

Exhibit 54

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

Abdiqafar Wagafe, et al.,
On behalf of himself and
others similarly situated,
Plaintiffs

vs.

CASE NUMBER:

DONALD TRUMP, President of the
United States, et al.,
Defendants

2:17-CV-00094-RAJ

_____ /

The virtual deposition, via Webex, of MARC SAMUEL SAGEMAN, Ph.D., M.D. was held on Tuesday, August 18th, 2020, commencing at 10:17 a.m. before R. Dwayne Harrison, a Notary Public.

CONFIDENTIAL DUE TO PROTECTIVE ORDER

REPORTED BY: R. Dwayne Harrison

1 MR. HANDYSIDE: Object to the form.

2 A No, absolutely not. I hope not. I don't
3 think that anybody within the IC would make that
4 mistake. This was just an example to illustrate what
5 I'm talking about, to illustrate the meaning of
6 sensitivity and specificity. I really hope with all my
7 heart that this is not the case.

8 Q Okay. So you are not saying that the
9 federal nominators, those individuals within the
10 federal government involved with nominating individuals
11 to the watchlist, operate on the premise that, if
12 somebody speaks Arabic, therefore they're a terrorist?

13 A No. This was just an illustration of what
14 sensitivity and specificity meant. I really hope that
15 nobody does that.

16 Q And I wanted to ask you something else. I
17 believe you also said that there's a thousand
18 terrorists in the world.

19 Did I hear you say that correctly?

20 A Just off the top of my head, yeah,
21 probably.

22 Q Can you tell me where you get that number
23 from?

24 A Nowhere.

25 Q Okay. It's just a guess?

1 A Well, it depends on what you mean by
2 terrorist and I think we probably are going to get into
3 the global terrorist database where they take any act
4 of war as terrorism and that's totally meaningless.
5 They just oversampled those acts.

6 Terrorism is in relative domestic
7 peacetime. I define terrorism as the categorization of
8 deliberate outgroup violence, political violence during
9 domestic peacetime. And so you see that a country has
10 to be basically at peace, not suffering from an
11 insurgency or wide civil unrest and it turns out that
12 the terrorism of any kind is actually fairly rare.

13 Q So under your definition there that you
14 just gave -- I'm just trying to clarify.

15 You believe that under that definition
16 approximately a thousand terrorists exist worldwide; is
17 that fair?

18 MR. HANDYSIDE: Object to the form.
19 Misstates prior testimony.

20 A No, I don't believe that. I think that,
21 just of the order of magnitude, it's probably closer to
22 reality given seven or eight billion people. We're not
23 talking about a hundred thousand people.

24 In terms of the global neo-jihadi
25 terrorists, I think that -- if I looked at that and we

1 have close to one per hundred million per year, there
2 are many other types of terrorism, you know, namely the
3 Irish.

4 I'm not really talking about insurgency.
5 You really don't have much more than that. So if you
6 can multiply -- you know, one per hundred million per
7 year and the number of terrorists, nobody is really
8 held -- I mean, terrorism is not a career. People do
9 terrorist acts. That's what a terrorist is. It's a
10 person that's does terrorist acts.

11 So if you can multiply that by 80, you can
12 see that -- and 80 is because we have eight billion
13 people and I just the number death rate per hundred
14 thousand -- per hundred million people, you can see
15 that by saying about a thousand -- I'm really
16 overestimating by at least one or two orders of
17 magnitude. By orders of magnitude, that means zeros
18 after the one. So ten is an order of magnitude of one;
19 a hundred is an order of magnitude of two; a thousand
20 is an order of magnitude of three. You can see that's
21 what an order of magnitude is. It's a term-of-art in
22 probability.

23 Q Okay. Another clarification. The
24 definition you gave of terrorism, it requires domestic
25 peacetime.

1 Did I hear that correctly?

2 A Yes.

3 Q So the country in which the terrorist act
4 occurs has to be at peace or the country that produces
5 the national or the individual has to be at peace?

6 MR. HANDYSIDE: I object to the form.
7 Compound.

8 A It's -- yeah, peacetime is kind of
9 geographic as well. So, yes, it's really meaningful in
10 peacetime as opposed to war because war has so many
11 acts like World War II. I mean, you can call that,
12 therefore, terrorism.

13 Terrorism is really a specific type of
14 political violence which is really not an insurgency, a
15 civil war or just a war between two states. That's
16 just war. People who study terrorists do not really
17 study war because they just -- you know, it would water
18 down the meaning of terrorism to a level that's
19 completely meaningless.

20 So, yes, it does require domestic
21 peacetime, but let me offer to modify that a little bit
22 on account of -- because reality is a little bit more
23 complex than those nice black and white distinctions.

24 So in one of my books, Turning to Political
25 Violence, I have several instances of terrorism in 1905

1 in Moscow and, at that time, Russia was at war with
2 Japan. But the act of terrorism had nothing to do with
3 Japan. No, it was not the Japanese, you know,
4 attacking Russia. It was really a subgroup of Russians
5 were upset at their government and carrying out
6 terrorism acts, namely the killing of the uncle of the
7 czar.

8 Similar in the late 1960s and early 1970s
9 in this country when you have acts of terrorism
10 conducted by the Weather Underground. But the United
11 States was at war at the time. Even though it had not
12 declared war, it was definitely at war with Vietnam.
13 But you can see that the act conducted in the United
14 States was not really directed by the Vietnamese to the
15 United States. So we cannot call those in these
16 relatively domestic peacetime events terrorism events
17 even though the country is not, technically, in peace.

18 Q I want to move on to what you said next,
19 would -- I documented that you said next which was
20 additional factors you believe contribute to the
21 unreliability of the federal watchlisting system, lack
22 of quality control and others.

23 So I'd like you to talk specifically to the
24 lack of quality control and tell me your factual basis
25 for that opinion.

1 A Yes, we are okay now.

2 Q With respect to state sponsors of
3 terrorism, what countries do you regard as state
4 sponsors of terrorism?

5 A The United States, by far, number one. But
6 in terms of the department of states they sponsor, it
7 basically depends on your point of view. So each
8 country has their own view of who is a state sponsor of
9 terrorism and we have boiled it down to just three
10 countries.

11 If I recall -- I think in my report I
12 recall putting North Korea, but it was just taken
13 off -- recently off the list. So we just have Iran,
14 Syria and the Sudan according to the State Department.

15 Who I consider state sponsor of terrorism,
16 it really depends. I mean, most -- a lot of states do
17 fund groups that seem to do violence to countries that
18 they are against and if you just look at it neutrally
19 you have to count -- include everybody. I'm just
20 saying that the United States is probably the largest
21 state sponsor of terrorism throughout the last fifty
22 years does not mean that I disagree with it.

23 As a matter of fact, I was one of the
24 agents doing exactly that, namely training, funding,
25 making sure Afghan rebels had weapons in the 1980s and

1 I think that I completely agree with it. I was doing
2 what my government was telling me to do with my full
3 consent and full approval.

4 So, basically, when you say state sponsor
5 of terrorism, you have to have a definition that's at
6 least neutral so you can actually talk the same term
7 with colleagues who may not be Americans. And so the
8 scientific definition is different from a political
9 definition.

10 Q Okay, and what I'm interested here is your
11 definition, actually, or what you consider -- which
12 countries you consider to be state sponsors of
13 terrorism.

14 So is it accurate to say you consider the
15 United States, Iran, Syria and Sudan to be state
16 sponsors of terrorism?

17 A Oh, no. I consider many more. Just look
18 at Syria --

19 Q Again, that's a different answer.

20 My question was: Do you consider those
21 four countries to be state sponsors of terrorism?

22 A No. The United States is actually actively
23 sponsoring terrorism right now in Syria simply because
24 of our strong support of the Kurdish forces. I suspect
25 we also have very active role in Somalia. We still