. The North-Rhine-Westphalian Office for the Protection of the Constitution runs an exit program for Islamists called "*Aussteigerprogramm Islamismus"* (API), which also supports clients during and after detention, as prisons directly refer cases to the API. Training for prison and probation staff to raise awareness of radicalization processes and cultural or religious issues are organized by the "*Zentrum für Interkulturelle Kompetenz*" (or Center for Intercultural Competence) of the Ministry of Justice NRW. Baden-Württemberg employs the so-called "*Strukturbeobachter*" (or structural monitoring observers), who are responsible for monitoring and detecting extremism within the penitentiary.

These insights are used to inform decisions on prison regimes and the necessity of punitive or security measures. Knowledge of the various actors is collected in working groups. The "*Kompetenzzentrum gegen Islamismus in Baden Württemberg*" (or Competence Centre against Extremism), located in the state's Interior Ministry, bundles competences and offers individual and family counseling, deradicalization interventions, and professional training. The planning of case supervision is tailored to individual prisoners and adjusted according to their needs.

The cross-phenomenon program area, "Prevention and Deradicalization in the Prison System and Probationary Services," which is part of the federal funding scheme "*Demokratie Leben!*" by the Federal Ministry for Families, Senior Citizens, Women and Youth, currently supports prison-based programs for prevention, intervention, and education. In concrete terms, this program area funds deradicalization/disengagement work and the training of prison staff in close coordination with the justice ministries and democracy centers in the states. Yet, each federal state has its own funding scheme with different structures and approaches.

3.2 Working with Extremist Prisoners

3.2.1 Categorization and Decision-Making

All four states examined in this study, Berlin, Lower Saxony, North Rhine-Westphalia, and Bavaria, have implemented and currently use measures in the realm of preventing Islamist radicalization as well as countering violent extremism through deradicalization interventions. The focus is therefore on two target groups: on the one hand, prisoners who are classified as "Islamist extremists" based on extremism-related crimes or other indications, and on the other hand, prisoners who exhibit ("first") signs of becoming radicalized. Each Ministry of Justice has developed its own criteria for categorization. In Berlin, for example, a distinction is made between "Islamists who are prepared to use violence" (e.g. those convicted of such acts), "sympathizers," and "those at risk." Depending on the case, a prisoner's categorization is based on information about the

crime, information from security authorities, or reports from the prison staff. Generally, such reports are passed on to the security departments of the respective prisons, which in turn report the case to the Ministry, where an overall assessment is made.

Dealing with extremists in prison is a highly sensitive issue. Radicalization tendencies need to be detected quickly, however, converting to Islam or practicing it should not be put under general suspicion. If there are indications of increasingly radical attitudes, or assessments establish the security relevance of a case, all actors involved must react and intervene at an early stage. As in other contexts of formal social control, individuals are targeted in both repressive and preventive ways by attributing negative attributes (such as "radical," "extremist," "at risk of radicalization"), which can always result in processes of social exclusion and stigmatization by fellow prisoners and prison staff.

Last but not least, the attribution of the security-relevant category usually leads to more restrictive prison conditions, which massively limits personal development opportunities. The interviewed actors show a high awareness of these problems. To determine the reasons for suspicions and to avoid misinterpretations or prejudices towards the prisoners, the staff of the different professional groups in prisons (social workers, prison officers, employees in factories) was trained according to their involvement in the subject matter. The training cover, for example, concrete indicators of radicalization such as changes in prisoners' attitudes. Less involved but still interested staff are invited to attend one-day training sessions that focus less on identifying radicalization and more on basic information about Muslim culture and tradition, conflicts, anti-Semitism, etc. Staff who deal more intensively with Islamist prisoners receive more intensive training, which prepares them, for example, to be able to recognize radicalization tendencies.

Prisons are required to take into account possible radicalization tendencies or extremism-related crimes when planning prison regimes and treatment measures. The categorization systems of the ministries of justice essentially serve as a control instrument. Decisions on the design of concrete measures, however, are part of the individual treatment plan. This plan defines how the sentence is to be carried out throughout imprisonment to best achieve both objectives stipulated in § 2 of the Prison Act (i.e. societal reintegration *and* public protection). The treatment plan covers various areas: housing (if necessary, allocation to special groups or in a social therapy unit), professional training, employment during prison, addressing offense-related issues, participation in psycho- and social therapy settings, and finally, the granting of privileges.

To create and revise these plans, the prisons arrange meetings with all those directly involved in the implementation of the treatment plan. In security-relevant cases, decisions are taken in consultation with the prison department in charge of security and, if necessary, the general prison management and other parties involved. The results of psychological-diagnostic assessments are also included in creating and updating the treatment plan. These assessments are initially carried out as part of the incarceration check, but will also be updated at the latest when privileges are considered. To make reliable forecasts for terrorism offenders with Islamist

backgrounds, existing risk assessment instruments such as the Violent Extremist Risk Assessment 2 Revised (VERA-2R)[2] were adopted in Berlin and Lower Saxony in response to their own needs. In Lower Saxony, assessments of the target group are carried out in a central forecasting center.

> **Challenges:** Due to the decentralized and joint housing of different groups of prisoners, the prison staff is also confronted with many different political, cultural, and religious beliefs. The categorization of prisoners with an Islamist background may help to establish a focal point within the prison system, to make initial assessments and find suitable ways of dealing with the prisoners at an early stage. At the same time, categorizations are always at risk of leading to prejudices that could stigmatize prisoners. Against this backdrop, great importance should also be placed on the further development of appropriate risk and need assessment instruments to evaluate the extent of radicalization and potential success of reintegration. Islamist inmates represent only a small part of the overall prison population. Nevertheless, all staff members must receive appropriate training with a focus on religious and intercultural competences to be able to recognize and distinguish between Islamist tendencies and the legitimate practice of Islam.

3.2.2 Cooperation with External Organizations

Decisions on treatment measures are always taken on a case-by-case basis, including for extremist prisoners or prisoners at risk of radicalization, in order to tailor an individual package of measures. Specific prevention and intervention measures in the context of Islamism are only one component of the integrated treatment plan aimed at reintegrating the prisoner into society. The extent to which external organizations specializing in preventative or deradicalization work are involved ultimately depends on the respective prison in conjunction with the supervisory authority and the particular case in question. At least in cases classified as security-relevant, the involvement of external organizations seems to be common practice. The exchange between external organizations and in-house social workers is done in various ways. For example, some agencies regularly exchange information with social workers in prison and report on the status of a given counseling process. In this case, reports from external partners can be used in the regularly held treatment plan meetings. However, all external organizations emphasize the importance of safeguarding the confidentiality of the counseling process.

The interviews revealed that external organizations usually desire a more detailed dialogue with the prisons – both with the in-house social workers and with the security departments. This applies particularly to proceedings that classify cases as security-relevant, as these can have a significant impact on the life of a prisoner and are therefore directly relevant for the intervention work of external counselors. The interviewees describe that establishing a functioning cooperation between prison staff and external counselors was a time-consuming process (see also Jakob et al., 2019).

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[2] See e.g. von Sadowski, Friederike, et al. "Das Violent Extremism Risk Assessment Version 2 Revised (VERA-2R)".

As prisons control all aspects of the prisoners' environment (e.g. through programs, work plans, visits, etc.), all external organizations are heavily dependent on the prisons' cooperation for accessing clients. This would require convincing the prison management and staff of the benefits and legitimacy of the work done by the external organization. The interviewees also reported that almost all external organizations were initially confronted with skepticism on the part of prison staff and then made greater efforts to communicate their concerns transparently.

Furthermore, access to prisons can be hampered by other circumstances, such as long waiting times before scheduled meetings, extensive security checks, or cancellations at short notice etc. In the majority of cases the working conditions had improved after some time. The degree to which the external counselors are granted access also depends heavily on the prison in question. It is easier for state institutions to gain access to prisoners, as they do not have to go through a separate approval procedure. Hence, state actors are more readily accepted by prison staff as compared to civil society counselors, especially within the security departments.

Challenges: Preventative and deradicalization work requires time and continuity based on mutual trust. For successful cooperation between prisons and external organizations, it is essential to clarify the roles and scopes of responsibility. In contrast to the in-house services of prisons, external organizations have the advantage that they are not part of the judiciary and have no decision-making power over the design of prison regimes. This may help external counselors to build trust and establish sound pedagogical principles, e.g. by ensuring an open collaborative work process. Conversely, the specialized prison services act as part of the judiciary.

Their professional responsibilities and competencies lie in communicating and implementing the legal requirements of reintegration into society and public protection on a case-specific basis. This sense of urgency does not apply to external organizations. Their participation in decision-making processes should therefore ideally be limited to contributing specific expertise for the benefit of the client. The unique selling point of this expertise lies in the fact that open and, in some cases, intensive counseling sessions allow greater proximity to the client's reality. This expertise is therefore of great importance for a comprehensive case assessment. In practice, however, external organizations may (have to) assume the role of case managers, because without them there is no overarching responsibility.

Judiciary actors sometimes desire more transparency by external organizations concerning their working practices and intervention strategies. The external organizations, however, wish to have a more detailed dialogue with prisons when it comes to assessing a case as security-relevant and designing prison regimes, as decisions on these matters will affect their work with clients. In some cases, there are still some reservations about the use of civil society organizations in prisons, which is why trust-building measures should be continued to reduce such reservations and to develop ways of communicating relevant information.

3.2.3 Prevention and Intervention Programs by External Organizations

The programs offered by external organizations deal with both the prevention of radicalization processes and intervention with already radicalized prisoners to initiate and support disengagement processes. Preventative measures may take the form of open group sessions aimed at all prisoners or special group training sessions aimed towards prisoners at risk of radicalization. Participation is always voluntary, as this is the basic prerequisite for successful pedagogical or therapeutic processes. The line between primary and secondary prevention programs is not always clear. Group meetings and training sessions aim to lay a foundation for discussing religious and political issues rather than leaving such discourse to the prisoners themselves.

An understanding of democracy and common values should be conveyed. Initially, the program sponsors have no prerequisites for participation in such group meetings. Prisoners are informed of upcoming prevention workshops or group sessions and can register freely or are explicitly invited by prison staff. Since life in prison is often characterized by boredom and isolation, the motivation to participate may be extrinsically motivated to take advantage of an opportunity to break out of everyday prison life. Similarly, the opportunity to speak about Islam can also play a role in the voluntary participation of Muslim prisoners, as not every prison is regularly visited by an Imam. The group counselors and, if necessary, the prison's security departments decide who is eligible to participate based on their own criteria. This is to ensure that highly ideologized individuals will not be able to dominate a group session with their radical views. If problematic views or heightened interest in them become apparent in the course of such group sessions, the person in question may be offered one-on-one sessions by the counselor of external organizations.

Interventions aimed at deradicalizing prisoners are carried out in the context of one-on-one sessions based on voluntary participation. The decision as to which prisoners are actively encouraged to participate in such measures is taken by the responsible prison staff after consulting with the respective external organization. In the state of NRW, prisoners can approach the exit program for Islamists independently of the prison and participate in the program. The federal states examined in this study are primarily dominated by "classic" deradicalization approaches, meaning the work begins by addressing a prisoner's extremist ideology. Most organizations also reach out pro-actively, i.e. they try to establish contact with radicalized prisoners who show no obvious willingness to leave extremism behind. In some cases, a series of interviews is necessary to motivate prisoners to participate in counseling sessions. Both state and civil society actors report a high success rate for such appeals.

Some organizations, however, work only passively and do not pro-actively contact potential clients. Although judges or prison staff may recommend participation in such measures, the decision on contact should be made solely by the prisoner. For both approaches, the eventual counseling process is based on voluntary commitment and depends, at least in the mid-term, on the prisoner's intrinsic motivation for personal change. This involves establishing a stable working and trusting relationship, initiating cognitive processes such as critical reflection, and providing post-release opportunities that ensure sustained disengagement from extremist groups. In many federal states,

the civil society organization Violence Prevention Network (VPN) has become firmly established in prison-based deradicalization work. Their approach is geared to individual needs and the promotion of new behavioral and thinking patterns that encourage the move away from extremist attitudes. Core subjects include the reflection of one's thinking patterns, strengthening psychological skills and the ability to take responsibility (VPN, 2019).

In addition to approaches that deal directly with the prisoners' attitudes, there are also psychodynamic approaches that focus on improving internal psychological and interpersonal skills. To this end, the Berlin-based organization *Denkzeit-Gesellschaft* developed individual coaching sessions that promote the ability to understand different mental states, self-esteem, relationship-building strategies, and conflict resolution strategies. This training aims to strengthen these skills at the beginning of the counseling process and thus enable a sustained break with extremist structures. To complement this, another institution in Berlin offers psychotherapeutic services for psychological stabilization and trauma treatment.

3.3 Transition Management

3.3.1 Preparing Prisoners for Release

The longer the prison period, the more the released prisoner has to learn to be able to participate in society again. Prisons can function as a kind of sheltered environment in which social interactions are highly regulated and limited to a few and clearly defined formats. It is thus no surprise that many released prisoners are overwhelmed by the ubiquitous social interactions in everyday life. Especially after long prison sentences, social practices have to be relearned, while at the same time the expectations of a life in freedom increase. Yet the actual everyday experience of former prisoners almost always holds great potential for frustration and shattered expectations that can lead to a relapse into old ways. In this way, former extremists face the same challenges as any other former prisoner. Adjusting back to life in freedom means above all securing financial resources through workplace integration or unemployment benefits, being reintegrated into a family, or building new social relationships and establishing a stable daily routine. Such a transition never runs smoothly as it is often marked by experiences of failure.

Former terrorists in particular can be exposed to a higher degree of stigmatization, e.g. when looking for work. This is why the interviewees regard the first days and weeks after release from prison as particularly critical. Whether the released prisoner can deal with frustration without falling back into old patterns of thinking and behavior will become clear in this phase. Prisoners with an extremist background who try to break away from the extremist network run the risk of reconnecting with them in times of personal crisis. Establishing stable social ties outside the extremist environment is therefore the key issue in preventing recidivism, especially if a person was deeply involved in the extremist scene before prison and had severed other social ties. To avoid falling back into the scene in times of crisis, the development of stable and fulfilling commitments in regular spheres of life is indispensable. As recidivist terrorists

are a particular danger to the general public, this underlines the high priority of promoting the social integration of extremist prisoners.

When preparing prisoners for release, the prison's in-house social support services will begin transition management about a year before release. This involves discussing plans, goals, and expectations of life in freedom with the prisoner and supporting them in finding accommodation, completing administrative formalities, or looking for work. Probation officers take on an advisory role (in Berlin, the role begins one year before release), especially to support the transition to behavior-oriented activities. The transition to measures of the Federal Employment Agency is carried out by so-called reintegration consultants, who already provide advice during the prison period. Although applications for unemployment benefits can be submitted before release, the actual decision-making on a claim only starts when all formal requirements are met, i.e. when the prisoner is released. Former prisoners who are dependent on the free health insurance, which is linked to unemployment benefits, face the problem that upon their release they do not yet have an official letter of unemployment and are therefore not covered by health insurance. Moreover, the transition to educational and therapeutic prevention and intervention services provided by external organizations is not fully regulated. While measures of deradicalization programs can generally be dovetailed with other programs, the financing of therapeutic measures is not guaranteed because they have to be covered by health insurance schemes.

During the transition phase, the organizations that run deradicalization programs play a central role. If at this point the prisoners have already disengaged from extremist groups and become deradicalized, the primary focus then lies on preparing them for experiences of failure and rejection and developing coping strategies to sustain a stable disengagement process even in times of crisis. The interviewed counselors describe their clients' experiences as particularly negative with regard to the labor market, as many employers fear being associated with Islamist terrorism. Although the counselors interviewed emphasize the importance of preparing for release, they also stress that it cannot replace intensive post-release counseling.

Successful transition management should include granting prisoners a minimum level of privileges, such as day-release or excursions, which allow them to take practical steps towards reintegration, e.g. finding a place to live and work and, after a long period in prison, some orientation for a more stable life. If there are concerns that the prisoner may escape or misuse privileges to commit crimes, the prison management may refuse to relax the rules to a certain extent. The interviewees report that in the case of prisoners with Islamist or terrorist backgrounds, a strict security regime is usually enforced, based on the assumption of an imminent threat.

In many cases, the crucial factors for such assumptions are not the assessments by social workers or external counselors, who typically report on positive developments of their clients, but on the assessments by security authorities, which for the most are not disclosed due to reasons of confidentiality. Thus, social workers and counselors often do not understand the outcome of many threat assessments. Above all, this leads to a communication problem with prisoners who may have achieved the aims of their

individualized treatment plan but are not rewarded accordingly. The result can lead to considerable frustration on the part of the prisoner, while coping may require the support of social workers and counselors to counteract a potential relapse into an extremist mindset.

Challenges: A special set of public security interests is at stake when releasing Islamists from prison because of the potential threat of terrorism recidivists. As a result, there is little willingness to accept risks in granting detention privileges to (former) Islamists, especially when there are doubts as to whether they have actually renounced extremism, while the risk of re-engagement is difficult to gauge. High levels of political interest in repeat terrorism offenders increase the intense pressure on practitioners working in this field, which effectively guides decision-making to protect oneself against any possible wrongdoing. This can lead to prisoners being inadequately prepared for release, which in turn increases the risk that those released will be overwhelmed by the challenges of living in freedom and then turn back to extremist contacts.

A decision taken to minimize the risks during the transition phase may, therefore, as an unintended side effect, lead to an increased risk of recidivism. In any case, prison security regimes are only effective in protecting the public for several months, as it is not feasible for security authorities to maintain the same level of control after the release because they do not have the resources for total surveillance. The existing post-release "control gap" can therefore only be replaced by measures of pro-social integration. Consequently, even for offenders with an allegedly dangerous potential, there is ultimately no alternative to transition-oriented assistance in releasing them from prison.

3.3.2 Exchanging Information

Throughout the entire reintegration process there is a constant need for cooperation between the judiciary, security authorities, and external organizations, which only increases during the period of transition management. During this phase, there are additional information-sharing demands from probationary social support services, the supervisory authority and the prosecuting attorney's offices (or the Federal Public Prosecutor's office in its function as the penal enforcement authority). Two fundamental dimensions underpin this exchange of information. This involves, on the one hand, informing the other actors of the measures planned by each of them and, if necessary, coordinating the respective measures.

On the other hand, it also means that law enforcement, security authorities and prisons each face the challenge of taking decisions by forecasting risks in their fields of responsibility. To achieve this, however, each of them needs to be comprehensively informed about a prisoner's personal development and his or her likely situation after release from prison. Any problem in such essential information exchange processes gives rise to legal and social problems that should not be overlooked.

The informational needs of external counselors concern the decisions and measures that have a direct impact on their clients and thus on the counseling process. These especially include decisions on prison regimes and instructions from the supervisory authority. In some cases, external organizations seem to be informed about orders by Courts for the Execution of Prison Sentences only after their (post-release) inception and not when they are issued. This prevents counselors from preparing their clients in the weeks and months prior to their release for the circumstances they will face from the supervisory authorities. Although this is the responsibility of a prison's in-house social support services, a prisoner's reflection on goals and expectations is also an important aspect of deradicalization work and thus counselors should know what orders entail before they are issued.

From the *prison*'s point of view, comprehensive knowledge of a prisoner's situation is necessary for adequate treatment planning. This also includes predictions on the granting of privileges based on the assessment of how likely they are to be abused (e.g. § 42 (2) StVollzG Bln). In making such forecasts, it is important to strike a balance between the constitutional mandate to rehabilitate prisoners and the protection of legal interests that may be harmed by former prisoners. A decision-making process tailored to individual cases needs to take into account all relevant circumstances. These include reliable information from prison staff on a prisoner's ("initiated") process of deradicalization and on his or her social situation after release, as well as evidence from security authorities of existing threat potential.

In many cases, however, security authorities appear to have a limited capacity or willingness to disclose such information, especially those obtained through undercover investigations. If the circumstances which led a security authority to evaluate a prisoner as a threat remain unknown to the other parties involved (who have to account for these circumstances), this often hampers, if not prevents, reliable forecasting and decision-making. Should security authorities express doubts as to whether a person is indeed deradicalized without sufficiently explaining their reasoning, the prison's social support services can not verify whether their assessments differ from those of the security authorities. If a positive assessment of a prisoner's development is questioned by security authorities, the prison management will likely follow the assessments of the security authorities to protect itself in case of any doubt. Ultimately, this can significantly weaken the independent role of the judiciary in dealing with extremist prisoners.

The *security authorities* also demand reliable information from the prison system to arrive at a risk analysis that takes all circumstances into account. If the person to be released is (still) classified as dangerous (or *Gefährder*), corresponding measures apply, which have to be organized in advance. Informational requests from the security authorities therefore also concern aspects of the prisoner's planning for his or her life after release. To obtain this information, the exchange with social workers is of great importance from a police point of view, but as will be shown below, it proves to be highly problematic.

For the *public prosecutor*'s office, in its capacity as the penal enforcement authority, the task prior to release from prison is to determine, within the framework of the supervisory authority which orders are to be issued (see section 4.3.3). Such orders are then requested at the respective court for the execution of prison sentences. Since these orders include forecasting decisions, they are also subject to similar requirements as penal prognoses, both of which are intended to protect the public and promote reintegration. Accordingly, information-sharing demands also exist on the part of the managing supervisory authority and the future probation officer, who are responsible for monitoring compliance with orders and providing practical support for the client's reintegration.

Inter-agency "case conferences" are held in the months before release to facilitate the exchange of information between the above-mentioned state actors. In Berlin, for example, such case conferences are coordinated by the prisons, whereas in Lower Saxony they are coordinated by the "*Kompetenzstelle Islamismusprävention Niedersachsen*" (or Competence Center for Preventing Islamism). Security authorities and the judiciary exchange information in various formats. In Lower Saxony, for example, inter-agency case conferences also take place both at the time of arrest and during the transition from pre-trial to penal custody. These case conferences serve on the one hand to steer the transfer of prisoners from prison to supervisory authorities, probation services and security authorities.

On the other hand, they serve to present assessments of a prisoner to discuss and agree on appropriate measures in preparation for release as well as corresponding orders by the supervisory authority. Case conference formats tend to be more comprehensive when it comes to security-relevant cases. The interviewed practitioners agreed that the number of participants should be restricted to a minimum, as smaller rounds allow participants to exchange information more effectively and to gain a better understanding of their colleagues' intentions and working practices. At the same time, involving the full range of relevant organizations would be beneficial to ensure full coordination and coherent measures. Some federal states have therefore decided to standardize the list of those invited to case conferences, while other federal states decide to limit the size of the group on a case-by-case basis.

Good practice suggests that civil society organizations that work with a prisoner in educational and/or therapeutic settings should not personally attend case conferences but rather provide a report on the progress of the counseling process that is presented at such conferences by prison representatives. In this context, protecting the trust of a client is an elementary prerequisite for pedagogical and therapeutic work. Trustful counselor-client relationships are legally protected as by law confidentiality is deemed as particularly worthy of protection (e.g. violating professional confidentiality is sanctioned by § 203 of the German Criminal Code (StGB)). Counselors are only permitted to disclose personal data (of certain categories) in the event of the preparation of serious criminal offenses (as per § 138 StGB), and only if the client is fully informed and consents to the disclosure.

Usually, such consents will cover the disclosure of basic information about the client's frequency of participation in intervention measures and evidence that the client is endangering him/herself or others. Nevertheless, the new German Federal Data Protection Act (BDSG) allows civil society organizations involved in deradicalization work to disclose information with public authorities if this is "necessary to avert dangers to state or public security or to prosecute criminal offenses (...) unless the interests of the data subject outweigh the exclusion of data processing" (§ 24(1) BDSG). Accordingly, deradicalization program-carriers must balance the interests of their clients with security concerns.

However, they will generally not be in a position to fully assess whether or not security concerns exist. Any party that would request such an assessment would probably have to provide basic information about a case in advance for the program-carrier to be able to process such requests at all. Such an exchange of information can only be achieved on an equal footing. This requires mutual trust, appreciation, and understanding of each other's working methods and principles. Such prerequisites can best be achieved in small meetings with continuity of participants and clearly defined roles and cooperation arrangements.

In the case of state-run deradicalization programs, such as those in the states of NRW or Lower Saxony, which are part of the respective state offices for the Protection of the Constitution, the requirements for disclosing personal data of clients should be less restrictive overall. But in principle, the same balancing act between the rights of clients and security concerns is part of the process before information can be disclosed.

Challenges: The exchange of information between security authorities and civil society organizations currently lacks guidelines on compliance with data protection requirements, although this may require legal clarification of issues such as whether external organizations can identify threats and need to share information for security purposes. The different institutional, political, and legal framework conditions in the federal states make it difficult to set uniform standards.

In practice, the exchange of information works best in small groups with staff continuity and clearly defined roles. The participation of intelligence services in these meetings creates major constraints on the exchange of information due to data protection concerns. To facilitate cooperation between external organizations and security authorities outside the prison system, a bilateral information-sharing arrangement should be established. In the prison context, external organizations should exchange information with the prison management, who can then make more accurate forecasts based on this information. It would not be appropriate for security authorities to directly ask external organizations about their casework in the prison system.

Another challenge is the transfer of information from the police and intelligence services to the judiciary for the purpose of making forecasts during detention. It could be argued constitutionally that a high level of importance should be given to the imperative of reintegration (cf. Schulenberg, 2018, p. 133), the safe prison

environment and the protection of the public, which could enable a broad exchange of information between the security authorities to the prison system. However, such an exchange remains at the discretion of the police authority, which must assess whether the disclosure of personal information is necessary to avert threats to the institution or to "prevent serious harm to the public interest" (e.g. ASOG § 44(2)). Nevertheless, such data may be subjected to special protection provisions, e.g. if they stem from covert measures without the consent of those affected. In these cases, the police authorities will have to strike a difficult balance, as it might be sufficient to avert danger simply by communicating the risk classification without disclosing the precise background and expect the prison management to adjust its own forecast accordingly.

But this would mean that forecasts in the prison system would be subordinated to the overriding priority of security authorities and ultimately undermine the constitutional reintegration imperative. The only solution would be for the security authorities to give greater priority to the legally protected right to reintegration itself when considering what should (not) be shared. The aim is to recognize that the prison system must be able to make a forecast tailored to the individual case while taking all circumstances into account to fulfill its statutory mandate in the area of tension between reintegration into society and the protection of the general public. In this context, consideration should be given to introducing specific provisions on interagency case conferences in existing police legislation to better meet the informational needs of the prison system.

3.3.3 Supervision of Conduct and Probation

Between 2015 and 2018, the majority of offenders with a background in Islamist terrorism were sentenced to comparatively long, but not life-long prison sentences. Suspended sentences were rarely granted. According to the persons interviewed, perpetrators in this area rarely received suspended sentences due to an unfavorable social forecast, although such cases were also reported. The corresponding figures were not available to us. If a prison sentence of at least two years has been completed, which is usually the case for the target group in question here, the offender is subject to the law of the supervisory authority under § 68f of the German Criminal Code (StGB).

The supervisory authority oversees the supervision of conduct, which entails so-called corrective and protective measures. It is intended to ensure the aftercare of offenders whose social reintegration appears to be at risk after their imprisonment. In this respect, it serves a dual function: to enable strict controls for protecting the public and to support reintegration into society (Laubenthal & Nestler, 2010, pp. 158; Schwind et al., 2009, p. 647). Accordingly, a distinction is made between "security orders" (control orders, supervision orders) and "betterment orders" (care orders, treatment orders), which largely follows the distinction between orders of a punitive character (as per § 68b(1) StGB) and those without a punitive character (as per § 68b(2) StGB). The range of control and surveillance orders with a punitive character include, for example, residence orders (not to leave or visit certain places), personal orders (to stay away from certain persons), orders to visit a doctor or psychotherapist at certain times,

prohibitions to possess certain objects or to carry out activities, orders to report regularly to a police station, or orders for electronic surveillance of his/her whereabouts.

Care and treatment orders (without punitive character) refer to the structuring of work, education, leisure, and economic activities. This also includes so-called therapy orders, which instruct released prisoners to undergo psychiatric, psycho- or social therapeutic procedures. During the supervision of conduct period, which usually lasts five years for those released prisoners under consideration here, the released prisoner is assigned to a probation officer. The task of probation officers is to assist former prisoners in their reintegration process and to support the supervisory authority in monitoring compliance with orders. Even when a sentence or the remainder of the sentence is suspended on probation, the sentenced person may be given various types of orders.

No empirical studies are yet available concerning the practice of criminal sanctioning Islamist extremists in Germany. Given the currently low number of released Islamist prisoners, such studies would be of little use at this time. Since criminal sanctions may vary considerably both between federal states and between individual practitioners, the following observations of our interviewees cannot be generalized. Some practitioners report on a restrictive sanctions practice that makes full use of the range of orders of a punitive character, following the principle of "the more, the better" while ensuring control and monitoring. In the event of recidivism, no one could be held responsible if all possible orders were exhausted. In contrast, other prosecutors and judges would act more cautiously, as they consider an overly restrictive regime to be counterproductive for reintegration back into society.

The interviewed counselors criticize that such orders hinder their work, in particular the residence orders, which prohibit their clients from leaving a city, but also strict orders to report to police authorities. It should be pointed out that residence orders can also be issued under the authority of the immigration offices. Such restrictions are usually perceived by the clients as incriminating, which in turn can lead to frustration. Furthermore, the interviewees rejected orders to surveil the whereabouts of clients using electronic ankle tags as impractical. According to them, such orders would rather hamper reintegration efforts and would not be suitable for monitoring all potential contacts with extremist scenes. Especially in urban areas, it is difficult to determine suitable inclusion and exclusion zones. It should be noted that the number of electronic surveillance orders for violent and sex offenders varies greatly between the federal states. In the states of NRW and Lower Saxony, for example, it plays hardly any role at all, whereas in Bavaria it is used comparatively often (Bräuchle & Kinzig, 2016).

In most cases, the courts also issue orders to participate in deradicalization programs. Such therapeutic orders have a non-punitive character under the supervisory authority. In the case of such an order for the probationary period, any gross and persistent violation of said order can lead to the revocation of suspended sentences (as per § 56f(1) StGB). Most practitioners, however, reject such mandatory participation in pedagogical and therapeutic settings of deradicalization programs because, from a

professional point of view, voluntariness is a fundamental prerequisite for a successful pedagogical and therapeutic process. Practitioners report that most clients wanted to continue to participate in such measures after their release from prison, and most of them did so. However, other practitioners have had positive experiences with mandatory participation in deradicalization counseling. Although they were skeptical at the beginning, the clients in question had voluntarily continued the counseling process after their release from prison. According to another interviewee, in some cases, such orders could be the last chance to reach offenders who are deeply and long rooted in the extremist scene and who could not be reached by social workers actively approaching them. This aspect appears to be of relevance for cases of suspended sentences where it is more difficult to approach clients.

Challenges: Voluntary participation is a basic prerequisite for good pedagogical and therapeutic practice. If a counseling setting has been established successfully in prison and clients wish to continue the process voluntarily, an order for mandatory participation will at best remain ineffective, and at worst, it will undermine the working relationship between counselor and client. In any case, such orders could send a misleading message. Instead of rewarding a prisoner's intrinsic motivation to continue to participate, which may even have a positive effect on the overall process, the prisoner is treated with suspicion even if his or her genuine efforts to reintegrate are objectively discernible.

Even if there are doubts as to how genuine a prisoner may or may not be in the process of deradicalizing, the willingness to continue to participate and thereby to maintain the relationship with the counselor is an important preventive factor that can only be weakened but not strengthened by corresponding orders. In some cases, however, such mandatory participation orders can be the last chance to initiate a counseling process. If at all, this seems more likely in a probational context in which non-compliance can be sanctioned. But even then, such an order should be limited to the mere initiation of a counseling process.

Still, the key challenge in structuring the supervision of conduct continues to be to foster pro-social ties with society, including economic integration, without compromising on necessary control and monitoring measures. Against this backdrop, it would be desirable for the supervisory authority to have a reintegration plan that sets out individual reintegration targets, the achievement of which could noticeably reduce the need for monitoring measures.

3.4 Post-Release Reintegration Efforts

3.4.1 Reintegration Challenges

The reintegration of released offenders with an Islamist background into society is a long-term process that will take many years, as will the process of disengaging from Islamism. The turning away from extremist attitudes is by no means synonymous with a consolidated alternative world view that provides a stable orientation for taking action

in shaping one's way of life. For the post-release situation, this means that the problem-solving resources and strategies acquired during detention must now prove effective under the pressure to act and make decisions in freedom, but may also fail. Among other challenges, this affects how one deals with social rejection and disappointed expectations.

To successfully cope with these experiences without falling back into old behavioral patterns is a central challenge. Against this backdrop, reintegration efforts should pursue two goals: Firstly, the resources and competencies of released prisoners should be strengthened to enable them to cope with social and emotional problems independently. Secondly, the pressure to solve problems should be reduced by improving the social circumstances of former prisoners. Essential aspects for this include providing opportunities to participate in social life, as well as social recognition and de-stigmatization. The aim is to support (former) extremists released from prison as effectively as possible by developing pro-social relations with society. Achieving this is the responsibility of society as a whole.

The interviewees consider the first days and weeks after release to be the most critical phase, as the former prisoners have to overcome several practical challenges. The stress of having to solve these problems and thus the potential for failure and disappointment is particularly high in this phase. According to the interviewees, this is the reason why experiencing a quick sense of achievement is crucial for integration into the labor and housing market and into a social environment, especially family life, which is a major challenge for many offenders since family relationships were strained before imprisonment. Overall, it is important that former prisoners arrive at a state of normality in everyday life, that they make ends meet, and have positive experiences in taking responsibility for themselves and others. In this early phase, all interviewees agreed that intensive care, crisis intervention, and increased vigilance are necessary to be able to recognize and intervene as soon as there are signs of a relapse into old structures. Several months after release, it then becomes clear how well the social structures of former prisoners are working, where there is a need for assistance, and how interventions should progress. It is thus vital at this stage that all the actors involved are closely coordinating with each other, in particular probation services, security authorities, and organizations running deradicalization programs.

In the case of former prisoners who are classified by the authorities as security-relevant, integration into the labor market is a special and constant challenge. Many employers are reluctant to have relations with these former prisoners. Orders of the supervisory authority (or immigration office) restricting the place of residence limit the former prisoners' agency and thus also limit their possibilities of finding a job. Reintegration is often further hampered by the general stigmatization of those released from prison. Apart from the labeling of their imprisonment, being labeled as a (former) terrorist is often unavoidable simply because of the respective criminal record. As a result, former prisoners have to contend with negative reactions from colleagues (e.g. teasing and offensive jokes) and learn how to deal with them.

This overall situation is often overwhelming for many potential employers. In this context, released prisoners with an Islamist background constitute a group that is rather difficult to integrate because their needs are not always sufficiently covered by existing programs such as those tailored to juvenile serial offenders, or those aimed at labor market integration. Sometimes released prisoners simply do not meet the criteria for being accepted into existing programs. Suitable pilot projects are now being developed in some federal states.

3.4.2 Measures, Actors, and Forms of Cooperation

There are essentially three actors involved in the support and supervision of (former) extremists released from prison: the probationary service, civil society, or governmental organizations in charge of deradicalization programs as well as the security authorities.

The released prisoners are looked after by probation officers during the supervision of conduct period or during probation. The probationary service, however, cannot provide the kind of assistance provided by the counselors of deradicalization programs simply due to a lack of resources. An evaluation by Baur and Kinzig (2015) states that probation officers look after an average of about 75 clients, including about 20 clients from the supervisory authority. Their access to the client is usually regulated by orders which stipulate the frequency of contacts and the reporting obligations. This makes short-term interventions to support the client rather difficult. Still, the probationary service's key contribution to the complex reintegration process is the management of one point of contact for several communication channels. This involves establishing contacts with schools, employers, social and therapeutic services, but also with authorities as well as with the courts, thereby institutionalizing a network of support and supervision around each client.

Faced with potential gaps in continuity of care, the interviewees referred in particular to the above-mentioned difficulties in professional training and labor market integration. When released prisoners are not accommodated by family members, independent organizations can offer temporary housing and, if necessary, social work services. However, neither they nor the probationary service can offer the kind of intensive case-by-case counseling as that offered by deradicalization programs.

Organizations responsible for running deradicalization programs continue to support former prisoners after their release according to their individual needs. This is done in close coordination with the probationary service. Should participation in a program be mandatory as part of an order issued by the supervisory authority, the organization running the program is obliged to submit a report. Although civil society organizations are in principle able to provide continuous support to released prisoners over a longer period of time, perhaps even by transferring them to another program, this is not always guaranteed. The main reason for gaps in continuity of care is the lack of long-term funding, as programs are not able to plan resources reliably. How long clients receive support and counseling after their release depends largely on the extent to which they seek and maintain contact with deradicalization counselors.

Practitioners report intensive counseling is necessary and desired by clients in the first weeks after release from prison. This, however, requires a considerable expenditure of time and personnel. In extreme cases, practitioners may initially spend 10 to 20 hours per week on a single case. On the one hand, this work consists of typical social work activities, such as help in finding work or housing; on the other hand, it is about helping former prisoners to process everyday problems and experiences so that they remain stable in their world view.

Although it can be difficult for practitioners to sustain their relationship with clients after release, the experience of the civil society and state actors interviewed are generally quite positive. Very rarely do clients who had the opportunity to participate in the counseling process in prison discontinue it after release. Even in cases that still require significant work in the ideological domain after release, practitioners report that the development of their clients is largely positive, despite difficulties in maintaining contacts and the need for more intensive monitoring. One way to do this would be an agreement that the client will avoid certain mosques or preachers. In these cases, the direct goal of intervention is not yet to dissuade clients from Islamist beliefs, but rather to minimize the risks that individuals might endanger themselves or others.

It should also be noted that a radical turn away from extremist attitudes in favor of democratic values is rarely to be expected. From a practical point of view, it is rather a gradual process of deradicalization. The presence of non-extremist Islamic alternatives is also important here, as it enables clients to deal with religious issues in a way that closely relates to their everyday lives.

From the perspective of organizations carrying out deradicalization programs, it is clear that the security authorities should be informed as soon as possible when security issues arise, for example when their clients endanger themselves or others. The clients are also explicitly informed of this fact. Any exchange of information that exceeds this threshold carries the risk of jeopardizing the trust-based relationship between counselors and clients (see also section 4.3.2.). For this reason, such exchanges of information must be regulated with as much precision as possible and made transparent for clients. From the practitioners' point of view, the question of how, when and what information is to be exchanged remains a negotiable balancing act that requires more top-down guidance.

In this context, it should be noted that bilateral exchange formats between security authorities and organizations carrying out programs based on designated points of contact on both sides are considered good practice. Everyone also agrees that the roles and informational needs of the parties involved should be clarified in detail at the beginning of their cooperation to ensure that, as a next step, it is possible to negotiate under which conditions under which the police, on the one side, and the deradicalization program-carrier, on the other side, should pass on what kind of information.

There is a constant potential for conflict in the cooperation between police and deradicalization program-carriers whenever the police use surveillance measures or

address clients directly to inform them of their knowledge of the client's dangerousness, which can put that person in an incriminating situation and increase his or her need for interventions by deradicalization counselors. Counselors who have coached their clients in coping with everyday problems sometimes wish to be better informed about how the police deal with their clients. Nevertheless, this kind of communication would collide with the professional distance that counselors have to maintain towards police measures, as this seems essential for maintaining a trusting relationship with their clients. The Bavarian model provides a possible solution to this problem through an extensive sharing of information with the police authorities based on the client's consent. The extent to which clients can always grasp the scope and consequences of their consent to the exchange of information should be critically examined. At the same time, it is worth noting that both the police and the counselors view this type of cooperation to be very good. For one, there are no surprises, which means that police measures are perceived less as potentially disruptive to the counseling process.

The Bavarian approach to dealing with Islamist prisoners is characterized by the fact that it has institutionalized the perspective of deradicalization and reintegration by establishing a dedicated interdisciplinary competence center within a police authority. Conversely, if such an approach incorporates a reintegration perspective into the planning of police measures and thus allows for a more holistic approach to risk management, this close cooperation with security authorities may limit the ability of counselors to approach prisoners who are hard to reach and highly ideologized, thus jeopardizing the chances of intervention.

An alternative approach to exchanging information on police measures, which addresses the root of the problem, would be for the police authorities to better explain to clients the rationale behind their actions. It would be desirable for the police to inform the affected individuals at an early stage about the specific (wrong) conduct that requires (continued) police observation. The police should also avoid approaching clients unannounced and, in the worst case, in public places, which could stigmatize the client and reinforce perceptions of injustice that could have unintended consequences for a client's deradicalization process. For this reason, it should be made clear to the person concerned – as much as possible from a police point of view – which behavior leads to surveillance measures and which behavior can be expected as a prerequisite for ending such measures. To be successful, behavior control requires an appropriate escalation of measures if the previously defined misconduct persist, which in turn can escalate or de-escalate further measures under clearly and transparently defined conditions.

4 Recommendations

4.1 Combining Security and Reintegration

Reintegration efforts and deradicalization processes of extremist prisoners do not end with their release from prison, but rather represent long-term processes. Accordingly, a long-term and cross-sectoral approach is needed. In contrast to some of its European neighbors and especially to the Netherlands, Germany has not yet succeeded in fully implementing such an approach. In a kind of hybrid model, the roles and responsibilities in dealing with (released) extremist prisoners are divided among the penitentiary, security authorities, and civil society actors. Although all actors strive to ensure both reintegration and public protection, in most cases they follow the logic of their primary responsibility, which is to provide either security or social work. What is missing is a common conception or strategy to combine aspects of both security and reintegration.

The lack of a coherent approach and strategy is evident in the decision-making process regarding the treatment of extremist prisoners (treatment planning, transition management, post-release orders). Uncertainties about whether or how far a prisoner has moved away from extremism leads, in cases of doubt, to the maintenance of strict security regimes. However, such strict regimes can hamper reintegration efforts and jeopardize a lasting break with extremism. In any case, after serving his or her prison term, the prisoner is released to freedom anyway, where he or she must prove to be living a lawful life. Measures that facilitate reintegration should be considered and used pragmatically as opportunities to increase the likelihood of former prisoners living a lawful life, which, despite uncertain risk prognoses, can provide the best long-term protection for the general public.

This also applies to the time after release from prison. To a certain extent, the efforts of a released prisoner to build pro-social ties with society should be rewarded by a de-escalation of state security control measures, even when risk assessments are uncertain. It should be recognized that due to limited resources and constitutional constraints, the control of dangerous individuals (*Gefährder*) will inevitably be fragmented. This makes it all the more important to focus more than before on pro-social integration efforts as an alternative or even better way of providing security.

4.2 Multi-Agency Cooperation

In addition to developing an integrated concept of security and reintegration, this study argues that the establishment of cross-sectoral and inter-agency cooperation is an equally important challenge. It should be noted that the existing collaborative arrangements of case conferences serve risk management purposes in many places, while an integrated prevention management structure is still poorly developed.

To improve the prevention of Islamism-motivated crimes, we recommend to set up multidisciplinary committees, similar to the ones in the Netherlands or Denmark, which pursue a holistic prevention approach and seek to involve all relevant actors by

establishing a collective and binding decision-making process for case-related prevention and intervention measures. This also means that the prevention of recidivism needs to be taken seriously as an intersectoral and societal task. Only in this way can security and judicial authorities be disburdened of pressure and focus more on the goal of reintegration when deciding on appropriate measures. Clearly defined responsibilities and an even-handed involvement of all involved actors are essential factors for the success of integrated prevention and case management. To this end, innovative models are needed for the exchange of case-related information and assessments, taking into account confidentiality requirements and the independence of social work.

This in turn would enable security authorities to arrive at more informed risk assessments that would facilitate the de-escalation of surveillance measures in the pursuit of reintegration, thereby reducing or redistributing the burden of resources on the security authorities after release. In this area, security researchers should also work together with practitioners to develop appropriate models.

A discussion is needed on where such new cooperation bodies should be implemented, i.e. who should be responsible for coordination. At least in the larger federal states, it seems natural that such bodies should be coordinated by the municipalities, e.g. by a local government body for security, since the actors and structures necessary for holistic prevention management are mostly located at the municipal level. The coordinator should also ensure that the concerns of the various state and non-state actors are included on an equal footing and that the agreements reached between the actors are respected by all. Further development and research is needed on data protection-compliant formats for the exchange of information that allows all actors and practitioners involved to share specific information in accordance with the law and professional standards.

4.3 Expanding Intervention Measures Before and After Release

There is a consensus that both the pathways into and out of Islamist extremism are highly individualized and non-linear processes. Interventions in deradicalization programs must be tailored to individual circumstances and needs. In other words, a wide range of tertiary prevention measures is necessary to be flexible enough to meet the different needs of clients. This underlines the need to have both civil society-led and state-led programs in place, as well as the need to expand the traditional range of measures of deradicalization programs to include more therapy-oriented interventions. We also recommend expanding the target group-specific measures for professional training and economic reintegration, since former prisoners with an Islamist background are often unable to fit into existing program structures. An important factor for sustainable reintegration and recidivism prevention is to enable former prisoners to experience a sense of achievement quickly when reintegrating into work-life or (professional) education.

4.4 Ensuring Professional Training of Staff Involved

A wide range of actors is directly or indirectly involved in dealing with cases of (former) Islamists throughout the imprisonment process and their subsequent release and reintegration. Employees from all disciplines should receive comprehensive and continuous professional training. Training courses need to focus specifically on the phenomenon of Islamism and be designed sensitively. Efforts to provide nationwide training for the general prison staff should be continued or intensified. This should involve conveying basic knowledge of the Islamism phenomenon, which, according to our interviewees, is still underdeveloped in many areas. At the same time, such training should aim not only to detect signs of radical tendencies or changes in attitudes but also to prevent stigmatization of and discrimination against religiously oriented prisoners.

Law enforcement agencies and the judiciary would also benefit from systematic capacity-building efforts, which should include aspects of deradicalization/ disengagement and reintegration, as the assessments and decisions of security authorities have a significant impact on the reintegration process. Particular attention should be paid to identifying and professionally assessing the development of stable social ties to norm-compliant behavior. We also recommend providing training to local actors to raise awareness of the phenomenon of Islamism, as there are crucial links at the local level with welfare and social support systems into which released prisoners may need to be integrated.

4.5 Supporting and Professionalizing Deradicalization Work

Deradicalization work, and indeed every common practice in working with any type of prisoner, depends largely on the trust that has to be established over time. Funding schemes, which are designed to fund programs only for a limited period of time, prevent the staff of civil society organizations from investing the time needed to build trust. Short-term funding schemes also hinder the development and implementation of professional standards and at the same time impede efforts to put the staff training and knowledge production on a more scientific footing. The aim should be to develop a canonized knowledge base that can be verified and further developed through scientific research.

The need for professionalization is therefore not a question of program sponsorship (civil society or state). Rather, deradicalization work needs to be professionalized as a pedagogical or therapeutic practice in which a working relationship is established with the clients, where knowledge is not standardized but applied to individual cases. To promote such professionalization, it would be desirable not only to have a close exchange between practitioners and researchers but also to link the counseling practice with scientific research.

4.6 Risk Assessments and Forecasting

The treatment of (former) prisoners with an Islamist background is guided by recidivism forecasts and risk assessments. Initially, such assessments are done as part of the treatment prognosis at the time of imprisonment. This raises the question of whether certain treatment methods, e.g. participation in deradicalization programs, may be suitable in individual cases to reduce or even eliminate threats to the public, which could in turn enable the granting of privileges. Even decisions to issue orders within the post-release supervision of conduct framework are forecasting decisions. Such forecasts inevitably require a balancing act between public protection and societal reintegration. To prepare a prisoner for life in freedom, certain privileges should be granted as part of the transition management. On the other hand, restrictive post-release orders can hamper the former prisoner's efforts to reintegrate, such as finding a job.

At present, there are no empirically based forecasting instruments or risk assessment tools specifically for extremism phenomena that could ensure reliable forecasts in practice, for reasons of small sample sizes, hard-to-define success criteria, and a lack of control groups. Given the seriousness of terrorist crimes, all the experts involved (social workers and psychologists in prisons, prison management, prosecution authorities, courts for the execution of prison sentences) are also keen to avoid misjudgments at all costs. This can lead to false-positive assessments of a person's threat, which in some cases could prevent the use of reintegration-promoting measures that would ensure greater security in the long term.

Taking responsibility in the forecasting or risk assessment process may have a deterrent effect on the individual actors involved and may also exceed the limits of their expertise. It is therefore important to put forecasts and risk assessments on a broader professional and responsible basis. Overcoming disciplinary or department-specific boundaries of responsibility as much as practicable and arriving at joint interdisciplinary forecasts and risk assessments is of crucial importance. This requires the use of science-based methods and transparent procedures that have been agreed upon by all the professions and actors involved, which requires further joint research by practitioners and scientists.

Given the current state of research and the experience of practitioners from the prison system, civil society organizations, and security authorities, it is necessary to develop guidelines for the development of phenomena-specific forecasting tools. We recommend closing gaps in knowledge by promoting research on risk assessments especially in the context of Islamism despite the adverse conditions in this field of research. Finally, guidelines need to be developed on how different state and non-state actors can cooperate purposefully on a case-by-case basis without crossing the boundaries of data protection laws.

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