

# PROTECTING YOUR COMMUNITY FROM TERRORISM:

## Strategies for Local Law Enforcement

Volume 5:  
Partnerships to Promote  
Homeland Security



# PROTECTING YOUR COMMUNITY FROM TERRORISM: The Strategies for Local Law Enforcement Series



## VOL. 5: PARTNERSHIPS TO PROMOTE HOMELAND SECURITY

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The opinions expressed are generally those based on the consensus of executive session attendees. However, not every view or statement presented in this report can necessarily be attributed to each individual participant.

Websites and sources listed provide useful information at the time of this writing, but the authors do not endorse any information of the sponsor organization or other information on the websites.

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Special thanks must go to the Department of Homeland Security (DHS) professionals who provided the latest information on joint efforts and opportunities—and invited the law enforcement community to offer suggestions for how DHS can improve the services and resources they provide. We hope this paper reflects the commitment of all session participants to find new means for collaboration and coordination, even when it means giving up a bit of turf to get the job done. We appreciate the considerable assistance of Director Joshua Filler, Department of Homeland Security's Office of State and Local Government Coordination and Preparedness, for getting the DHS executives involved and assisting in setting the agenda. A thanks is also due to then-DHS Under Secretary for Border and Transportation Security Asa Hutchinson for his informative presentation at the session.

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A project team of PERF staff provided significant support by planning the executive session and reviewing drafts of this white paper. Executive Director Chuck Wexler was crucial in getting the representatives from the various agencies to the table as well as facilitating the session. Research Assistant/Event Planner Anna Berke managed the logistics of the two-day event. We thank Research Associate Stacy Osnick Milligan for chronicling the

discussions at the session. Legislative Assistant Steve Loyka not only helped document the session, but also researched and contributed insights on sections that related to legal mandates and DHS authority. Research Assistant Alex Hayes also helped verify statements in this report. Thanks are also due to Corina Solé Brito, Gerard Murphy and Lorie Fridell for their willingness to review the draft white paper. David Edelson deserves kudos for his outstanding skills in the design of these white papers, as well as his acumen as a grammarian.

This series is dedicated to all those in law enforcement—at the federal, state, local and tribal levels—who collaborate to keep the nation safe from terrorism. We hope this paper, and the others in the series, provide you with information and guidance that will aid in your partnership and counterterrorism efforts.

# FOREWORD

AT THE TIME OF THE EXECUTIVE SESSION THAT BROUGHT LEADERS FROM THE Department of Homeland Security (DHS) together with those from other federal, state, local and tribal agencies, DHS had just celebrated its first year in existence. In that year, it had already taken significant steps to restructure and reorganize 22 federal agencies, all of which brought with them their own distinct cultures, missions and goals. DHS has crafted a strategic plan for this new agency while making important strides in advancing collaboration among the tens of thousands of law enforcement agencies engaged in counterterrorism efforts.

Leaders within DHS have been among the first to acknowledge that there is still much more work to be done—work that depends on the strength of partnerships with law enforcement at all levels of government. It is important that readers recognize that, as one executive session participant put it, creating and running DHS has been like trying to put the wings on a plane as it is taking off down the runway. It is very much a work in progress.

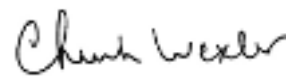
The experts who gathered for the executive session agreed that steady progress has not always been easy: duplication of efforts, lack of coordination and sharing, and other challenges must continue to be resolved as the nation develops a more comprehensive antiterrorism strategy. Defining and communicating the roles and responsibilities of each DHS directorate in enhancing terrorism awareness, prevention, preparation and response are the first steps in improving how that directorate can work effectively with other federal agencies and local, state and tribal law enforcement.

This white paper is largely based on the conference proceedings and describes efforts to build on existing models of collaboration, as well as some suggestions for improving effective interagency coordination at many levels of responsibility. There are no easy answers to the problems facing the nation's law enforcement and intelligence communities. It is hoped, however, that this paper advances the discussion on how best to integrate the diffuse resources and expertise of all those engaged in the fight against terrorism.

The COPS Office and PERF are pleased to present the findings and recommendations that the executive session on DHS partnerships produced. It is not surprising that the underlying principles that will guide our reforms rest squarely on the progress we have made in employing community-policing concepts to solve problems and to forge meaningful collaborations.



Carl R. Peed  
Director, COPS



Chuck Wexler  
Executive Director, PERF





# INTRODUCTION

ON MARCH 1, 2003, SOME 180,000 PEOPLE FROM 22 DIFFERENT FEDERAL agencies, or components of those agencies, came together to form the Department of Homeland Security (DHS).<sup>1</sup> Many agencies that comprise DHS came with their own astounding number of duties and mandates unrelated to counterterrorism, as well as new responsibilities in addressing the terrorist threat. Some came with long histories and cultures that have shaped their agencies' responses and approaches, while others were created from whole cloth. The establishment of DHS was deemed the most comprehensive reorganization of the federal government since the Cold War.<sup>2</sup>

The impediments facing those tasked with creating a fully integrated agency capable of preventing or addressing terrorism are staggering. At the heart of the challenge for DHS has been the need to become immediately competent in all areas of counterterrorism while retaining component agencies' original and continuing duties. At the same time, DHS is being asked to think strategically about how to network with all relevant law enforcement agencies and the people in their communities.

The critical link between federal authorities and the public is local law enforcement. No one has better direct ties with the community to enhance reporting of suspicious activity, to coordinate local preparedness efforts and to guard against hate crimes and other forms of violence.

If community policing has taught us anything, it is that engaging the community and collaboratively solving seemingly intractable problems is the only way law enforcement will be effective—whether in controlling crime, reducing fear or identifying terrorists who live and operate in our cities across the nation. DHS and other federal agencies need to work with local law enforcement to make that happen.

Local law enforcement also is uniquely positioned to protect communities by identifying critical infrastructure in their jurisdictions that are vulnerable to terrorist attacks. Yet there are no simple solutions for how DHS or other federal agencies can effectively coordinate with more than 17,000 decentralized local law enforcement agencies—and

<sup>1</sup> For a history of DHS's organization see <http://www.dhs.gov/dhspublic/display?theme=59&content=4081>.

<sup>2</sup> White House. 2004. *Remarks by the President on the One-Year Anniversary of the U.S. Department of Homeland Security, March 2, 2004*. Washington, D.C.

myriad state and tribal authorities—and then integrate those efforts with all other relevant federal initiatives. The first step may well be to ensure that local law enforcement has the necessary resources, training, technology and means for coordinating with federal agencies to achieve DHS’s vision. They must be full partners in the fight against terrorism.

## **The Project: Community Policing in a Security-Conscious World**

The Police Executive Research Forum (PERF),<sup>3</sup> with support from the U.S. Department of Justice Office of Community Oriented Policing Services (COPS), has convened a series of five executive sessions for law enforcement chief executives, other policing professionals, government agency leaders and policymakers to explore, debate and exchange information. These sessions provide law enforcement practitioners and homeland security personnel with opportunities to share and develop effective strategies for addressing terrorism while continuing to enhance community policing. The discussions are captured in subsequent white papers that are widely disseminated to law enforcement and decision makers at all levels of government.

Previous executive session discussions resulted in white papers on *Protecting Your Community from Terrorism: Strategies for Local Law Enforcement*. These sessions focused on the following topics:<sup>4</sup>

- Local-Federal Partnerships (November 2002, Washington, D.C.);

- Working with Diverse Communities (June 2003, Chicago);
- Preparing for and Responding to Bioterrorism (July 2003, Los Angeles); and
- The Production and Sharing of Intelligence (December 2003, Washington, D.C.).

## **The Fifth Executive Session**

On DHS’s one-year anniversary in March 2004, PERF convened another executive session, *Law Enforcement Partnerships with the Department of Homeland Security: Working Together to Address Terrorism and Enhance Community Policing*, in Washington, D.C. Moderated by PERF’s executive director, the day-and-a-half session featured discussions about what is working and what can be improved between law enforcement and DHS.<sup>5</sup>

The session was marked by lively exchanges and frank debate about issues of notification, the

***“This is the first time since I’ve been on the job that I’ve been at a forum like this to talk to folks ... who do this everyday, and to be [working on the issues] with the FBI here too.”***

***—General Patrick Hughes,  
Assistant Secretary, Office  
of Infrastructure  
Protection, Department of  
Homeland Security***

<sup>3</sup> PERF is a nonprofit membership organization of progressive policing professionals dedicated to advancing law enforcement services to all communities through experimentation and national leadership. Its members serve more than half the nation’s population, and the organization provides training, technical assistance, research, publications and other services to its members and the profession. More information about PERF can be found at [www.policeforum.org](http://www.policeforum.org).

<sup>4</sup> At the time of this writing, the first four white papers in the series are available as a free download at [www.policeforum.org](http://www.policeforum.org) and [www.cops.usdoj.gov](http://www.cops.usdoj.gov). There will be a sixth white paper, funded separately by the National Institute of Justice, on partnering to prepare for and respond to critical incidents.

<sup>5</sup> All participants’ titles and agency affiliations are listed as of the time of the executive session, unless indicated otherwise.

usefulness of general threat warnings, intelligence and data sharing, community policing principles, how resources should be spent, issues of trust and much more. Perhaps one of the earliest indicators that the forum was a success was participants' statements that this was the first time authorities at this level, from such a diverse law enforcement orientation, came together in a small working group to identify the means for more effective partnerships.

The executive session began with a discussion of the mission and responsibilities of DHS; the structure of homeland security functions at the local, state, tribal and federal levels; and the factors that comprise successful collaboration models. The participants discussed realistic steps that all represented agencies could take to improve complementary prevention and response strategies—strategies and tactics that build on effective community policing principles.<sup>6</sup>

The session's goals were primarily to provide counterterrorism professionals and government policymakers with information about some of the challenges and approaches to addressing terrorism, and to elicit feedback that could inform DHS's long-term planning process and more immediate efforts. It also was structured to highlight areas in which DHS and other federal agencies may need to reduce redundancy and better coordinate efforts to provide improved support for local law enforcement. As the session closed,

participants agreed to evaluate their approaches, as well as rethink the best means for contacting and assisting one another in light of the insights gained at this forum.

## **What's Ahead**

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This white paper summarizes participants' discussions at the executive session. It is written primarily for local, state, tribal and federal law enforcement agencies that have the potential to work closely with DHS personnel and their component agencies. It is also meant to provide DHS leaders with useful information that can guide their continued efforts to improve agency partnerships. The paper includes several sidebars to provide viewpoints written either by executive session participants or other individuals on key topics or concerns raised at the executive session that could not be fully explored in the time allotted. These sidebars provide a glimpse of what practitioners experience in implementing policy, navigating a labyrinth of government agencies and instituting reforms meant to ensure greater public safety.

The following chapter, Chapter Two, provides a context in which the remaining sections of this paper can be considered. It reviews the DHS components' missions and responsibilities. It is by no means exhaustive and only hints at how complex the agency is and the tremendous number of mandates placed upon it. The chapter also reflects how difficult it is to determine adequate measures

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<sup>6</sup> Federal agencies at the table included the Federal Bureau of Investigation, the Office of Community Oriented Policing Services and the Department of Homeland Security. Representatives attended from the following DHS directorates: Homeland Security Operations Center, Information Analysis and Infrastructure Protection, Federal Emergency Management Agency, Immigration and Customs Enforcement, Office of Domestic Preparedness, Office of Research and Development, Office of Science and Technology, Office of State and Local Government Coordination, United States Border Patrol, United States Coast Guard and United States Secret Service.

The local, state and tribal agencies in attendance included Appleton (WI) Police Department, DC Metropolitan Police Department, Fairfax County (VA) Police Department, Fayetteville (NC) Police Department, Los Angeles Police Department, Massachusetts Office of Public Safety, DC Metro Transit Police, Miami Police Department, Montgomery County (MD) Police Department, New York State Office of Public Security, Oregon State Police, Pasadena (CA) Police Department, Prince William County (VA) Police Department, U.S. Capitol Police and Yavapai-Prescott Tribal Police.

for evaluating success in countering the terrorist threat and in building a truly integrated national structure. This chapter reflects the organizational structure and mandates at the time of the executive session. There have been several reorganizations and proposed reforms as this paper goes to print that will continue to shape the evolution of the agency.

Just as it is important to understand and improve partnerships between local law enforcement and DHS, it is also vital that other partnerships are fostered between local law enforcement and other nonfederal partners (state and tribal authorities, private security, community leaders and countless stakeholders). Chapter Three briefly outlines local and state enforcement responsibilities, as well as several examples of homeland security collaborations, to demonstrate that the complex and highly variable homeland security structures at the local and state level make a one-size-fits-all approach to partnerships very difficult. This chapter discusses some of the many stakeholders (e.g., transportation systems, the military, tribal police, colleges and universities, the private sector, building management and others) that law enforcement at all levels of government must engage to enhance critical infrastructure protection and public safety. In reviewing the roles and responsibilities of law enforcement in these partnerships, Chapter Three also clarifies the challenges tribal, state and local law enforcement face in addressing the threat of terrorism while continuing to handle traditional

crimes, as well as how greater support for their long-established policing functions can benefit counterterrorism goals.

Chapter Four offers examples of how local and state agencies are using DHS resources and training to enhance terrorism response capabilities. The chapter emphasizes the need for dual use, flexible grants and resources, and the need for regional approaches that support law enforcement efforts. Also discussed are training gaps for street-level officers and other needs that have not yet been fully addressed. Special attention is paid to local funding challenges and concerns about federal grant processes.

Chapter Five provides an understanding of what the remaining problems are regarding information sharing between federal agencies and state, local and tribal law enforcement; interoperability and other communication concerns. The chapter also reviews the DHS alert systems and how that information is used by local law enforcement. There is significant consideration of how information-sharing mechanisms can be improved, how new technologies can be employed, as well as the need to reduce redundancy and confusion among all involved agencies.

The white paper concludes with recommendations for local, state, tribal and federal law enforcement agencies as they partner with DHS and navigate their new path in policing communities that are vulnerable to both traditional crimes and terrorism.

# THE MISSION AND RESPONSIBILITIES OF THE DEPARTMENT OF HOMELAND SECURITY

**M**ANY FEDERAL AGENCIES DEDICATED TO DOMESTIC SECURITY ISSUES ARE coordinated and overseen by the Department of Homeland Security (DHS). The Homeland Security Act of 2002 and the first DHS strategic plan outline the vision and mission statements, core values, principles, strategic goals and objectives that guide daily DHS operations.<sup>7</sup> The establishment of DHS was meant to provide coordinated terrorism threat information for local, state, tribal and private sector entities. With the first year completed, DHS has redoubled its commitment to have its component agencies build meaningful partnerships with one another, law enforcement and other first responders.<sup>8</sup> These partnerships are essential to protect the nation from terrorist attacks and to address criminal acts that plague U.S. communities. But this effort must be reciprocal: law enforcement agencies at all levels of government must fully understand and accept one another's resources, mandates and limitations. The executive session participants soon realized that others around the table had assets and guidance that they did not know existed or felt they could not access. It was not long before connections were made and obstacles to access were overcome. The following section provides a brief overview of DHS resources and functions to provide all readers with a context in which to view the recommendations for sharing and cooperation outlined in the remainder of the paper.

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<sup>7</sup> At this writing, the Homeland Security Act of 2002 (H.R. 5005) is available at [http://www.dhs.gov/interweb/assetlibrary/hr\\_5005\\_enr.pdf](http://www.dhs.gov/interweb/assetlibrary/hr_5005_enr.pdf). The *Securing Our Homeland: U.S. Department of Homeland Security Strategic Plan* (February 24, 2004) is available at [http://www.dhs.gov/dhspublic/theme\\_home1.jsp](http://www.dhs.gov/dhspublic/theme_home1.jsp).

<sup>8</sup> Secretary Ridge's One-Year Anniversary Speech, delivered at George Washington University on February 23, 2004, is available online at: <http://www.dhs.gov/dhspublic/display?content=3204>. Highlights of the department's year-one accomplishments are also available online at <http://www.dhs.gov/dhspublic/display?content=3241>.

## DHS Mission

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*“The primary mission of the Department is to—*

- (A) prevent terrorist attacks within the United States;*
- (B) reduce the vulnerability of the United States to terrorism; and*
- (C) minimize the damage, and assist in the recovery, from terrorist attacks that do occur within the United States.”<sup>9</sup>*

Of note is that while DHS’s primary mission is to address terrorism, there is no single government agency dedicated solely to that end. Responsibilities for homeland security are dispersed among more than 100 different government entities.

Executive session participants discussed the DHS mission and agreed that the concept of a secure homeland should involve more than just preventing or preparing for terrorism. They contended that homeland security should entail addressing any criminal act that will destabilize U.S. communities, citing local crime issues such as serial shootings, gang violence and drug trafficking that also threaten public safety and create fear among community members. Terrorists may also engage in traditional crimes such as money laundering, identity theft and illegal drugs to finance and support their activities. Executive session participants encouraged DHS to continue

to look for opportunities to more broadly define its mission to assist local, state and tribal government entities with crimes that can have an impact on community and national security.

## The DHS Five Major Directorates and Responsibilities<sup>10</sup>

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The five major DHS directorates are

- 1) Information Analysis and Infrastructure Protection,
- 2) Border and Transportation Security,
- 3) Emergency Preparedness and Response,
- 4) Science and Technology, and
- 5) Management.

Collectively these directorates are responsible for reducing America’s vulnerability, preventing future attacks, and responding to and mitigating the effects of attacks that do occur. The directorates assess threats and develop intelligence, guard borders and airports, protect critical infrastructure and coordinate emergency responses. There are also several other entities that have been brought under DHS authority that do not fall within a directorate such as the United States Coast Guard. At this writing, DHS is continuing to evolve, and other agencies may well be created or modified. Each agency now within DHS is tasked with helping to provide greater security through improved intelligence, coordinated efforts and cooperation. Below is a brief overview of each of the directorates and other

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<sup>9</sup> See H.R. 5005-8 the *Homeland Security Act of 2002*. At this writing the document can be found at [http://www.dhs.gov/interweb/assetlibrary/hr\\_5005\\_enr.pdf](http://www.dhs.gov/interweb/assetlibrary/hr_5005_enr.pdf).

<sup>10</sup> The structure of DHS described in this paper reflects its organization at the March 2004 executive session. As this paper goes to print, readers can access more information about how DHS will be reorganized by accessing the DHS website (see, e.g., Remarks by Secretary Michael Chertoff on the Second Stage Review of the Department of Homeland Security, July 13, 2005 at <http://www.dhs.gov/dhspublic/display?content=4597>). These organizational changes include “(1) formation of a new, department-wide policy office; (2) significant improvements in how DHS manages its intelligence and information sharing responsibilities; (3) formation of a new operations coordination office and other measures to increase operational accountability; and (4) an important consolidation effort that integrates the Department’s preparedness mission.”

DHS agencies.<sup>11</sup> It is not a comprehensive listing, but rather a sketch to help put in perspective the discussions and recommendations that follow.

***“Having big-city police departments rotate through the [HSOC] watch desk creates relationships and information sharing between local agencies and DHS that fosters important understandings of each other’s missions.”***

***—Richard Russell, Principal Deputy Director, Homeland Security Operations Center, Department of Homeland Security***

### **Information Analysis and Infrastructure Protection (IAIP)<sup>12</sup>**

Among the IAIP component’s duties are information analysis, infrastructure protection and the Homeland Security Operation Center (HSOC) administration. The IAIP directorate identifies and assesses potential threat information, establishes relationships with the intelligence community, issues threat warnings and advisories through the HSOC, and determines and maps vulnerabilities in the United States.

DHS shares with and uses information from all intelligence-generating agencies. These include the National Security Agency (NSA), the Central Intelligence Agency (CIA) and the Federal Bureau of Investigation (FBI) (including the combined efforts of these and other agencies that run the Terrorist Threat Integration Center). IAIP aggregates and analyzes information from multiple sources and then uses the intelligence to help prevent terrorist activities. Its HSOC is a central point of connectivity for intelligence in and out of DHS. The resulting threat analysis and warning function is meant to support U.S. decision makers. Executive session participants discussed how IAIP’s timely analysis and dissemination of information could provide useful warnings to local, state, tribal and federal government agencies, as well as the private sector and others to disrupt and prevent terrorist acts.

IAIP coordinates partnerships with government, private and international stakeholders. It develops awareness programs, information-sharing mechanisms and sector-focused best practices and guidelines to support services to these partners. IAIP serves as the primary contact for coordinating critical infrastructure protection activities within the federal government, including vulnerability assessments, strategic planning efforts and exercises.<sup>13</sup>

Within the IAIP, there are many initiatives to prevent terrorist attacks beyond their intelligence fusion efforts. For example, the Analytic Red Cell

<sup>11</sup> At the time of this writing, more information on the DHS directorates and DHS organizational structure can be found on the DHS website ([www.dhs.gov](http://www.dhs.gov)). The description in this paper of each directorate and other critical agencies was obtained from DHS presentations at the executive session and from the DHS website.

<sup>12</sup> IAIP was one of the new agencies created by DHS that did not previously exist.

<sup>13</sup> For example, a cyber-attack on information and telecommunications systems can affect other critical infrastructure sectors, including banking and finance, energy and transportation. Such an attack would likely cause widespread service disruptions, damage the economy and jeopardize public safety. IAIP unifies the cyber-security activities performed by the Critical Infrastructure Assurance Office (previously part of the Department of Commerce) and the National Infrastructure Protection Center (formerly within the FBI). IAIP enhances those resources with the response functions of the National Cyber Security Division United States Computer Emergency Response Team (US-CERT). At the time of this writing, more information on US-CERT can be found at [www.us-cert.gov](http://www.us-cert.gov).



Program uses an approach that exploits the talents of individuals from various fields—including screenwriters, best-selling authors, psychologists, philosophers, academics, various terrorism experts and employees of the CIA and FBI—in an attempt to bring fresh insight to problems outside their respective disciplines.<sup>14</sup> Participants draw on their life experiences to think like terrorists and paint a picture when there are no specific dots to connect. The Red Cell Program creates products that build on best practices used by the defense and intelligence communities to help analysts anticipate when, where and how a terrorist might conduct an attack.

***“The Information Analysis and Infrastructure Protection directorate issues warnings, but we need to learn more about what law enforcement does with that information and whether it has value.”***

***—John Chase, Chief of Staff, Office of Information Analysis and Infrastructure Protection, Department of Homeland Security***

### **Border and Transportation Security (BTS)**

BTS is responsible for securing borders and transportation systems, enforcing immigration laws and ensuring the flow of traffic and commerce. According to DHS representatives at the session, BTS conducts immigration enforcement by deterring illegal immigration, preventing terrorists and other criminal

aliens from entering or residing in the United States, facilitating lawful entry, detecting and removing those who are living in the United States in violation of immigration laws and pursuing investigations. BTS includes

- the Transportation Security Administration (TSA);
- the Bureau of Immigration and Customs Enforcement (which consolidates the Federal Protective Services, the Federal Air Marshals Service and the investigation and enforcement arm of the former Immigration and Naturalization Service);
- the U.S. Customs and Border Patrol (CBP) (which consolidates U.S. Customs, the inspection authority of the former INS, the Animal and Plant Health Inspection Service and the entire U.S. Border Patrol); as well as
- the Federal Law Enforcement Training Center (FLETC).

TSA uses intelligence, regulations, enforcement, inspection, and the screening and education of security personnel for passenger and shipping carriers to protect transportation infrastructure. TSA also has statutory responsibility for the security of more than 400 airports. With so many duties and responsibilities, TSA looks to local law enforcement to share information and help protect transportation systems. It has reimbursed local law enforcement for security assistance at airports and hopes to advance those partnerships further in the future.

The primary responsibility of CBP is the control and protection of the nation’s borders. CBP has authority to provide border security as well as

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<sup>14</sup> Information on the Analytic Red Cell Program was obtained from the DHS’s *Homeland Headlines* e-newsletter on July 6, 2004, vol.3, no.5.

screen all shipments entering coastal areas, sea-ports and all other ports of entry. According to a session participant, the U.S. Border Patrol has about 11,000 patrol agents, with 10,000 located at the southwest border and 1,000 along the northern border at the time the working group convened (CBP has approximately 41,000 total employees). With so few resources, and the U.S. history of an open-border policy, the agency has depended on contributions from other law enforcement partners with concurrent jurisdiction. Accordingly, the U.S. Border Patrol created task forces and Integrated Border Enforcement Teams with local, state, tribal and other federal law enforcement agencies to act as force multipliers at the borders. The agency also relies, in part, on state and local agencies' equipment, technology, personnel and intelligence.

At this writing, there are an estimated 7 million illegal aliens in the United States, while the Bureau of Immigration and Customs Enforcement (ICE) has approximately 20,000 employees tasked with identifying, investigating and removing illegal aliens and contraband.<sup>15</sup> Their efforts are meant to reduce crime and America's vulnerability to terrorist attack. ICE agents also work on preventing certain financial crimes, commercial fraud and human rights violations. ICE maintains a number of partnerships with state and local law enforcement—varying in design and formality. Joint efforts entail regular communication through various mechanisms and even formal memoranda of understanding (MOU) in certain states. In 2002, for example, ICE, the State of Florida and the Florida Department of Law Enforcement entered into the first federal MOU to help improve information-sharing and joint immigration enforcement efforts. The collaboration is meant to enhance national

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<sup>15</sup> See [www.ice.gov](http://www.ice.gov).

***“As part of the Department of Homeland Security, ICE aims to work cooperatively with state and local law enforcement agencies to enhance public safety and national security. Many police departments contact ICE to request assistance with aliens who commit crimes while in the United States illegally while police departments in other locations operate under political mandates, often issued by city councils, which discourage or prohibit cooperation with federal immigration enforcement officers. But ensuring consequences for violations of immigration laws is an important tool for disrupting criminal organizations and preventing terrorist attacks. When ICE and local agencies work together to enforce these laws, we reduce criminal threats and significantly improve public safety in communities across the country.”***

***—Michael Garcia, Assistant Secretary, Immigration and Customs Enforcement, Department of Homeland Security***

security and augment ICE personnel resources by creating a cadre of specially trained state and local law enforcement officers—deputized and organized into several task forces—under the direction of regional ICE supervisors.<sup>16</sup>

ICE also established the Law Enforcement Support Center (LESC)—operating 24 hours a day, seven days a week—to coordinate information gathered from the National Crime Information Center (NCIC), the Interstate Identification Index, and numerous other databases and criminal history indexes. Serving as a national enforcement operations center, LESC seeks to provide timely information on the immigration status of foreign-born individuals who are under investigation or being detained. The LESC is not strictly a function of ICE, but rather a product of DHS’s larger information-sharing effort. The center also provides a range of informational and analytical services in support of multi-agency investigations. In addition to responding to inquiries from local, state and federal correctional and court systems on immigration status, LESC supports general queries on potential criminal or terrorist activity, as well as background checks for firearm purchases and employment at sites considered to be potentially vulnerable to terrorist attack.<sup>17</sup>

### **Emergency Preparedness and Response (EPR)**

The EPR directorate is tasked with continuing the mission of the Federal Emergency Management Agency (FEMA)<sup>18</sup> and builds on its approach to prepare the United States for large-scale domestic critical incidents, natural disasters or terrorist acts.

EPR coordinates with first responders and oversees federal response and recovery strategies. EPR efforts are meant to help prevent or minimize the loss of life and property and to protect institutions by using a comprehensive, risk-based emergency management program. It promotes disaster-resistant communities by providing federal support to local governments for securing infrastructures and protecting the public. The “all-hazards” approach is designed to enable flexibility in response, to reduce the risk of harm and to coordinate proactively with private industry, the insurance sector, mortgage lenders, real estate professionals, homebuilding associations, citizens and myriad other stakeholders. EPR also brings together the Nuclear Incident Response Team (formerly of the Department of Energy), the National Domestic Preparedness Office and Domestic Emergency Support Teams (formerly of the Department of Justice), and the Strategic National Stockpile and National Disaster Medical System (formerly of the Department of Health and Human Services). It coordinates and works closely with state and federal response teams outside the directorate, such as those at the National Guard and Coast Guard.

Executive session participants representing DHS stressed the value of their being able to draw on the expertise of FEMA. FEMA offers a number of significant assets in their consequence management role, including expertise in mitigating the impact of emergency incidents. It brings an array of medical and other resources for disaster

<sup>16</sup> More information on the Florida MOU and similar models of cooperation can be found in the second volume of this series, entitled *Working with Diverse Communities*. A more detailed discussion of the local law enforcement role in immigration enforcement, and concerns about its impact on police-minority community relations is also included in that paper, which is available at [www.policeforum.org](http://www.policeforum.org) or [www.cops.usdoj.gov](http://www.cops.usdoj.gov).

<sup>17</sup> At this writing, law enforcement can contact the LESC at 1-866-DHS-2ICE.

<sup>18</sup> At this writing more information on the Federal Emergency Management Agency can be found at [www.fema.gov/](http://www.fema.gov/).

preparedness and response. At the time of this writing, state homeland security directors are helping the agency create more detailed plans for threat-specific responses that integrate various disciplines and levels of government. The Emergency Management Institute (EMI)—the training division of FEMA—has also developed a national training and evaluation system aimed at improving the implementation of the National Incident Management System (NIMS) at the federal, state and local levels. EMI has also set standards for additional training and is working to determine how government agencies can review their progress and performance.<sup>19</sup>

### Science and Technology (S&T)<sup>20</sup>

The Science and Technology Directorate (S&T) performs the primary research and development

***“We need to recognize the exceptional work of DHS over the past year, especially in the areas of response and recovery; I am also pleased to see DHS’s increased focus on prevention, particularly in the areas of information sharing and critical infrastructure hardening.”***

***—Ronald Iden, Director,  
Office of Homeland  
Security, California  
Governor’s Office***

function for DHS. It provides federal, state, local and tribal officials with information on new technology and the application of existing or declassified technologies to protect the homeland. S&T also works directly with law enforcement agencies to identify and develop technologies to prevent, detect and mitigate the effects of terrorist attacks and other hazards. It is involved in the research, development and testing of vaccines, antidotes, and diagnostics and treatment plans to counter biological and chemical warfare agents—often in collaboration with national laboratories and academic institutions.

There were originally four offices within S&T: the Office of Programs Plans and Budget (responsible for the planning and coordination of all of the directorate’s research and development efforts), the Homeland Security Advanced Research Projects Agency (HSARPA), the Office of Research and Development (responsible for the administration and direction of the directorate’s laboratories and research centers) and the Office of Systems and Engineering Development (responsible for overseeing the development of advanced technologies systems and their implementation in the field).

In September 2004, DHS launched a fifth S&T office—the Office of Interoperability and Compatibility (OIC) to oversee public safety interoperability programs and their effective integration at the federal, state and local levels.<sup>21</sup> The OIC serves as a central clearinghouse for government agencies to gain information about and assistance with interoperability issues. It is

<sup>19</sup> More information regarding training and standards for implementation of NIMS and Incident Command Structures can be found at [http://www.fema.gov/tab\\_education.shtm](http://www.fema.gov/tab_education.shtm) or <http://training.fema.gov/EMIWeb/>.

<sup>20</sup> At this writing, more information on the Science and Technology directorate can be found at [www.dhs.gov/dhspublic/display?theme=43&content=1087](http://www.dhs.gov/dhspublic/display?theme=43&content=1087).

<sup>21</sup> See *DHS Today*, September 29, 2004 or [www.dhs.gov](http://www.dhs.gov) for more information on the launch of the OIC.

responsible for supporting the development of standards; establishing a comprehensive research, development, testing and evaluation program to improve public safety interoperability; coordinating all related DHS grants and ensuring that states acquire the necessary funding to guarantee improvement of interoperability; providing technical assistance; as well as overseeing the administration of the NIMS Integration Center.

## Management

The Management Directorate of DHS is responsible for its budget, oversight and human resources issues, including appropriations, funds expenditures, accounting and finance; procurement; personnel; information technology systems; facilities, property, equipment and other material resources; and performance measures. Management is responsible for ensuring that DHS employees understand their responsibilities and how to communicate with other personnel and managers. Within the directorate, the chief information officer and staff maintain the information technology to keep more than 180,000 employees connected so they can achieve their goals.

## Additional DHS Components

A number of additional offices became part of DHS after its creation. These other agencies do not fall under a specific directorate, but instead exist as independent entities under the larger department. These components include the U.S. Coast Guard (USCG); U.S. Secret Service (USSS); U.S. Citizenship and Immigration Services (USCIS); and the

Office of the Secretary—with the last office alone comprised of the following:

- Office of the Chief Privacy Officer
- Office of Civil Rights and Civil Liberties
- Office of Counter Narcotics
- Office of General Counsel
- Office of the Inspector General
- Office of Legislative Affairs
- Office of National Capital Region Coordination
- Office of the Private Sector Liaison
- Office of Public Affairs
- Office of State and Local Government Coordination and Preparedness

## U.S. Coast Guard (USCG)<sup>22</sup>

Prior to September 11, 2001, the USCG reported to the Secretary of Transportation. As of March 1, 2003, the Commandant of the USCG has reported directly to the Secretary of DHS.<sup>23</sup> According to participants, the move to DHS has been a positive one for the Coast Guard; the agency moved to DHS intact, has seen a 60 percent increase over its pre-9/11 budget, and its missions are now more closely aligned with the missions of its department

***“Those operating around ports need to be more aware of security plans.”***

***—Jeffrey J. Hathaway, Rear Admiral, Director of Operations Policy, U.S. Coast Guard, Department of Homeland Security***

<sup>22</sup> The information for this text was obtained from executive session participants and the USCG website ([www.uscg.mil/USCG.shtm](http://www.uscg.mil/USCG.shtm)).

<sup>23</sup> Consistent with existing law, upon declaration of war or when the President directs, the Coast Guard would operate in the service of the Department of Defense.

than they were pre-9/11 under the Department of Transportation.

Executive session participants agreed that there has been a productive long-term partnership between local, state and federal agencies and the USCG to handle maritime homeland security issues. The USCG focuses its efforts on awareness, protection, prevention and response.

The USCG provides multimission maritime operational expertise as a military and law enforcement organization. As one of the five Armed Services, its missions include protecting the public, the environment, and U.S. economic interests—in the nation’s ports and waterways, along the coast or in any U.S. maritime region, as well as in international waters—to support national security. It is important to remember that the agency continues to have all of its search, rescue and other nonterrorism-related duties as well. USCG works particularly closely with local, state and federal agencies in protecting the nation’s ports.

### **U.S. Secret Service (USSS)<sup>24</sup>**

Since March 1, 2003, the director of the USSS has reported directly to the Secretary of DHS. The primary mission of the USSS continues to be the protection of the President of the United States and other government leaders, but includes other duties as needed for securing national events, conducting investigations and preserving the integrity of financial and critical infrastructures. The USSS has such added responsibility as guarding against counterfeiting and safeguarding citizens from credit card fraud.

***“When I hear you say that local law enforcement does not have close contacts with DHS, I think some people are forgetting that when they work with ICE, the Secret Service or others, we are DHS. We can also help you get to the right person in DHS if you don’t know who to contact.”***

***—Paul Kilcoyne, Deputy Assistant Director, Immigration and Customs Enforcement, Department of Homeland Security***

Executive session participants discussed the many new challenges for the USSS since September 11, including an increase in the number of national events in which USSS holds a coordinating role. A governor can ask that an event be considered a “National Special Security Event” (NSSE) with a formal request from the governor to the Secretary of the Department of Homeland Security. The request will then be forwarded to the NSSE working group, which is made up of representatives from the USSS, FBI and FEMA. The working group will gather facts and make a recommendation to the Secretary, who will make the final decision.<sup>25</sup>

<sup>24</sup> At the time of this writing, more information on the USSS can be found at [www.secretservice.gov/](http://www.secretservice.gov/) and contact information for field offices could be found at [www.secretservice.gov/field\\_offices.html](http://www.secretservice.gov/field_offices.html).

<sup>25</sup> A more detailed discussion of NSSEs can be found on pp. 43-44 in Chapter Four.

## U.S. Citizenship and Immigration Services (USCIS)<sup>26</sup>

While the Border and Transportation Security Directorate, through ICE, is responsible for enforcing immigration laws, USCIS provides services to immigrants and assists with their transition to citizenship. The USCIS director reports directly to the deputy secretary of DHS. Through the USCIS, DHS administers immigrant and non-immigrant sponsorship, change of status, work approval and other permits; naturalization of eligible applicants for U.S. citizenship; and asylum or refugee processing.

## Office of State and Local Government Coordination and Preparedness (OSLGCP)

Among the entities within the Office of the Secretary is the Office of State and Local Government Coordination and Preparedness. In May 2004, DHS merged the Office of Domestic Preparedness (ODP)<sup>27</sup> with the Office of State and Local Government Coordination (SLGC) to create the Office of State and Local Government Coordination and Preparedness.<sup>28</sup> The consolidation is meant to help

DHS accurately evaluate programs, exercise federal oversight and disperse government-provided resources efficiently. States and localities benefit from the reorganization by being able to access a unified and coordinated support office within DHS.

SLGC is meant to serve as a single point of contact for first responders and emergency services to coordinate DHS programs that affect state, local and tribal governments, as well as nongovernmental organizations and associations. SLGC facilitates information exchange among state, local and tribal homeland security personnel; identifies homeland security-related activities, best practices and processes; and uses this information to advance counterterrorism.

The ODP component is responsible for providing training to federal, state and local first responders; allocating funds to purchase equipment for counterterrorism responsibilities; supporting and working with state, local and tribal jurisdictions to plan and execute exercises; and lending technical assistance to stakeholders to prevent, plan for and respond to terrorist activities.

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<sup>26</sup> At this writing, more information on the Bureau of Citizenship and Immigration Services (USCIS) can be found at <http://uscis.gov/graphics/>. The fiscal year 2003 *Yearbook of Immigration Statistics*, which contains a summary of immigration-related data, is available on the U.S. Citizenship and Immigration Services website at <http://uscis.gov/graphics/shared/aboutus/statistics/ybpage.htm>. The yearbook contains statistics and explanatory text covering critical DHS immigration-related activities from border enforcement to naturalization.

<sup>27</sup> More information on the Office of Domestic Preparedness can be found at [www.ojp.usdoj.gov/odp/](http://www.ojp.usdoj.gov/odp/).

<sup>28</sup> More information on the Office of State and Local Government Coordination and Preparedness can be found at [www.dhs.gov/dhspublic/display?theme=38&content=3398](http://www.dhs.gov/dhspublic/display?theme=38&content=3398).

**MEETING THE NEEDS AND ADDRESSING THE CHALLENGES OF  
OUR STATE AND LOCAL GOVERNMENTS**

**by Joshua Filler, Director, Office of State and Local Government  
Coordination and Preparedness, Department of Homeland Security**

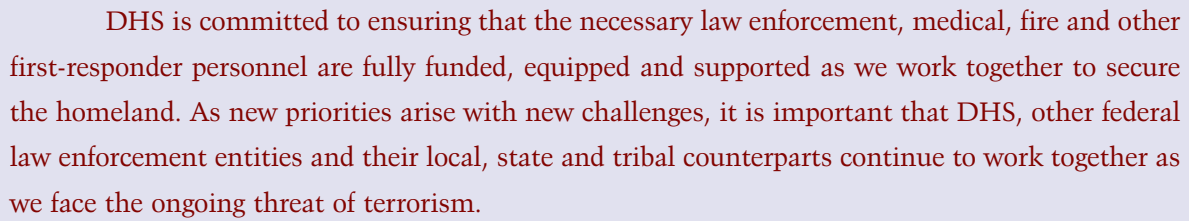
Since September 11, 2001, the President and Congress have provided almost \$11.4 billion in homeland security funding to states, territorial and local governments. Most of those funds have been awarded under the State Homeland Security Grant Program (SHSGP), Law Enforcement Terrorism Prevention Program (LETPP), Firefighters Assistance Grant Program and the Urban Areas Security Initiative (UASI). When the President signed the Department's Federal Fiscal Year 2005 budget it allowed us to provide another \$4 billion in homeland security funding, including \$1.1 billion for SHSGP, \$400 million for LETPP, \$715 million for Firefighters Assistance Grant program, and \$1.2 billion for UASI. We are proud to say that this is the second consecutive year in which the administration has asked for funds in the LETPP program to specifically assist the law enforcement community in their homeland security mission.

We have come a long way since September 11, 2001, and the subsequent creation of DHS, but there is much more work to be done. Federal law enforcement has been meeting with its local, state and tribal counterparts for years in an attempt to build stronger, more effective partnerships to combat crimes such as drug trafficking and organized crime. With the formation of DHS and the bringing together of 22 disparate agencies, the need for open lines of communication among the many agencies involved in protecting our homeland is essential. We have made some impressive strides already.

Routinely, officials from DHS are communicating with representatives from local and state law enforcement discussing policy, operations and intelligence issues. We are constantly assessing the national situation to ensure that state and local officials have the information and resources to prevent, and if necessary, respond to threats and terrorist attacks.

We are providing our state and local partners with the secure communications equipment (video, voice and data), so that agencies and departments at the federal level can better pass classified and other security information to decision makers and analysts within each state and territory. We provide state and local homeland security officials bulletins and real-time information through our information sharing portal, the Homeland Security Information Network's Joint Regional Information Exchange System (HSIN-JRIES). This and other systems represent the forefront of technological advances in real-time information turned into actionable intelligence and disseminated to agents and officers across the country. The Department is also working with State Homeland Security Advisors to grant additional Secret-level clearances to state and local government officials across the country.





DHS is committed to ensuring that the necessary law enforcement, medical, fire and other first-responder personnel are fully funded, equipped and supported as we work together to secure the homeland. As new priorities arise with new challenges, it is important that DHS, other federal law enforcement entities and their local, state and tribal counterparts continue to work together as we face the ongoing threat of terrorism.

### Office of Private Sector Liaison<sup>29</sup>

Executive session participants discussed the critical role the private sector plays in preventing, responding to and recovering from incidents. The Office of Private Sector Liaison (within the Office of the Secretary) provides a direct line of communication between the private sector and DHS. The office is organized into five components: Border and Transportation Security, Emergency Preparedness and Response, Science and Technology, Information Analysis and Infrastructure Protection, and Regulation Review and Analysis. The Office of Private Sector Liaison provides guidance on security policies and regulations; works with federal labs, research and development centers and academia to develop innovative approaches and technologies; and promotes public-private partnerships and best practices. Personnel work directly with individual businesses and through trade associations and other non-governmental organizations to promote an ongoing dialogue and to share information, programs, resources and partnership opportunities.

### Measuring DHS Success

Executive session participants discussed the work achieved in DHS's first year, including a complex management structure, a new airport security system,

improved border operations and port security and much more. At the one-year mark, DHS had also published multiple reports, including the department's reorganization and strategic plans, as well as procedures for local and state law enforcement and other units of government to obtain funding. DHS executives faced many obstacles: the trials of working from temporary office space, many unfilled senior-level positions, union-management issues, under-funded mandates for DHS component areas and more.

***“The establishment of DHS was like forming a large corporation in one year.”***

***—Chuck Wexler,  
PERF Executive Director***

With the many challenges DHS has faced in establishing a new department, it has simultaneously had to handle an anxious public and the immediate needs local, state, tribal and federal law enforcement agencies have for an integrated response that draws on competencies not yet developed. Executive session participants discussed the problems with how the government would measure DHS success, given the difficulty

<sup>29</sup> As this paper goes to print, more information on the Office of Private Sector Liaison can be found at [www.dhs.gov/dhspublic/display?theme=37&content=3363](http://www.dhs.gov/dhspublic/display?theme=37&content=3363).

in proving that terrorist acts have been averted through prevention and other efforts. Assessing a department with more than 180,000 employees that answers to 80 congressional committees and subcommittees and other oversight at this writing is daunting, particularly because it must address tremendous immediate needs while starting a new counterterrorism organization for the long term. One measure of its success will be the extent to which it is able to effectively enhance collaborations with law enforcement at all levels of government.

## **CONCLUSION**

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DHS is committed to enhancing local, state and tribal awareness of the roles and responsibilities of each directorate and the resources and training they provide. The relationship is symbiotic, as DHS also relies on the homeland security efforts at the local, state and tribal levels, including the private sector. Executive session participants have likened DHS's development to putting the wings

on a plane as it takes off down the runway. First responders acknowledge that DHS is very much a work in progress, but also expressed urgency in receiving federal assistance that reflects their immediate needs for funding and other forms of support. It was evident from the session discussion that many state and local agencies are still unaware of the roles, responsibilities and resources offered by the DHS component agencies. Furthermore, even the federal agency representatives acknowledged the need to better define their duties and reduce redundancies and turf issues. All agreed, however, that much progress has been made and the benefits they will gain from further coordination and collaboration will greatly advance homeland security. A more detailed discussion of how local law enforcement has put to use some of the DHS resources described above, as well as other assets, is provided in Chapter Four.



## CHAPTER THREE

# STATE AND LOCAL RESPONSIBILITIES AND MODELS FOR COOPERATION

**J**UST AS LAW ENFORCEMENT AT ALL LEVELS OF GOVERNMENT MUST WORK WITH DHS and other federal authorities to secure the homeland, similar efforts to foster partnerships between law enforcement and other nonfederal stakeholders are critical. These partnerships are the focus of this chapter. The following sections reflect executive session participants' discussions of cooperation among state homeland security authorities, local and state law enforcement agencies, and local departments' initiatives with neighboring jurisdictions and key stakeholders. The intent is to provide a broad overview of the types of coordinated efforts that can advance counterterrorism work.

This chapter discusses state homeland security models and plans, which vary considerably to meet states' specific needs for homeland security protection. The differences among the states add to the complexity of developing effective cooperative and support efforts among all levels of government. State homeland security models are also considered because of their role in disseminating grants to police agencies. Based on lawmakers' premise that the states best understand homeland security needs, particularly for first responders and emergency personnel, DHS provides funding to state homeland security authorities to oversee and distribute funds for counterterrorism efforts. DHS also provides states with guidance on improving their state and local homeland security plans. Accordingly, local police and state law

enforcement need to continue building stronger relationships with their state homeland security authorities to inform the process and foster cooperative approaches.

The chapter then explores partnerships among all first responders (fire, police, EMS and others), as well as law enforcement collaborations with such key stakeholders as transportation authorities, the military, tribal agencies, colleges and universities, private sector and private security, delivery personnel and community leaders.

Finally, local law enforcement concerns about how to meet counterterrorism duties while maintaining traditional law enforcement functions are reviewed, with particular emphasis on how community policing principles can advance both anticrime and counterterrorism efforts.

## State Homeland Security Models

States, just like the federal government, are designing and implementing homeland security agencies and functions. Each state is organizing itself in accordance with its needs and resources, resulting in a great deal of variation across the states. Immediately after September 11, each governor appointed a homeland security advisor to serve as a liaison with DHS. Subsequently states have moved in a variety of directions to meet the day-to-day demands of homeland security. Some states have established independent departments of homeland security; others have designated existing agencies, such as law enforcement, emergency management or national guard to assume homeland security responsibilities. Along with variation in organizational structures, there exist tremendous differences in the backgrounds, expertise and perspectives of state homeland security directors and advisors. These individuals come from many disciplines, including law enforcement, military, public health, fire, emergency management and even the private sector. Their professional orientation may well influence how they define homeland security, organize state resources and develop plans for allocating federal grant dollars.<sup>30</sup>

State homeland security directors are still developing and shaping the scope of their mission, roles and responsibilities. Each state homeland security director has developed a state strategic plan, many of which promote public safety and

protect critical infrastructure. According to a state homeland security representative at the session, the priorities of each state may also include such local crime issues as combating gang violence, car thefts, drug activity and burglaries. Executive session participants recommended that state homeland security directors focus on an all-hazards approach to preparedness that would address any critical incident, whether it is a wildfire, a hurricane or a terrorist attack. The primary focus at the state level should be to bring all agencies to the table, have an open dialogue and reach some consensus on implementation. State homeland security directors at the executive session indicated that they look to other states to replicate models and best practices. For instance, some states look to California because it has had extensive experience in multi-agency and regional partnerships to handle such critical incidents as large-scale fires and earthquakes. Participants believed DHS could provide valuable resources to facilitate greater information sharing and best practices.

One of the greatest challenges for state homeland security directors has been trying to coordinate the many different first responders and other stakeholders needed to address each potential threat. The homeland security directors often have inadequate staff to fully meet operational goals and to handle the inestimable needs of each jurisdiction.

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<sup>30</sup> See [www.nga.org/cda/files/homestructures.pdf](http://www.nga.org/cda/files/homestructures.pdf) for the document *Overview of States Homeland Security Governance*, which gives information on homeland security task forces, state homeland security websites, legislation, executive orders and other relevant sources. The National Governors' Association has developed materials that provide a comprehensive overview of state homeland security governance and a listing of state homeland security organizational structures.



## ***HOMELAND SECURITY'S MOMENT IN TIME***

***by George Foresman, Deputy Assistant to the Governor,  
Office of Virginia Governor Mark R. Warner***

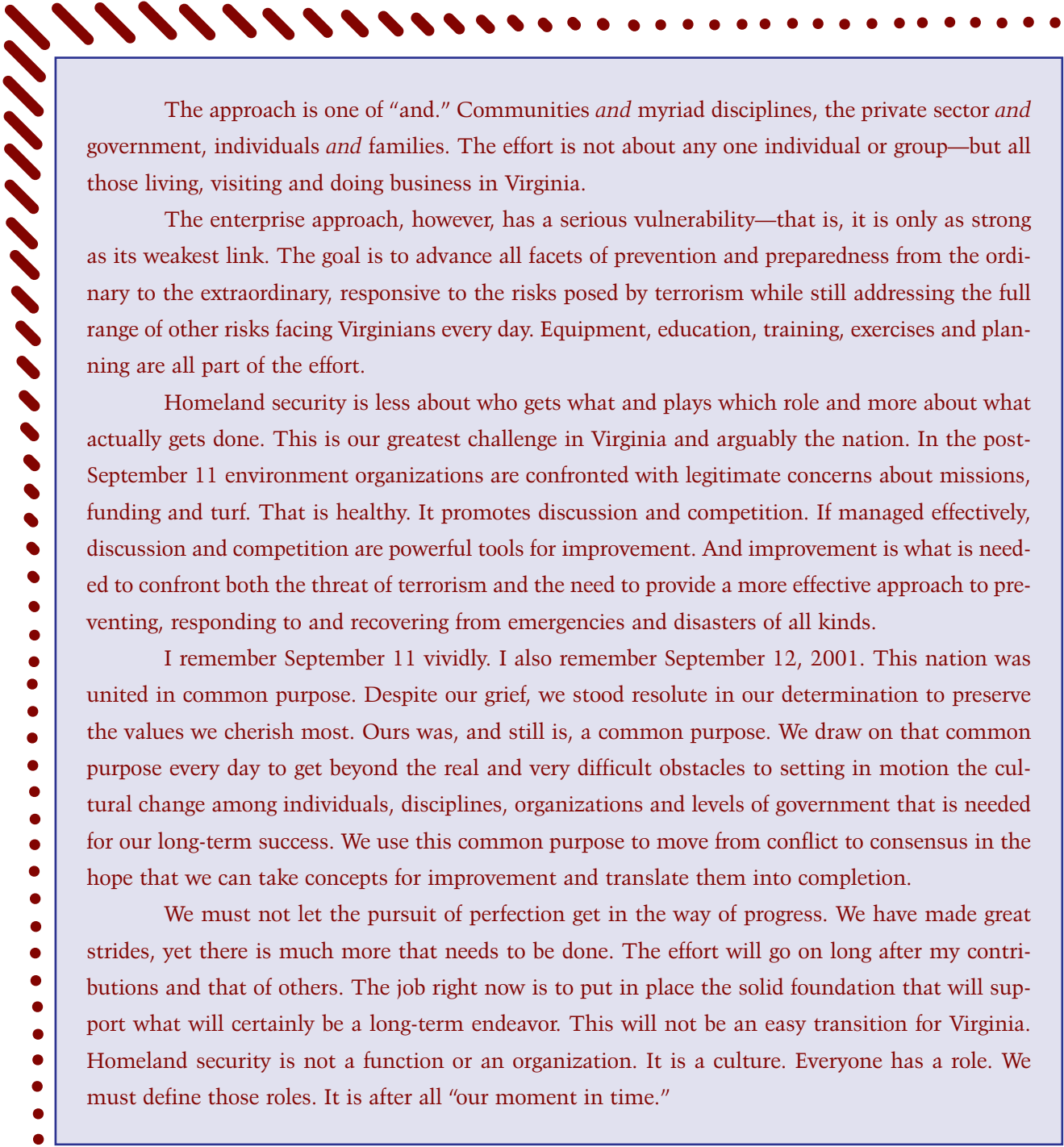
"Ours is a moment in time" is my favorite phrase to describe our collective local, state, federal and private sector initiatives in this post-September 11, 2001 era. It is followed closely by "it is not a case of 'either or', but instead it is a matter of 'and'" when describing what we need to do to make ourselves safer and more secure. We must ensure the collective improvement of the wide range of disciplines responsible for safety and security—police, fire, public health and emergency management, to name a few, as well as similar private sector elements. We will not be successful if our focus is on a single element of preparedness to the exclusion of our broader capability.

In addition to the trauma and horror associated with the terrorist attacks, first responders have had to grapple with a new reality in how they police and serve communities at risk of future terrorist attacks. There has been much angst associated with our national reaction to the events of September 11, 2001. The angst comes in large part from change. A new organization at the federal level called the Department of Homeland Security (DHS) has set in motion a new way of securing the nation. Demands for improved coordination and information sharing "vertically" between the levels of government and "horizontally" among agencies within each level of government is requiring entire disciplines and personnel to adjust to various agency cultures. They must reorient to an approach in which information is gathered during a law enforcement investigation to be widely shared like never before for prevention instead of prosecution.

Change is never easy. It is made even more difficult by a continuing threat environment, an insatiable national appetite for highlighting the inevitable problems that come with adjustment, and the desire of leaders and the public to regain the sense of security Americans held before the September 11 attacks.

Virginia considered these and other factors in charting a course for change as a result of the "focus on homeland security." Our approach is simple: provide leadership for a change in culture among our citizens, our local governments, entire communities, disciplines and state government.

When Governor Warner established the Office of Commonwealth Preparedness in 2002 the mandate was clear: We must improve Virginia's preparedness for emergencies and disasters of all kinds, including terrorism. The idea was not to create a new bureaucracy, but rather to work with existing successful structures and processes to create an "all-risk" enterprise approach. It needed to be nimble enough to manage a full range of risks—from the daily event in a single community to a large-scale occurrence affecting many people, including drugs, gangs, natural disasters and accidents. To be successful, we are reducing the stovepipes and agency turf battles to create a truly statewide and disciplined approach to keeping Virginians safe and secure.



The approach is one of “and.” Communities *and* myriad disciplines, the private sector *and* government, individuals *and* families. The effort is not about any one individual or group—but all those living, visiting and doing business in Virginia.

The enterprise approach, however, has a serious vulnerability—that is, it is only as strong as its weakest link. The goal is to advance all facets of prevention and preparedness from the ordinary to the extraordinary, responsive to the risks posed by terrorism while still addressing the full range of other risks facing Virginians every day. Equipment, education, training, exercises and planning are all part of the effort.

Homeland security is less about who gets what and plays which role and more about what actually gets done. This is our greatest challenge in Virginia and arguably the nation. In the post-September 11 environment organizations are confronted with legitimate concerns about missions, funding and turf. That is healthy. It promotes discussion and competition. If managed effectively, discussion and competition are powerful tools for improvement. And improvement is what is needed to confront both the threat of terrorism and the need to provide a more effective approach to preventing, responding to and recovering from emergencies and disasters of all kinds.

I remember September 11 vividly. I also remember September 12, 2001. This nation was united in common purpose. Despite our grief, we stood resolute in our determination to preserve the values we cherish most. Ours was, and still is, a common purpose. We draw on that common purpose every day to get beyond the real and very difficult obstacles to setting in motion the cultural change among individuals, disciplines, organizations and levels of government that is needed for our long-term success. We use this common purpose to move from conflict to consensus in the hope that we can take concepts for improvement and translate them into completion.

We must not let the pursuit of perfection get in the way of progress. We have made great strides, yet there is much more that needs to be done. The effort will go on long after my contributions and that of others. The job right now is to put in place the solid foundation that will support what will certainly be a long-term endeavor. This will not be an easy transition for Virginia. Homeland security is not a function or an organization. It is a culture. Everyone has a role. We must define those roles. It is after all “our moment in time.”

## State Homeland Security Plans

State homeland security directors are tasked with determining how to protect the public and infrastructure, while assessing how DHS can assist their efforts. Identifying the nature and scope of federal assistance means that states must formulate comprehensive plans and then detail what support is

needed to implement them. To that end, DHS has requested that each state develop a homeland security plan based on its unique needs, resources and vulnerabilities. Executive session participants encouraged DHS to produce standards and detailed direction on how to best structure these state homeland security plans, and how to evaluate them.

Planning is an iterative process in which information from one level of government continually influences the other. State and local executive session participants discussed the information they need from DHS so their agencies can develop meaningful security plans to prevent or disrupt a terrorist attack. Many local law enforcement participants reiterated that they need more information on which threats DHS considers the most urgent for their region (e.g., truck bombs, hijackings, bioterrorism, nuclear weapons), and when possible for their jurisdiction. They also agreed that states have to look at the intelligence they receive from federal agencies to allocate resources to the areas that draw the greatest threat. Recognizing that this is a fluid process in which threat levels and targets change, participants believed DHS could play a greater role in helping states base their homeland security plans and structures on known threats. To the extent possible, states are looking to DHS for guidance that is based on credible information and intelligence.

Local law enforcement agencies are also requesting more guidance and responsiveness from, and stronger relationships with, their state homeland security authority. They want a greater voice in public safety plans and in how resources are allocated. In turn, state homeland security directors are requesting that local law enforcement agencies be patient while they formulate these state homeland security plans and develop relationships with DHS and other jurisdictions. State homeland security directors also request that each of their localities submit fully completed paperwork when applying for funding to ensure timely submission to DHS.

## Local Responsibilities and Models Used for Cooperation

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Ultimately, each local law enforcement department is responsible for addressing crime and the threat of terrorism for its jurisdiction. The local agency may obtain DHS funding and assistance from its state homeland security authority, but decisions on how to allocate the police agency's resources and set priorities for terrorism prevention and preparedness (with consideration for other demands for police services) fall to local law enforcement. The local police department personnel who perform the homeland security function largely shape those determinations, so it is important to understand how agencies staff these positions or activities, as well as how that organization can influence partnerships.

There are many homeland security structures that can be found in local agencies. In some local law enforcement departments there is a homeland security representative who only handles counterterrorism responsibilities.<sup>31</sup> In other local agencies, an individual fills that position, but also handles his or her other duties. For instance, the homeland security representative may be assigned from the intelligence unit, drug unit, gang unit or special tactical unit. He or she may also be the Joint Terrorism Task Force (JTTF) representative for that jurisdiction. Oftentimes the chief executive assigns this individual to be the primary contact for the state homeland security director and for DHS and other federal agencies. Chief law enforcement executives understand how time-consuming the homeland security representative's role can be and the need for adequate staffing and sufficient resources.

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<sup>31</sup> In large agencies this function may be coordinated by several people.



Some local police participants stated they do not have a strong relationship with their state homeland security director. However, some of these agencies have positive interactions with DHS personnel or use their JTTF to obtain information on issues affecting their area. Some of these local law enforcement participants reported building relationships with DHS in Washington, D.C. that are not utilized by their states. The complexities of how local agencies are coordinating and planning with their counterparts in other local agencies, with their state authorities and with federal agencies will shape how they function and what assets they have to draw on.

Some local law enforcement agencies are integrating their homeland security efforts with all other critical incident planning, such as hurricanes, fires, earthquakes, riots and more. The Los Angeles Police Department's (LAPD's) homeland security function was originally organized as the "Counterterrorism Bureau." LAPD changed the bureau name to the Critical Incident Management Bureau to reflect that preparedness for terrorism is largely the same as it is for many other types of critical incidents. Participants believed the key to success again rests with sharing information with other jurisdictions and then tailoring elements of best practices to the unique needs of an agency and jurisdiction.

## **Partnerships with Other Jurisdictions and First Responders**

The challenge of homeland security is building partnerships among diverse disciplines and multiple levels of government. Local law enforcement

agencies, to varying degrees, coordinate counterterrorism efforts with neighboring jurisdictions, state and tribal agencies and engage other disciplines such as EMS, fire, public health and the private sector to enhance public safety. Executive session participants stated that all agencies should participate in developing a regional threat assessment and a shared response plan to critical incidents in their area. In areas where state authorities or local agencies have not already formulated regional approaches, executives should encourage regional or statewide law enforcement associations to support meaningful discussions about policies, practices, operations, plans and mutual aid in anticipation of a multijurisdictional incident. Each law enforcement agency needs to determine whether it can develop memoranda of understanding (MOUs) or other mutual aid agreements with area agencies.<sup>32</sup>

State homeland security directors can assist local agencies and regional response teams by coordinating the resources and expertise that could be directed to problem areas and stated needs. DHS can also offer assets to these regional partnerships. Though there are many successful examples, California is among those that use such a strategy for obtaining funding and deploying resources. It has long engaged in regional and statewide collaborations for national disasters. Other states—including Massachusetts, Pennsylvania, and Kentucky—also require regional coordination for grant applications and to ensure a statewide plan is supported by individual efforts (see sidebar on p. 55).

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<sup>32</sup> A resource for planning law enforcement responses that cross agency boundaries is Murphy, Gerard R. and Chuck Wexler with Heather J. Davies and Martha R. Plotkin. October 2004. *Managing a Multijurisdictional Case: Identifying Lessons Learned from the Sniper Investigation*. Washington, DC: Police Executive Research Forum. The guide includes suggestions for coordinating the media, shift scheduling and other functions with neighboring jurisdictions before an incident occurs.

Law enforcement executives from neighboring jurisdictions can conduct conference calls or schedule regular meetings to develop and adjust regional homeland security plans and to share what has worked and what has not in other hazardous incidents. Participants also suggested that executives hold conference calls that include government agencies (fire department, EMS, school officials) as well as other relevant stakeholder groups to keep them informed and involved in key decisions that will affect them.

## **Working with Others to Protect Critical Infrastructure**

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Protecting critical infrastructure, important assets and systems is vital to national security, public health and safety, the economy and citizens' quality of life. The Information Analysis and Infrastructure Protection (IAIP) directorate is the primary DHS component responsible for coordinating critical infrastructure protection, including vulnerability assessments, strategic planning efforts, training and exercises.

***“There is nobody that knows critical infrastructure more than the chief of police and street-level officers.”***

***—William Parrish, Liaison to the Federal Bureau of Investigation, Department of Homeland Security***

Executive session participants emphasized that protecting critical infrastructure is the shared responsibility of federal, state, local and tribal government, as well as the private sector. Unprecedented partnerships that support multi-jurisdictional, multidisciplinary efforts must be encouraged at every level of government to address key vulnerabilities across the nation. These collaborations must include

- transportation systems,
- military assets,
- tribal authorities,
- colleges and universities, and
- the private sector.

While this list is not exhaustive, these categories represent some of the most compelling needs for partnerships to address the threats of terrorism.

### **Transportation Systems**

Concern that the terrorist attacks on domestic and international passenger systems in other countries (bombings in London and Paris subways, the Tokyo sarin gas attack, bus bombings in Israel, train bombings in Moscow and Spain) will be repeated in the United States has shaken the American public's sense of security. To grasp the enormity of the task, one only needs to consider that according to the Department of Transportation's Federal Transit Administration (FTA), in one month, urban rail transit moves more passengers than U.S. airlines move in one year.<sup>33</sup> Terrorist attacks and other disruptions to transportation systems can yield heavy casualties, damage the economy and shut down government and critical operations.

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<sup>33</sup> At the time of this writing, more information on the FTA can be found at [www.fta.dot.gov](http://www.fta.dot.gov). Through the FTA, the federal government provides financial assistance to develop new transit systems and improve, maintain and operate existing systems. It also oversees and provides federal funding for training and security efforts.

***“Before I joined DHS I’d take the train from DC to New York and look out the window at the sights. After I joined DHS and had an appreciation for exactly what critical infrastructure is, I was able to see just how many potential targets there are on just that short trip. I don’t think most people have an appreciation for how much critical infrastructure is in the communities where we live.”***

***—John Chase, Chief of Staff,  
Information Analysis and  
Infrastructure Protection,  
Department of Homeland  
Security***

The Transportation Security Administration (TSA) has regulatory authority and security responsibility for all modes of transportation, and works with the FTA and 10 other of its component agencies to safeguard their respective infrastructures. Executive session participants discussed their perception that TSA is being too aviation-centric and less visible in port security and cargo protection in their jurisdictions. They also recommended

making freight and passenger rail transportation systems a priority. Finally, local and state session participants called on TSA to clarify its overall responsibilities and those of its component agencies as they relate to state and local law enforcement. Executive session participants also recommended that the DHS Science and Technology directorate continue to work with transportation security agencies across the country to provide effective monitoring, screening and other devices that will facilitate prevention, response and recovery efforts.

One executive session participant indicated that some regional funding efforts, even UASI grant programs, could be hard for urban rail transit systems to access. Transportation system administrators need to be involved when government leaders and emergency management directors allocate homeland security resources, particularly when a transit system crosses jurisdiction and/or state boundaries.

Since prevention efforts will not always be effective, local law enforcement must work with DHS, transportation industry authorities and other key players to plan and practice an effective response to terrorist attacks on passenger and shipping systems.<sup>34</sup> While transportation officers would most likely be the initial responders to a critical incident on their system—whether a terrorist attack or an accident—officers from local law enforcement and other first responders would also be dispatched to secure the perimeter, preserve the crime scene and transport victims to

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<sup>34</sup> For example, the Washington, DC Metropolitan Transit Authority (WMATA) is the second largest rail transit system in the United States, with on average more than a half-million weekday riders. Many of these riders’ destinations are stations located within or near potential terrorist targets. These targets are located within eight jurisdictions that are served by approximately 25 law enforcement agencies. More information on the WMATA can be found at [www.wmata.com/about/metrofacts.pdf](http://www.wmata.com/about/metrofacts.pdf). In addition, in the event of a critical incident on the Metro transit systems, there is a high likelihood that Amtrak police would also respond because they share equipment and jurisdiction with Metro Transit in several stations located in Maryland, Virginia and the District of Columbia. Many law enforcement agencies that serve WMATA are developing a model that can be considered by other transportation systems around the country.

nearby hospitals. Further, numerous federal agencies (the FBI, DHS, TSA, DOT) and several non-police government organizations (CDC, state and local departments of public health) may also be involved, particularly if the incident involves a biological or radiological attack. These many players

must plan and practice a coordinated response. Some local law enforcement participants stated that they participate in tabletop exercises and cross-train with transit officers, but they encourage collaboration that integrates all regional agencies across disciplines and full-scale practice exercises.

***IMPROVED RAIL SECURITY THROUGH PARTNERSHIPS  
WITH HOMELAND SECURITY***

***by Jacqueline Litzinger, Commander of Infrastructure Protection,  
CSX Transportation***

The infamous terrorist attacks of September 11, 2001 and subsequent threats have posed enormous challenges to the world's security forces. Among these forces, the railroad industry recognized that the ongoing threat of terrorism must be dealt with assertively. CSX Transportation, the largest rail carrier in the eastern United States has played a leadership role in this war on terror.

CSX Transportation, in conjunction with the Association of American Railroads (AAR), began working on a comprehensive security plan immediately following September 11 that would help ensure the safety and security of the U.S. rail infrastructure, its personnel, the communities through which it operates and the products being delivered to virtually every eastern community, including vital military shipments to U.S. ports for transport overseas.

CSX is promptly complying with all federal regulations concerning the shipment of hazardous materials. Security plans are constantly being revised and amended to ensure all mandates are met or exceeded. These measures include awareness training for all employees and a plan that addresses personnel security, unauthorized access countermeasures, en route safekeeping of hazardous materials and a recordkeeping system that is updated often enough to reflect changing circumstances.

## *Information Sharing*

CSX employs a railroad police force of commissioned or certified officers with interstate authority under 49 USC section 28101,<sup>35</sup> who work very closely with numerous law enforcement agencies throughout the rail network. CSX police and other railroad police departments share information and conduct joint planning activities and operations through the International Association of Chiefs of Police's (IACP's) railroad police section. Personnel also work closely with other first responders by participating in various local domestic security task forces and intelligence groups.

At the federal level there is a railroad industry representative serving on the FBI's National Joint Terrorism Task Force to ensure the flow of vital information to the rail industry. There is also a railroad industry representative serving at the AAR Operations Center, a 24-hour emergency response center that acts as a link between the railroads and the national security intelligence community. CSX and other members of the rail industry rely heavily on timely, accurate intelligence from numerous sources, including the Department of Defense (DOD), Department of Transportation (DOT), IACP, DHS, Transportation Security Administration (TSA), FBI, CIA, the Military Surface Deployment and Distribution Command (SDDC), etc. Although these entities contribute information to the AAR Operations Center, they often share a direct relationship with CSX as well. Classified information is received through secure communications.

## *Special Units*

CSX Transportation has further strengthened our rail infrastructure by creating a new Infrastructure Protection Unit (IPU). This unit combines the resources of the railroad's police forces and hazardous materials professionals, aligning them to deal with the threat of terrorism. This collaboration will strengthen CSX's awareness and ability to respond to threats or attacks.

CSX also created a highly specialized railroad-specific Rapid Response Team. This team is composed of members within the police department. The team's primary mission is to protect the rail infrastructure and assets against terrorist activity. The members are strategically positioned throughout the CSX rail network for quick response to an incident or deployment for a special security event. Extensive training in such anti-terrorism efforts as tactical and counter-intelligence, as well as how to work with canine units, hazardous materials specialists and transportation specialists, make this team a highly prepared SWAT force.

CSX Transportation collects information that could be related to possible international or domestic terrorism. This information must be processed, analyzed, investigated and stored by the IPU. Information concerning security plans, threat intelligence and major event planning is

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<sup>35</sup> State laws differ widely with regard to railroad police authority. Most states grant a special police commission issued by the Governor. In some states, such as Florida, railroad police take the certification examination prior to receiving their commission. USC 49, section 28101 allows railroad police who are employed by a rail carrier, and certified or commissioned under the laws of a state, to enforce the laws of any jurisdiction in which the rail carrier owns property. This is to protect employees, passengers and patrons of the rail carrier; property moving in interstate or foreign commerce; and the personnel and equipment moving by rail that is vital to our nation's defense.

disseminated by the IPU to enhance coordination among all relevant departments or agencies. The IPU and the rapid response team members rely on quality information and make every effort to contribute any knowledge they have that may be helpful to others.

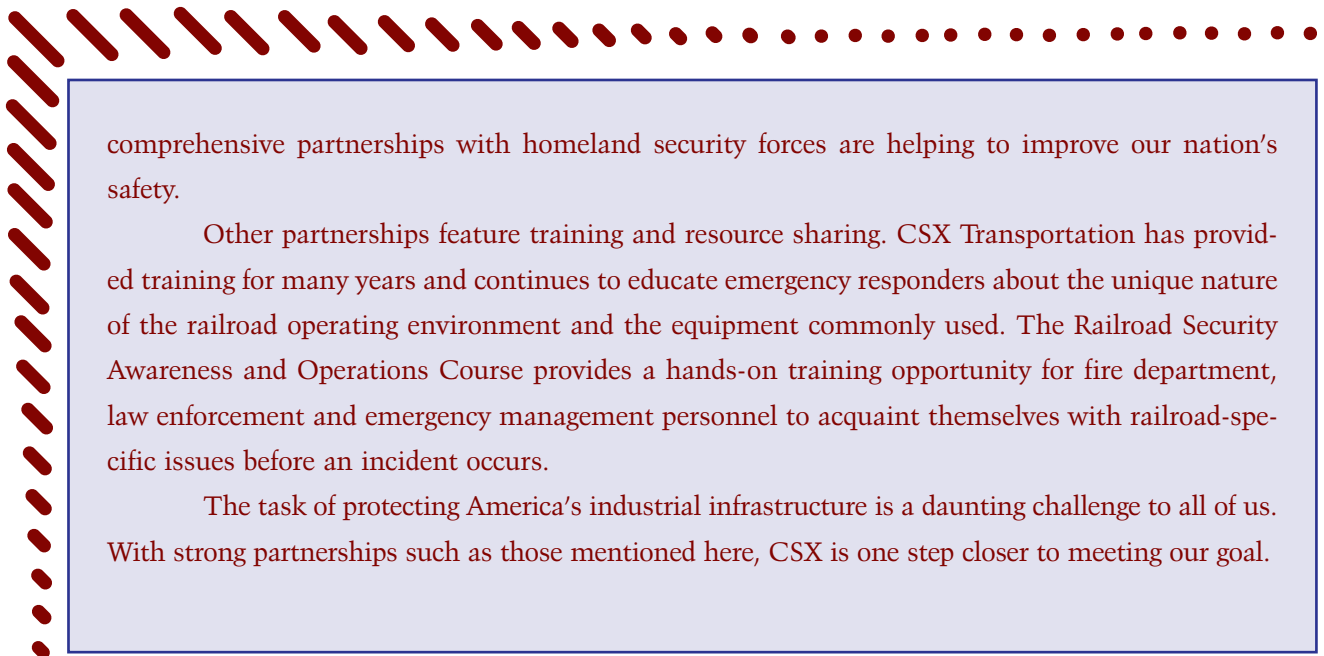
The IPU and special teams are also supported by improved surveillance mechanisms. The CSX Transportation's Police Communications Center receives and addresses an average of 14,000 emergency and non-emergency calls per month. A sophisticated "real-time" monitoring system enables these communications personnel, as well as others working to keep the railroad safe and to maintain a constant surveillance of certain critical infrastructure. The system has received acclaim from both international and domestic security authorities.

### ***Partnerships***

The keystone of CSX's security effort is not the sophisticated monitoring systems, or even its comprehensive security plan, but rather the partnerships that CSX shares with homeland security professionals, including local and state law enforcement agencies. The war on terror is one that must be waged in a concerted and coordinated effort among all law enforcement, security, military and critical infrastructure industry partners. CSX Transportation has benefited from and contributed to these essential collaborations. By working jointly with the TSA, security of cargo is enhanced. By working with the U.S. Coast Guard and the nation's ports served by CSX Transportation, we are strengthening and protecting our bridges, waterway accesses and rail lines entering the ports. CSX is also partnering with U.S. Customs to better secure the shipment of cargo in transit from foreign shores through an agreement known as Customs-Trade Partnership Against Terrorism (C-TPAT), a joint government-business initiative to strengthen overall supply chain and border security.

After September 11, 2001 many communities began performing "vulnerability assessments" to determine the risk they face from terrorists who may be operating virtually anywhere. CSX Transportation recognized that there was a need for an adequate "rail vulnerability assessment tool" to allow communities to make informed and realistic evaluations of railroad facilities. CSX recognizes that the day has long passed when the railroad was a central part of every American's life, when railroads were as familiar and well understood as the Internet is today. One of the tools that the IPU developed while working with the Florida Department of Law Enforcement and Florida's Orange County Sheriff's Office Homeland Security Team was a rail appendix for the Homeland Security Comprehensive Assessment Model (HLS-CAM).<sup>36</sup> This is just one example of how

<sup>36</sup> The HLS-CAM was developed by the National Domestic Preparedness Coalition Incorporated (NDCPI). NDCPI is a non-profit, public/private partnership, whose leadership includes the Orange County Sheriff's Office, Orange County, Florida, West Virginia University School of Medicine and the West Virginia National Guard. NDCPI has entered into an agreement with Datamaxx Professional Services, Inc. (DPS) to provide training on the NDPCI Homeland Security Comprehensive Assessment Model (HLS-CAM). Under this agreement, DPS will offer nationwide training to public safety officials and private corporations in the application of the HLS-CAM. The HLS-CAM is a methodology to systematically rank the critical infrastructures, facilities and events of a chosen community, determine the vulnerabilities of each ranked item and provide the framework for developing a comprehensive plan to address those vulnerabilities. Agencies and corporations interested in registering for HLS-CAM Training Seminars can e-mail [hlstraining@datamaxx.com](mailto:hlstraining@datamaxx.com) or visit the DPS website at [www.datamaxx.com](http://www.datamaxx.com).



comprehensive partnerships with homeland security forces are helping to improve our nation's safety.

Other partnerships feature training and resource sharing. CSX Transportation has provided training for many years and continues to educate emergency responders about the unique nature of the railroad operating environment and the equipment commonly used. The Railroad Security Awareness and Operations Course provides a hands-on training opportunity for fire department, law enforcement and emergency management personnel to acquaint themselves with railroad-specific issues before an incident occurs.

The task of protecting America's industrial infrastructure is a daunting challenge to all of us. With strong partnerships such as those mentioned here, CSX is one step closer to meeting our goal.

### Working with the Military to Protect Civilians

Executive session participants discussed the importance of collaborating with the military to secure installations and to apply defense technology or other resources, as appropriate, to law enforcement operations. The BioNet program for example—a cooperative program between the DHS and the Defense Threat Reduction Agency (DTRA)—addresses the critical issues surrounding the detection and response to biochemical attacks, and attempts to improve upon consequence management capabilities and military-civilian coordination through coordinated plans and a variety of standards of practice. BioNet helps the Defense Department and DHS maintain interoperable systems and manage such resources as monitoring and detection technologies, personnel and triage equipment.<sup>37</sup> If a biochemical incident occurs, BioNet will help direct resources as local law

enforcement responds. Though the *posse comitatus* limits military involvement in domestic law enforcement actions, the military can serve as a resource for critical infrastructure protection and security for high-threat target areas such as military installations and their surrounding communities. Executive session participants recommended that members of the armed forces should be included in training and preparedness for localized consequence management efforts.<sup>38</sup>

### Tribal Issues

Tribal agencies often feel they are overlooked in partnerships with DHS and other federal, state and local agencies. Executive session participants emphasized the importance of DHS efforts to include tribal law enforcement in preparing for and responding to a terrorist attack. To that end, the Border Patrol is working with local tribal law

<sup>37</sup> More information on the BioNet program can be found at <http://bionet.calit2.net/project.php>.

<sup>38</sup> As an aside, local law enforcement participants also emphasized that many of their employees are in the military reserve and have been or may be called up for duty overseas. Law enforcement agencies, in cooperation with DHS and the military, need to better determine how to assist agencies that are struggling with limited resources while these positions are vacant, particularly during periods of heightened alert when personnel are stretched to the limit trying to conduct both crime- and terrorism-prevention duties. Local law enforcement is committed to supporting agency personnel on active duty and their families, as well as working to best reintegrate these men and women when they return to work.

**“DHS needs to include Tribal law enforcement in all their strategies for several reasons, including the fact that Tribal Police protect miles of international borders. There must be an education and awareness of Tribal Police’s contributions and the need to enhance our capabilities. Limitations must be overcome to ensure our nation’s safety is not jeopardized, including the reality that close to half of Tribal Police agencies do not have access to NCIC or jurisdictional authority in cases involving non-Indians.”**

**—Chief Ed Reina, Yavapai-Prescott Tribal Police**

enforcement to protect tribal lands from unlawful entry along the more than 250 miles of borders adjacent to tribal lands.<sup>39</sup> Tribal police expressed a need for an active representative on the relevant

JTTFs. They are eager to participate in partnerships with state, local and federal law enforcement agencies, as well as with DHS. Executive session participants discussed coordination issues between tribal government and law enforcement that must be addressed. Local agencies too must work with tribal governments to encourage tribal involvement in homeland security efforts.

### Colleges and Universities

After September 11, many universities have made great strides in working with local, state and federal agencies in their region to address potential terrorist threats. The university representative at the session indicated that colleagues in college and university security often have a close working relationship with the local JTTF and an FBI Field Office is assigned to each university for specific investigations on each campus. DHS encourages colleges and universities to learn more about the resources available to assist them in preparing for and responding to a critical incident, including FEMA’s Disaster Resistant University (DRU) program.<sup>40</sup> DHS also funds the development of training and resource materials at the nation’s higher learning institutions to be disseminated and used nationwide.<sup>41</sup> The Homeland Security Centers of Excellence Office of University Programs<sup>42</sup> is also working with the academic community to create

<sup>39</sup> The Under Secretary Asa Hutchinson, Directorate of Border and Transportation Security, Department of Homeland Security gave this statement before the House Select Committee on Homeland Security, U.S. House of Representatives, on June 25, 2003.

<sup>40</sup> FEMA has released a report, *Building a Disaster-Resistant University*, to help colleges and universities identify hazards, assess risks and plan mitigation strategies. For more information on the DRU program, see *DHS Today*, November 1, 2004.

<sup>41</sup> For example, with funding from the Office of Domestic Preparedness, the Louisiana State University Agriculture and Mechanical College and the International Association of Campus Law Enforcement Administrators (IACLEA) jointly developed an eight-hour Weapons of Mass Destruction (WMD) Awareness curriculum. This free training course is designed for all campus public safety personnel who could respond to a WMD incident. The training includes WMD properties, effects and methods of delivery or dispersal; decontamination procedures and other personal safety procedures; and protection for environment and property. Participants receive a certificate of attendance and documentation for Continuing Education Units.

<sup>42</sup> At this writing, more information on the Office of University Programs can be found at <http://www.dhs.gov/dhspublic/display?content=3013>.



learning and research environments to study areas critical to homeland security by becoming centers of multidisciplinary research.

Executive session participants recognized that university security personnel are valuable partners in homeland security and in safeguarding the confidentiality and privacy interests of students and faculty. They offer critical research and training resources, assistance for translations and cultural diversity awareness as well.<sup>43</sup>

### Working with Private Sector Entities

The private sector is on the front line of homeland security efforts and is crucial to identifying and locating terrorists as well as disrupting terrorist networks. According to DHS, the private sector also oversees approximately 85 percent of our nation's critical infrastructure.<sup>44</sup> Its security personnel are integral partners in local law enforcement efforts to protect vulnerable targets. It is the guardian of many critical systems and dangerous materials. The private sector and its security forces also provide information essential to law enforcement's counterterrorism efforts. The benefits of collaboration are evident, but tools that would allow the private sector and the intelligence community to share information more easily while addressing privacy concerns are still being developed and enhanced. (Information sharing issues among law enforcement at all levels of government are addressed in Chapter Five.)

***Department of Homeland Security Information Network.*** To facilitate information sharing, the Department of Homeland Security Information

Network (HSIN) was launched in February 2004 as a counterterrorism communication mechanism that connects 50 states, five territories, Washington, D.C. and 50 major urban areas to strengthen the exchange of threat information. This communication system enables private sector representatives, first responders and local officials to share sensitive-but-unclassified data with each other through the secure network.

At the end of June 2004, after the 50 states were connected by HSIN, DHS (in partnership with the private sector and the FBI) launched the Homeland Security Information Network-Critical Infrastructure (HSIN-CI) Pilot Program<sup>45</sup> in Dallas, Texas, modeled after the FBI Dallas Emergency Response Network. The pilot program includes private security and expands the reach of the HSIN program to critical infrastructure owners and operators in a variety of industries and locations. At the time of this writing, similar DHS programs exist in Seattle, Indianapolis and Atlanta. HSIN-CI is governed and administered by local experts from the private and public sector with the support of DHS Regional Coordinators. The four pilot areas formed Infrastructure Advisory Panels to help administer and govern the program, manage information sharing and validate the program applications. As part of the HSIN-CI pilot program, more than 25,000 network members can access unclassified sector-specific information and alert notifications 24 hours a day. The FBI Tips Program works with the HSIN pilot cities by relaying the information it receives from citizens about suspicious activities. Information shared with DHS's Homeland Security

<sup>43</sup> See Davies, Heather J. and Gerard R. Murphy. March 2004. *Protecting Your Community From Terrorism: The Strategies for Local Law Enforcement Series, Vol. 2: Working with Diverse Communities*. Washington, D.C.: Police Executive Research Forum.

<sup>44</sup> See <http://www.whitehouse.gov/deptofhomeland/sect6.html>.

<sup>45</sup> At this writing, more information on the HSIN-CI Pilot Program can be found at <http://www.dhs.gov/dhspublic/display?content=3748>.

Operations Center (HSOC) is also sent to the HSIN-CI network to deliver targeted alerts and notifications in real-time to local authorities.<sup>46</sup> The pilot programs were scheduled to be evaluated at the end of 2004 to determine reliability for other cities.

**Working with Building Staff.** In some localities, local law enforcement is working with building workers, including apartment doormen, maintenance workers and building owners. These individuals who staff reception areas, hail taxis, open doors, fix appliances and manage rents can identify suspicious activity for law enforcement. These individuals must be aware of the threat of and response to suspicious packages, for example. They can also assist with evacuation plans and other efforts to support law enforcement.

For example, in New York City, an off-duty police detective has taught a class to the building workers' union.<sup>47</sup> Each building worker's employer pays \$100 for each employee to attend. The building owners' greatest incentive is to develop a safer building with trained staff. The building workers learn, for instance, the potential for an exterminator's canister to be used for spraying chemical agents, and appropriate precautionary steps. Unfortunately, it is estimated that it took longer than a year to train 28,000 residential building workers in New York City. Classes were accelerated for workers near Madison Square Garden because of the Republican National Convention held at the

end of August 2004. A one million dollar training fund created by a contract between the union and real estate management companies, who represent owners and renters, paid for the classes.

**Working with Highway and Delivery Personnel.** Millions of miles of highways, and a vast number of bridges, tunnels and overpasses are protected by the transportation system personnel who drive and repair them everyday. Commercial truck and bus drivers, school bus drivers, highway maintenance crews, bridge and tunnel toll collectors and others report suspicious activity to local law enforcement. The Transportation Security Administration (TSA) within DHS augments these efforts through the Highway Watch<sup>48</sup> program, which is administered by the American Trucking Association (ATA). This cooperative agreement with ATA trains professionals to identify and report safety and security concerns. The program also provides guidance on how transportation professionals should respond if they or their cargo are the target of terrorist attacks, as well as how to share valuable information with DHS. Members of the Highway Watch program receive alerts from the TSA and information that can help prevent terrorist activity, communicate road safety concerns and provide aid in crisis situations.<sup>49</sup>

TSA encourages local law enforcement to partner with state trucking associations and others in the program. Executive session participants also lauded efforts by local law enforcement to apply

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<sup>46</sup> The HSIN-CI network does not require additional hardware or software for information to be communicated from the HSOC to federal, state or local participants. If information needs to be delivered, devices such as wired and wireless telephones, email, fax and pagers are used.

<sup>47</sup> For an example of how New York City is working with doormen, see Moore, Martha T. "Doormen Out Front in the War on Terrorism," *USA Today*, July 11, 2004.

<sup>48</sup> At this writing, more information about the Highway Watch Program can be found at <http://www.highwaywatch.com/>. For an example of how truck drivers are participating in Alabama, see MacDonald, Ginny. "Truck drivers looking for trouble, reporting it." *The Birmingham News*. July 12, 2004.

<sup>49</sup> The Highway Watch program links transportation professionals with first responders, including law enforcement, and the intelligence community via TSA's Transportation Security Coordination Center (TSCC) in Virginia. A truck driver who witnesses a suspicious event can call the National Highway Watch Call Center, which will in turn immediately alert the TSCC. Local and national response teams are then alerted if necessary.

the same principles in partnering with delivery personnel, including food and mail delivery as well as contractors, private utilities or communications workers and others in their localities. Executive session participants urged program participants to include procedures that protect the civil liberties and privacy of the community it serves.

## **Local Policing Concerns about Roles and Responsibilities**

Much can be accomplished through the types of collaborations described in this chapter, collaborations that engage federal, state, local and tribal law enforcement, as well as those with other disciplines, the community, the private sector and many other stakeholders. These partnerships and shared resources help address personnel shortages and the need for additional assets as local law enforcement agencies assume their relatively new

***“The focus for local law enforcement chief executives still has to be on local policing issues. We’re losing citizens everyday in this country to homicides, gangs and other crimes.”***

***—Chief Charles Ramsey,  
Washington (DC)  
Metropolitan Police  
Department***

roles and responsibilities in counterterrorism while maintaining crime control efforts.<sup>50</sup>

Several large-city law enforcement executives indicated that they alone spend approximately 20 percent of their time focused on terrorism preparedness. These duties have topped already full schedules that sagged from the weight of crime-control problems before September 11. The impact can be even greater on others in the organization. Chief executives have personnel tasked with monitoring, analyzing and recommending action—usually in coordination with JTTFs or area counterterrorism networks. Executives must take appropriate preparedness steps and assign personnel to handle homeland security—whether it is patrolling high-risk targets, training staff, conducting exercises, establishing information networks, appointing specialized personnel to intelligence and planning or countless other tasks. Some of these duties are new to agencies and they are scrambling to develop competencies and networks, while they try to share other duties with outside agencies better positioned to provide perspective and expertise.

Local executives must report to their local governing authority (such as the city council) on how resources are being allocated and justify increases in spending, such as the reasons for police funds being spent for counterterrorism efforts instead of handling local crimes. As described in the chapters on special events, local

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<sup>50</sup> In 2002, the RAND Corporation conducted a study to assess state and local law enforcement agencies' current preparedness for terrorism. The RAND Corporation report presents the results of the 2002 survey for state and local law enforcement agencies conducted one year after the September 11 attacks and prior to the establishment of DHS. See Davis, Lois M., K. Jack Riley, Greg Ridgeway, Jennifer E. Pace, Sarah K. Cotton, Paul Steinberg, Kelly Damphousse, and Brent L. Smith. 2004. *When Terrorism Hits Home: How Prepared Are State and Local Law Enforcement?* Rand Corporation, Prepared for the National Memorial Institute for the Prevention of Terrorism and the Office for Domestic Preparedness, U.S. Department of Homeland Security. The document can be found at <http://www.rand.org>.

Also, see Foster, Chad and Gary Cordner. 2004. *The Impact of Terrorism on State Law Enforcement: Adjusting to New Roles and Changing Conditions*. Council of State Governments and Eastern Kentucky University (through support from the National Institute of Justice). The document can be found at <http://www.csg.org>.

law enforcement can also expect to expend overtime and other resources when there are major community events or threat levels rise. And even some of the crimes that were previously investigated with the help of federal partners now fall primarily to local law enforcement. Federal law enforcement, such as the FBI, also has had to reprioritize and has been spending more resources on terrorism issues than on bank robberies and drug- and gang-related crime at the time of the session. With shrinking budgets, many executive session participants felt that the focus away from traditional crimes downplays the connections they believe the drug networks and other crimes may have to financing terrorist acts. Criminal intelligence work on these and other offenses also can be very useful in identifying threats and preventing terrorist attacks.

Many executive session participants stated that, though terrorism prevention and preparedness is critical, members of their communities are dying everyday from gang- and drug-related crimes, domestic violence and other offenses. These leaders emphasized that they cannot abandon their commitment to the public to address safety issues and other problems in favor of greater vigilance under a constant and vague terrorist threat. Some executive session participants stated further that the terrorist threats they are most worried about might originate from eco-terrorism factions, domestic anti-government groups or political extremists rather than international terrorists. Participants' perspectives varied only slightly in areas that are very target-rich. There was a consensus on this: Local law enforcement must be concerned about terrorism of any

kind, but not at the expense of abandoning their communities to crime and violence.

To make the most of existing resources and expertise, local law enforcement has relied heavily on DHS, the FBI and other federal agencies to address many homeland security issues, particularly the intelligence function. Local police look to federal partners for more specific threat information. An executive session participant indicated that when law enforcement agency personnel are already on "high alert" it is difficult for them to intensify their efforts further without more detailed information from federal partners. He and his colleagues are looking to DHS and other federal agencies to provide threat information that is area-specific and indicates which targets or sectors are most likely to be hit.<sup>51</sup> DHS representatives agreed on this goal but also asked that their colleagues in law enforcement be aware that this type of information just may not be within their grasp at the time and that they should be assured that if it becomes available, area chiefs will be immediately informed of threats in their jurisdiction.

### **Local Law Enforcement as Full Partners**

Executive session participants stated that the federal government should be more focused on protecting the homeland against terrorism by building on local policing efforts. The U.S. Department of Justice Community Oriented Policing Services has opened networks between police and the public that encourage information sharing that could help federal agencies detect terrorists. Local policing efforts can disrupt financial networks and help

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<sup>51</sup> After the session, DHS did this for New York City, Newark, New Jersey and Washington, D.C. financial districts. At this writing, more information can be found at <http://www.cnn.com/2004/US/08/02/terror.threat/>.

***“We in local law enforcement can be effective force multipliers. We searched every public storage facility in two days when we received a federal alert. We just need to be in the loop.”***

***—Chief Charlie T. Deane,  
Prince William County (VA)  
Police Department***

identify suspicious behavior by terrorists living in their communities. Executive session participants agreed that there must be stronger federal-local relations and better information sharing.

Local law enforcement has increasingly reported successful relations with their FBI Field Offices over the years, but at the time of this executive session understandably had little experience with DHS yet. Participants called for a more regional DHS structure that would foster the types of relationships needed outside Washington. Working together on common problems can yield long-term benefits for terrorism preparedness. For example, investigators in the Metropolitan (DC) Police Department worked with the FBI in years prior to September 11 to discuss the homicide problem in the city. As a result, the FBI sent agents to assist the department’s law enforcement investigators in their work. These day-to-day partnerships in crime fighting resulted in improvements in communication between the two agencies that carried over into terrorism preparedness efforts. The terrorist attacks on the Pentagon also brought together regional agencies in new ways that could

be drawn on again. So, too, did lessons learned from the 2002 D.C.-area sniper investigation result in local, state and federal law enforcement agencies’ having better-organized communication systems, data-sharing mechanisms, large crime-scene processing protocols and improved methods for addressing community fear. The unprecedented collaborations in the D.C. area have better prepared law enforcement agencies at all levels of government to work even more effectively if there is another terrorist attack. Their success was predicated on the principles all participants understood: every law enforcement agency brings expertise and experience to the table that is to be valued and shared. There is no room for turf battles and local law enforcement must be seen as a full partner in collaborative efforts.

Executive session participants are looking to DHS to recognize the unique role law enforcement has in prevention. Locals need significant support (e.g., resources, funding and plans) from the federal government to assist them in taking appropriate steps when the threat levels go up. Participants discussed that dual use for grants is a step in the right direction, but what is needed is a fundamental shift in recognizing how investigations in crime-fighting and criminal intelligence can advance homeland security. There must also be recognition that local law enforcement has developed the kind of ties with the community that will yield information of value to federal agencies tasked with putting all the pieces of information together to yield the big picture and the specific threat intelligence everyone is seeking. As discussed more fully in Chapter Five, local law enforcement also looks to DHS to be more fully integrated into the flow of information that is shared, enhanced, analyzed and returned to the user.

## Community Policing and Counterterrorism Efforts

Since the early 1980s, local law enforcement has worked hard to establish community-oriented and problem-solving policing across the country. Jurisdictions have widely adopted a proactive policing philosophy that draws on police-citizen partnerships to address the underlying problems that affect citizens' quality of life and generate repeat calls for police service. Executive session participants agreed that local law enforcement agencies committed to a community-policing philosophy will be more effective in working collaboratively to prevent terrorism prevention and in garnering public support.<sup>52</sup>

Session participants advocated for homeland security agencies to adopt a community problem-solving policing orientation that would help reconcile and better define the local law enforcement role in all public safety matters. Some executive session participants recommended the use of effective problem-solving tools such as the SARA model—which advocates that individuals *scan* all available resources to better define the underlying causes of problems, *analyze* all available information (including citizen and other stakeholder input), develop *responses* to the problems and *assess* the success of the implementation efforts—to confront the challenges law enforcement faces in addressing the threat of terrorism.<sup>53</sup>

Among its many benefits, community-oriented policing and problem solving assist law enforcement in gathering information, enlisting citizen cooperation and dealing with fear in the community. The focus of such community policing efforts rests properly with the street-level officers—the men and women most likely to detect suspicious or criminal activity. Street-level officers engaged in community policing can identify potential terrorist targets and activity in their regular patrol area. The potential target may be a transit system hub, a warehouse that stores chemicals or high-level government officials' residences. The officer may well have a relationship with the owners and can work on “target-hardening” through environmental design or provide other guidance. With an established trust-based relationship, facility owners, business leaders and residents will be more likely to bring suspicious behavior to the officer's attention.

Accordingly, session participants expressed an ongoing need for more training for officers on what to look for, protocols for how to report potential terrorist activity and mechanisms to get information back down to officers. Participants also expressed concern that the positive effects of community policing on officer morale and effectiveness are being challenged by the fatigue, considerable overtime, postponed leave and stress associated

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<sup>52</sup> Community policing training is available to state and local law enforcement through the U.S. Department of Justice Office of Community Oriented Policing Services' (COPS) Regional Community Policing Institutes (RCPIs). The COPS Office established a network of RCPIs to provide comprehensive and innovative community policing education, training and technical assistance to agencies and individuals throughout the nation. The RCPIs develop cutting-edge curricula on emerging law enforcement issues to challenge and improve traditional training and to advance community policing. More information can be found at [www.cops.usdoj.gov](http://www.cops.usdoj.gov).

In addition, the COPS Office funds the Center for Problem-Oriented Policing (POP Center), which produces the *Problem-Oriented Guides for Police* publication series (POP Guides). Resources and publications are available through the POP Center's website at [www.popcenter.org](http://www.popcenter.org) that cover a wide range of information on the problem-solving process, POP projects and problem types.

<sup>53</sup> For more information on the SARA model, see *Problem-Solving Tips: A Guide to Reducing Crime and Disorder Through Problem-Solving Partnerships* available through the U.S. Department of Justice Office of Community Oriented Policing Services. PERF's community policing and problem solving resources can be found at [www.policeforum.org](http://www.policeforum.org).

***“Street-level officers are not at the bottom when we talk about bottom-up information flows and they aren’t privates or foot soldiers; they are professionals and the ones best positioned to find a terrorist living in the community if they have the means to give and get information effectively.”***

***—Chief Thomas D. McCarthy, Fayetteville (NC) Police Department***

with long-term efforts to combat terrorism.<sup>54</sup> DHS participants agreed that more must be done to help officers and that they have many efforts in development along those lines. DHS recognizes that local law enforcement officers have had extensive experience with developing partnerships with other government, civic and stakeholder groups to assess jurisdiction needs and priorities. The essence of homeland security is the kind of collaboration community policing encourages across disciplines and levels of government.

Community policing encourages law enforcement’s use of outside resources. Many agencies, for example, rely on volunteers to support agency efforts. Volunteers help free officers from administrative tasks, allowing sworn personnel

more time to be more proactive and prevention-oriented. Volunteers can also contribute special expertise and perspectives. Executive session participants suggested that DHS and law enforcement make better use of citizen volunteers, neighborhood watches, police auxiliaries and other groups as critical partners in police efforts. Retired military personnel and others with experience in technologies and approaches that apply to both traditional crimes and terrorism will be tremendously valued, as well as the many individuals who assist police in other ways.

The integration of terrorism preparedness and community policing is already reflected in some DHS programs set in motion during its first year. With support from FEMA, law enforcement can help organize Community Emergency Response Teams (CERTs) to help specially trained citizens be better prepared to respond to emergency situations and assist other members of the community.<sup>55</sup> CERT staff educates citizens about disaster preparedness and trains them in basic response skills, such as fire safety, search and rescue and field medical operations. The program includes 20 hours of classroom and hands-on instruction. CERT members can give critical support to first responders, provide immediate assistance to victims and organize others to assist at a disaster site.

CERT is a component of the DHS Citizens Corp,<sup>56</sup> designed to increase citizen involvement in security through personal preparedness, training and volunteer programs. At the time of this writing, the Citizen Corps program was composed of

<sup>54</sup> For an example of how the stress and fatigue during a high alert affects police officers, see Horwitz, Sari. “Working on high alert strains cops.” *Washington Post*, Sunday, November 21, 2004. At this writing, the article can be found at <http://www.detnews.com/2004/nation/0411/22/A07-11260.htm>.

<sup>55</sup> Information on CERT can be found at <http://training.fema.gov/emiweb/CERT/>.

<sup>56</sup> The Citizen Corps website ([www.citizen corps.gov](http://www.citizen corps.gov)) provides more information about establishing CERT and other volunteer public safety programs.

more than 1,300 active county and local councils from all 50 states and three U.S. territories. These councils bring together first responders with volunteers, the private sector, elected leadership and other stakeholders. Executive session participants recommended localities plan exercises with mem-

bers of CERT. An executive session participant indicated that the Office of State and Local Government Coordination and Preparedness intends to include CERT members in the Top Officials (TOPOFF) 3 National Exercises scheduled for spring 2005.



### ***THE ROLE OF COMMUNITY POLICING IN FIGHTING TERROR***

***by Chief Thomas D. McCarthy, Fayetteville (NC) Police Department***

The fight against terror is one of the greatest operational challenges faced by American law enforcement. While it is an awesome responsibility, the police have clearly demonstrated they are up to the task. A combination of relatively recent reforms—effective community policing, enhanced technology and greater accountability—has helped law enforcement reduce crime significantly throughout the United States. A successful strategy against terror will be realized if local police continue to enhance the skills and relationships that have made the fight against traditional crime so effective.

Local police must also develop partnerships with state and federal law enforcement agencies unlike any that have existed in American history. The traditional barriers to the free flow of criminal intelligence among law enforcement agencies must be breached. The nation is demanding a far greater level of teamwork and far less parochialism than has previously been achieved among law enforcement at all levels of government.

The federal, state and local partnership against terror is in its infancy. There have certainly been growing pains. The early intelligence responses to possible threats of terror were often too vague to have local operational value. At other times, local police learned about terrorist threats from the media before notification from their federal partners. Despite early systemic glitches, there is cause for Americans to be optimistic. In its first year, the Department of Homeland Security has made significant strides in putting systems in place that swiftly provide law enforcement and citizens critical public safety information. The FBI, building on its success with joint terrorism task forces, has taken the lead in working with local and state police to effectively identify and investigate those who would commit terror within our communities. Still, there is much that remains to be done if local police are to become effective partners in the war against terror.





## *The Local Police*

During the past two decades, the police have developed strong relationships with local community members interested in fighting crime. Working as partners, the community and the police have become experts in identifying and solving crime problems. The result has been a measurable reduction in the fear of crime and in crime itself. Those same collaborations can prove to be effective in the fight against terror.

There are myriad resources and techniques that can further these coordinated efforts. Operational analysis, once a vague concept in local policing, is now a tool within many municipal and county police agencies. Technology, employed by a better-educated and trained cadre of employees, has provided the police with the ability to geographically identify crime trends, hot spots and even criminals. The result has been a better-informed community, increased police performance and, according to the FBI Uniform Crime Reports, a decrease in reported crime.

In the 1970s, Dr. Herman Goldstein, the father of problem-oriented policing, challenged the manner in which the United States provided police services. While there was initial resistance to Goldstein's vision of problem solving, a small group of police leaders found value in his thesis. Through their persistence and commitment, policing in the 21st century is much different than it was 25 years ago. Today's officers are more than rapid responders to calls for service. They are now part of the communities they serve. They have demonstrated the ability to think systemically, identifying the sources of and solutions to underlying neighborhood problems. Local police officers, in conjunction with concerned and informed members of communities throughout the nation, have shown that thoughtful problem solving and increased operational accountability can reduce crime. It is on that solid foundation that the local police role in counterterrorism should be built.

## *Federal Agencies*

The leaders of the FBI and DHS openly recognize that if they are going to defeat terrorism, they must function as a team. While the FBI will remain the federal agency directly responsible for investigating and arresting terrorists, its effectiveness is enhanced by DHS's assistance in analyzing and distributing intelligence information.

Though operational for little more than one year at this writing, DHS's successes have been impressive. The agency's leadership clearly comprehend that true homeland security can only be realized if local, state and tribal law enforcement are directly involved. That involvement requires investments in intelligence sharing, training and equipment. To adequately prepare the police it will require resources from both inside and outside of DHS.

The FBI has created numerous successful joint terrorism task forces. The task forces have had a positive impact on breaking down some of the historical barriers between federal and local law enforcement. Federal and local officers are working cases together everyday, building a level of

trust and respect that could never have been mandated. These task forces should be expanded throughout the United States.

For community policing to really contribute to law enforcement counterterrorism efforts, the following should be considered:

- Technological advances such as a direct link between terrorist databases and the National Crime Information Center (NCIC) for instance, should be coupled with a national automated fingerprint identification system using hand-held wireless technologies in order to get local law enforcement more involved. A system such as this might result in increased apprehensions and community safety.
- Community members and police should meet to discuss what suspicious activity looks like. Dialogues should focus on indicators such as suspicious packages on mass transit systems and dispel notions of neighbors spying on neighbors.
- There is a need to develop best practices for community reporting on suspicious activity like 911 or alternative systems. And police need to continue to build bonds of trust with the immigrant and minority communities who might be suspicious of cooperating with law enforcement.
- Federal law enforcement should consider conducting interviews with community members jointly or in cooperation with local law enforcement officers.
- Merging community policing principles with counterterrorism investigation techniques builds on the existing partnerships and expertise of local law enforcement—they know and are best equipped to communicate with and understand the community members, heads of religious organizations, business leaders, and others in their jurisdictions.

### ***The Training Challenge***

Federal responsibility should also include continuous, up-to-date counterterrorism training for state, local and tribal officers. The FBI has proven to be an outstanding provider and developer of local law enforcement training, but the vast number of officers to be trained requires additional resources. Fortunately a logical forum is already available.

DHS and the FBI could partner with the Office of Community Oriented Policing Services' 27 regional community policing training institutes located throughout the United States. Each of these institutes has qualified staff with significant experience in providing various forms of quality training to local officers. Providing the institutes with adequate funding and appropriate training materials would be a cost-effective way of quickly training thousands of local police officers on the best practices for preventing and fighting terrorism.



## *Conclusion*

The prevention of terrorism in America has created unprecedented demands on local police. Success will require an effective partnership among federal, state, tribal and local law enforcement. It will also require support for enhancing the community problem-solving skills that have worked so well for reducing violent crime over the past two decades. Those who died on that terrible day in September 2001, and those who have suffered so grievously, will be honored as law enforcement rises to each new challenge. It is up to the leaders in American policing to ensure that the principles of community policing are not forgotten along the way.

## **CONCLUSION**

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The lessons learned from the terrorist attacks in the United States could not be clearer: Any attempt to secure the nation will be dependent on law enforcement's ability to coordinate not only among the federal, state, local and tribal levels of enforcement, but also with all agencies in a region that have a stake in the prevention of and response to terrorism. This presents not only the challenges of coordination and interoperability among first responders (law enforcement, EMS, fire and others), but also across disciplines that include universities, private industry, business owners, military base personnel, public health, citizens and many others. Because state homeland security authorities and local agencies have different structures, resources and strategies for addressing their relatively new homeland security functions, these are formidable tasks.

Local law enforcement is struggling with its new role and responsibilities in handling counterterrorism issues while maintaining its crime prevention and control duties. As budgets for traditional crime

control have been tightened, law enforcement faces significant increases in the type and volume of service it must provide to keep citizens safe from violence and from a vague, ongoing terrorist threat. Local law enforcement is working to be included in state homeland security plans and competing for funds with other first responders, all while developing or coordinating new homeland security efforts such as creating intelligence functions that will aid in terrorism prevention.

Executive session participants believe that the most valued DHS programs are those that embrace the principles of community policing, including the recognition of the unique position of local law enforcement to form the partnerships needed at the local level to conduct needs assessments and implement responses that will both generate and make use of information on crime and terrorism. The types of programs and partnerships described in this chapter are the beginning of what is needed most: regional and collaborative efforts that will yield best practices that can be replicated nationwide.

# DHS RESOURCES, TRAINING AND GRANTS

**F**AR TOO MANY RESOURCES AND TRAINING OPPORTUNITIES ARE OFFERED THROUGH DHS and its component agencies to review them all here, and more are continually being added or revised. Many of these assets were catalogued in Chapter Two. What follows is a general discussion of how those many assets and others are integrated and applied at the local level. This chapter outlines the issues raised by executive session participants on their needs and their experiences with accessing DHS assistance, training and grants.

Several of the participating local and state law enforcement professionals have worked with DHS agencies to implement operational plans for securing national events and conventions. Their experiences, described below, reveal the value of DHS partnerships and some of the issues or challenges they have faced in integrating federal assets. This chapter also reviews the relevance of the National Incident Management System (NIMS) and how it may be implemented by local first responders and emergency managers to detect, deter and mitigate threats.

This chapter gives a brief overview of participants' concerns about the training and resources needed to respond to terrorist threat warnings and advisories, including the need for

more high-quality training for street-level officers. Those concerns are tied, in large part, to reductions in traditional anticrime funding for local law enforcement and to the difficulties participants perceive in DHS grant programs not reaching law enforcement quickly and in response to their greatest needs. DHS efforts to address those concerns are included as well.

## National Special Security Events

In May 1998, President Clinton issued Presidential Decision Directive 62 (PDD-62), which in part included a classified document dealing with the coordination of federal counterterrorism assets for events of national interest that are deemed "National Special Security Events (NSSEs)."<sup>57</sup> The

<sup>57</sup> More information on National Security Special Events can be found at <http://www.secretservice.gov/nsse.shtml> and the DHS fact sheet at [http://www.dhs.gov/dhspublic/interapp/press\\_release/press\\_release\\_0207.xml](http://www.dhs.gov/dhspublic/interapp/press_release/press_release_0207.xml).

There are only a few NSSE events every year. For events that do not meet NSSE standards, DHS's Operations Integration Staff (I-STAFF) established an Interagency Special Events Working Group (SEWG) to develop federal consolidated security plans. This new system categorizes events into Levels I, II, III and IV, which corresponds with the internal FBI Special Events Readiness List (SERL). The factors that contribute to the level designation include federal participation, location of event, available threat assessment, state and local resources available and others. DHS will publish a Special Event Standard Operation Procedure in 2005.

designation of a NSSE allows the U.S. Secret Service (USSS), the lead agency for designing and implementing the operational security plan, to access ample resources and ensure public safety by forming partnerships with other federal, state and local law enforcement and other security and public safety agencies. Local law enforcement agencies must work with their governor to request this NSSE designation. As mentioned above, a governor can ask that an event be considered a NSSE with a formal request from the governor to the Secretary of DHS. The request will then be forwarded to the NSSE working group, comprised of representatives from the USSS, FBI and FEMA. The working group gathers facts and makes a recommendation to the Secretary, who makes the final decision.

***“I thought about sending a request for our event to be a National Special Security Event (NSSE), but the federal agencies already were providing such seamless support, I didn’t see the need.”***

***—Chief Bernard Melekian,  
Pasadena (CA) Police  
Department***

A number of factors are considered when designating a NSSE. First, the USSS determines how many dignitaries are expected to attend the event. Any event that may be attended by government officials or foreign dignitaries may create an independent federal interest in ensuring safety and increasing resources. Second, the size of the event may increase the need for additional security

measures. Large events may draw the attention of terrorists or other criminals, increasing the attractiveness of the forum as a target for employing weapons of mass destruction. Third, the significance of the event may be historical, political and/or symbolic, which may also heighten concern about terrorist acts or other criminal activity.

In 2004, DHS had designated only a few events as NSSEs. Of these, the session participants focused on events in their own jurisdictions, including the Democratic National and Republican National Conventions and the G-8 Sea Island Summit. These events were good examples of effective coordination and cooperation among federal, state and local homeland security and law enforcement resources. The DHS and its many component agencies have provided tremendous support to local law enforcement charged with ensuring the safety of the masses who gather for these types of large events in their cities. The following event descriptions are provided simply to demonstrate the range of resources DHS can garner to help prevent terrorist acts.

### **Democratic and Republican National Conventions**

DHS worked with local, state and other federal agencies to provide public safety at the Democratic National Convention at Boston’s Fleet Center located at the city center above train and subway stations. DHS also partnered with the New York City Police Department (NYPD) and other agencies to prepare for the Republican National Convention. DHS efforts were similar for both conventions. The USSS was instrumental in assisting both cities with securing the convention by serving as a liaison to all DHS component agencies and developing an overall security plan that

drew on all relevant federal agency resources and expertise, and coordinated it with local authorities.<sup>58</sup> During the conventions, the Homeland Security Operations Center (HSOC)<sup>59</sup> provided timely threat information, intelligence, situational awareness and operational information. The Federal Protective Services (FPS), drawing on DHS assets, helped ensure the public's safety and continuity of operations by providing such resources as dog teams, weapons of mass destruction (WMD)/hazmat technicians, intelligence analysts, undercover agents, uniformed officers and emergency response teams. FEMA was responsible for providing emergency management coordination and any assets that might be needed for a response and recovery effort. Several other DHS component agencies—S&T, ICE, TSA, CBP and USCG, among others—were involved in securing the convention and screening passengers and shipments coming to the area.

### **G-8 Sea Island Summit**

The G-8 Summit was held on June 8–10, 2004, on Sea Island, Georgia. The success of the safety measures at this event was largely due to the many DHS agencies that worked with local law enforcement, resulting in no significant incidents. Executive session participants indicated that DHS was a valuable partner in these types of security operations.<sup>60</sup> The U.S. Secret Service led DHS in the design, coordination and implementation of the operational plan. The Georgia Office of Homeland Security was the lead agency that coordinated all

***“Terrorists’ goals are to shut down the economy and disrupt transportation and daily life. Our earliest security plans were so intrusive that we were basically just doing the terrorists’ job for them by shutting down public access around the Fleet Center. Then we worked with our federal partners at DHS and worked out an effective approach.”***

***—Secretary Edward A. Flynn, Commonwealth of Massachusetts Executive Office of Public Safety***

local and state law enforcement resources. ICE deployed agents for specialized units focused on different security aspects—providing the second largest cadre of federal law enforcement personnel in support of security and public safety efforts at the G-8 Summit. FEMA—as the lead for consequence management for all NSSEs—was in charge of emergency management coordination as well as response and recovery plans. The Coast Guard provided waterside coverage by coordinating with state, local and other federal law enforcement, including maritime. Customs and Border Protection

<sup>58</sup> DHS prepared a fact sheet on activities its component agencies planned for the Democratic National Convention. At this writing, this fact sheet is available at [www.dhs.gov](http://www.dhs.gov).

<sup>59</sup> The HSOC is DHS's national-level hub for operational communication and information sharing for handling special events. The HSOC maintains and provides situational awareness on homeland security matters for the Secretary of Homeland Security, the White House Security Council and the federal community. The HSOC coordinated DHS, state and local partners to establish full connectivity among security personnel at the event and those personnel with HSOC. More information on the HSOC can be found at <http://www.dhs.gov/dhspublic/display?content=3814>.

<sup>60</sup> At this writing, more information on the roles of each DHS directorate at the G-8 Summit can be found at <http://www.dhs.gov/dhspublic/display?content=3647>.

was responsible for processing the 700 official international attendees that traveled to the summit. The Federal Law Enforcement Training Center (FLETC) provided logistical, training and contingency support to numerous federal, state and local agencies. The Transportation Security Administration (TSA) screeners assisted at various sites. DHS's Information Analysis and Infrastructure Protection (IAIP) directorate ensured real-time connectivity and information sharing among all DHS components and state and local partners, making use of the HSOC. The HSOC also dispatched three officials to the summit to establish a multi-agency command center that could provide 24-hour onsite monitoring.

### Other Event Resources

As part of its Homeland Security Information Network (HSIN)<sup>61</sup> initiative, DHS announced on May 28, 2004, that its Internet-based counterterrorism communications system would be used by homeland security officials (including the HSOC mentioned above), state and local leadership, and other first responders during the G-8 Summit. The HSIN initiative is supported by the Joint Regional Information Exchange System (JRIES), which was originally developed by state and local authorities in partnership with the federal government. At the request of some state and local partners, JRIES was adopted by DHS as the foundation for greater counterterrorism information sharing. This system allows states and major urban areas to collect and disseminate information among federal, state and local authorities. The network is a secure 24-hour-a-day, seven-day-a-week, real-time collaborative tool that has interactive connectivity with the HSOC.

This secure system significantly strengthens the immediate exchange of threat information at the sensitive-but-unclassified level to all users.

According to DHS, each state and major urban area's homeland security advisor will receive software licenses, technology and training to participate in HSIN for information sharing and situational awareness. These homeland security advisors will employ the system to offer a variety of users access including federal, state and local law enforcement; U.S. Coast Guard; National Guard; State and Emergency Operations Centers; first responders; and others engaged in counterterrorism.

Whether a NSSE or other high-profile event, other executive session participants discussed the tremendous help they received from DHS and its agencies for protests, other large events or threat responses. For example, the Free Trade Area of the Americas (FTAA) demonstration in Miami raised concerns about protests, as well as terrorist targets. It was the area's first real field test of integrating DHS, FBI and other resources. In the past, there had been problems with over-response in engaging multiple federal agencies, but Chief Timoney reported that the response in this case was well choreographed and essential. D.C. Capitol Police Chief Gainer also discussed the significant resources and coordination that federal partners provided during the ricin investigation on Capitol Hill. General Matthew Broderick, director of the Homeland Security Operations Center, helped to coordinate all federal agencies including FBI forensics, Department of Health and Human Services and others.

Several local law enforcement participants, however, expressed concern that there is not always

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<sup>61</sup> At the time of this writing, more information on the HSIN can be found at <http://www.dhs.gov/dhspublic/display?content=3350>.

such clarity of command. And costs associated with preventing terrorist attacks may not always be assumed by the federal government for incidents or large events, which presents a challenge for local governments.

## **National Incident Management System**

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On March 1, 2004, DHS announced the release of the National Incident Management System (NIMS),<sup>62</sup> the nation's first standardized incident management approach that creates a unified structure for a federal, state and local government all-hazards response and recovery effort. NIMS builds on the existing Incident Command System (ICS) and principles of unified command. It stresses coordinated communication and information management for first responders and emergency managers across all agencies, disciplines and jurisdictions. In July 2004, FEMA unveiled a new online course to help first responders understand the concepts and principles underlying the new system and to begin incorporating NIMS into their planning and policies.<sup>63</sup>

DHS has also established a National Integration Center (NIC), managed by FEMA, to develop national standards for NIMS education and training, and to refine NIMS as it is implemented

nationwide. The multijurisdictional, multidisciplinary NIC provides valuable resources to coordinate the nation's response to all hazards. The center coordinates federal, state, local and tribal incident management entities and emergency responders, and strengthens the nation's response capabilities by identifying and integrating best practices. It also issues guidelines for mutual aid and resource management agreements. NIC provides a NIMS Implementation Guide to facilitate the adoption of NIMS principles.<sup>64</sup> Through flexibility and the use of common doctrine, terminology, concepts, principles and processes, responders will be able to focus more on the operations, instead of organizing and staffing assignments among all authorities. DHS believes responses to a significant incident will be more consistent and coordinated.

## **Counterterrorism Training and Related Resources for Law Enforcement**

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DHS offers training to local, state, tribal and federal law enforcement agencies as well as other first responders, including fire and public health agencies. Resources are intended for use by agencies of varying size and vulnerability. DHS also promotes multi-agency training as essential to counterterrorism coordination efforts.

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<sup>62</sup> The development of NRP/NIMS was tasked through Homeland Security Presidential Directive-5 on February 28, 2003, (see <http://www.whitehouse.gov/news/releases/2003/02/20030228-9.html>). DHS released NIMS on March 1, 2004. At the time of this writing, key elements and features of NIMS are available on the DHS website at <http://www.dhs.gov/dhspublic/display?content=3259>. Resources are available on the following websites for local law enforcement agencies to comply with NIMS: [http://www.fema.gov/fema/first\\_res.shtm](http://www.fema.gov/fema/first_res.shtm) or <http://www.dhs.gov/dhspublic/display?theme=63>. The completion of NIMS follows the October 2003 passage of the Initial National Response Plan (INRP), which proposed an approach for aligning incident management responses and actions among all federal, state, tribal and local agencies as well as the private sector and community leaders. A final plan is under development at the time of this writing and will replace INRP.

<sup>63</sup> The training experts at the Department of Homeland Security's Emergency Management Institute (within FEMA) created the online course, which takes about three hours to complete. The course can be found at: <http://training.fema.gov/EMI-WEB/IS/is700.asp>.

For more information on recommended compliance, see DHS Secretary Tom Ridge's letter to the governors at [www.nimsonline.com/sec\\_ridge\\_letter.htm](http://www.nimsonline.com/sec_ridge_letter.htm). Local, state and tribal governments are encouraged to implement NIMS during fiscal year 2005. These agencies must self-certify by the beginning of fiscal year 2006 and must be in full compliance by fiscal year 2007.

<sup>64</sup> This document can be accessed at [www.fema.gov/doc/nims/nims\\_implementation\\_plan\\_template.doc](http://www.fema.gov/doc/nims/nims_implementation_plan_template.doc).



***“We also need a command-level primer on intelligence as well as more analytical training in police departments, resources on profiling versus targeting, integrating with COPS training and terrorism-related concepts.”***

***—Chief Terrance Gainer,  
U.S. Capitol Police***

Executive session participants discussed the training opportunities and resources available for law enforcement, as well as the need to better share information about what type of training is effective, what content gaps exist, how to fill them and how to pay for taking officers and other personnel away from their duties while in training, as well as other associated costs. The Counter-Terrorism Training Coordination Working Group<sup>65</sup> convened by the U.S. Department of Justice’s (DOJ’s) Office of Justice Programs examined tools (e.g., training, information-sharing databases, funding sources) available to law enforcement and other first responders and recommended the establishment of a central website. The working group

reviewed current training offered by DOJ components, identified duplication or gaps, and recommended the most effective mechanisms for delivering training. These resources will help law enforcement decision makers develop strategic plans for training and local emergency response. Executive session participants recommended agencies browse the Counter-Terrorism Training and Resources for Law Enforcement website that includes training listings, related materials and website links to the relevant federal government, private and nonprofit organizations.<sup>66</sup>

Executive session participants reported that they used their own training forums, as well as those presented by DHS. Training resources they used included those provided by ODP,<sup>67</sup> FLETC,<sup>68</sup> and the Coast Guard Institute.<sup>69</sup> A nonprofit organization, the National Institute for Urban Search and Rescue (NIUSR)<sup>70</sup> also provides training and public awareness, research and engineering assistance. Several participants also had employed training offered by FEMA’s National Emergency Training Center (NETC).<sup>71</sup>

One example a participant offered is being considered for regional application elsewhere in the country; the NETC, which draws its experts from both the Emergency Management Institute (EMI) and the National Fire Academy (NFA),<sup>72</sup>

<sup>65</sup> Working group participants include the Bureau of Customs and Border Protection, the Bureau of Immigration and Customs Enforcement, the Bureau of Justice Assistance, the Executive Office for U.S. Attorneys, the Federal Bureau of Investigation, the Federal Emergency Management Agency, the Federal Law Enforcement Training Center, the National Institute of Justice, the Office of Community Oriented Policing Services, the Office of Justice Programs, the Office of the Police Corps and Law Enforcement Education, the Office of Domestic Preparedness, the U.S. Army Military Police School, the U.S. Department of Homeland Security and the U.S. Department of Labor. Working group membership will expand to include other federal agencies as well as nongovernmental organizations that represent affected constituencies.

<sup>66</sup> See [www.counterterrorismtraining.gov/](http://www.counterterrorismtraining.gov/).

<sup>67</sup> At this writing, more information on the training available at the Office of Domestic Preparedness can be found at [www.ojp.usdoj.gov/odp/training.htm](http://www.ojp.usdoj.gov/odp/training.htm).

<sup>68</sup> FLETC serves as an interagency law enforcement training organization for over 70 federal agencies. The DHS supervises its administrative and financial activities. More information on FLETC can be found at <http://www.fletc.gov/>.

<sup>69</sup> The Coast Guard Institute develops and produces innovative products and advocates, manages and supports a variety of programs and policies that promote excellence in education within the Coast Guard. More information on the Coast Guard can be found at [www.uscg.mil/hq/cgi/index.html](http://www.uscg.mil/hq/cgi/index.html).

<sup>70</sup> More information on NIUSR can be found at [www.niusr.org/NiusrAndPeople.htm](http://www.niusr.org/NiusrAndPeople.htm).

<sup>71</sup> More information on FEMA’s National Emergency Training Center can be found at <http://training.fema.gov/EMIWeb/>.

<sup>72</sup> More information on the National Fire Academy can be found at [www.usfa.fema.gov/training/nfa/](http://www.usfa.fema.gov/training/nfa/).

offers a variety of terrorism-related courses each year and holds regular networking meetings for emergency services personnel from the Washington, D.C. Metropolitan area. NETC, in Emmitsburg, Maryland, hosted a one-day course for 150 participants in the Washington Metropolitan area in March 2004 to discuss how their respective organizations could work together to strengthen overall terrorism preparedness and response in Washington, D.C., Maryland, Virginia, Pennsylvania, West Virginia and Delaware. Attendees included hospital administrators, state and local emergency management officials and law enforcement officers, college security personnel, Army officers, Secret Service officials and staff from such other federal offices as the State Department, Environmental Protection Agency and the Department of Energy. The course reviewed how to identify suspicious circumstances and how to protect critical assets, as well as what to expect during a federal response to such an event. Similar courses can be offered to other regions across the country to improve their regional and multijurisdictional response.

Executive session participants suggested that chief executives should be aware of the training and related assets available regionally and what role each federal agency can play in a crisis. This includes knowing how many front-line personnel are trained in critical incident response. To ensure a proper multijurisdictional response, agencies need to collaborate in obtaining funding to maximize preparedness for the region, and then in using that funding to train and prepare in a coordinated way. Executive session participants encourage their colleagues to bring in area agencies when conducting tabletop exercises.

## Training Street-Level Officers

The previous chapter discussed the importance of integrating community policing principles into a sound homeland security strategy and outlined participants' assertions that the success of any counterterrorism effort depends on the proper training and support of officers on the front lines of policing. Local, state and tribal law enforcement have direct contact with individuals who may possess important information about suspicious activities or with terrorists living in their communities. With more than 17,000 local law enforcement agencies in the nation, local officers are a critical force-multiplier for any national antiterrorism initiative, provided they are given adequate training and resources.

Executive session participants emphasized that the street-level officer is likely to be the first line of defense in preventing a terrorist attack, but may well receive only minimal training. Local law enforcement session participants underscored the need for DHS to gather and share more timely and detailed information on terrorist methods and what to look for on patrol, and to provide that guidance in a format they can use. They contend that the law enforcement intelligence community needs to ensure that high-quality training is provided to street-level officers on how to recognize, report and react to suspicious activity. For example, one participant noted that a patrol officer who notices a driver changing a tire near a water treatment plant might not think much of it. But if that same person is observed changing a tire near another high-risk facility on the list of critical infrastructure that same week, the participant would like that officer to be looking for such an occurrence. That patrol officer would need to know not only to look for such a pattern, but how

to note and share that information. Federal agency representatives at the session agreed that the definition of “suspicious activity” needs to be broadened and clearly communicated as information is received and packaged for state, local and tribal partners.

***“We are not listening closely enough to officers to see what they need. They need to be trained quickly and well, perhaps using existing structures like the RCPIs. And they need to be taught who to contact and when, which is not clear now.”***

***—Chief Thomas D. McCarthy, Fayetteville (NC) Police Department***

Another executive emphasized the need to continually talk to officers more at the local level about how “suspicious behavior” may change based on emerging information (for example, paying particular attention to use of public storage at odd hours after there has been an alert that certain dangerous materials have been stolen). Local agencies expressed the need for federal agencies to coordinate with them in developing the type of awareness scenarios for training that mesh with intelligence on methods and threats.

## **Progress in DHS Grant Programs to Help First Responders**

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DHS, as well as other federal departments and agencies, offer homeland security and public safety grant opportunities.<sup>73</sup> These grants support critical state and local efforts to prepare first responders and citizens, protect public health, enhance infrastructure security and further other public safety activities. DHS allocated or awarded more than \$9 billion to first responders between September 11, 2001 and September 31, 2004. DHS administers grants for its various programs through the Office of Domestic Preparedness (ODP), the Federal Emergency Management Agency (FEMA), the Transportation Security Administration (TSA) and the Office of Research and Development in the Science and Technology Directorate. Among the many other federal agency programs related to counterterrorism are the Department of Health and Human Services’ public health preparedness grants, Department of Justice grants for terrorism and other law enforcement activities, and Environmental Protection Agency grants for improving the security of the water supply.

The executive session discussion on grants predominantly focused on ODP and first responder funding.<sup>74</sup> The goal of ODP is to help state and local jurisdictions prevent, respond and recover from any terrorism acts involving chemical, biological, radiological, nuclear or explosive weapons and cyber attacks.<sup>75</sup> In 1998, as a part of the Department of Justice’s (DOJ’s) increasing focus on terrorism prevention efforts (ODP was then an

<sup>73</sup> See [www.dhs.gov/grants](http://www.dhs.gov/grants). This website provides information on grants, an overview of relevant programs for potential applicants, provides links for individual grant programs, and information on specific requirements and procedures. Other search opportunities are available at [www.FedGrants.gov](http://www.FedGrants.gov) and [www.Grants.gov](http://www.Grants.gov).

<sup>74</sup> For more information on TSA and FEMA grants, see [www.tsa.gov](http://www.tsa.gov) and [www.fema.gov](http://www.fema.gov), respectively.

<sup>75</sup> For more information on ODP grants, see [http://www.ojp.usdoj.gov/odp/grants\\_goals.htm](http://www.ojp.usdoj.gov/odp/grants_goals.htm).

office in DOJ), a number of programs were initiated to provide funds to all 50 states<sup>76</sup> to reduce vulnerabilities and increase preparedness. Current ODP grant programs are more focused and target specific program areas following the development of National Preparedness Goals and the National Strategy for Homeland Security. For example, in fiscal year 2004, among the grant programs that ODP offered were the Competitive Training Grants, Information Technology and Evaluation Program (ITEP), Urban Areas Security Initiative and the Homeland Security Grant Program.<sup>77</sup>

ODP has provided Competitive Training Grant Program (CTGP) support to fund WMD training for state and local law enforcement; to develop capabilities for terrorism prevention including detection, interdiction, intelligence analysis, critical infrastructure protection and information sharing; to support training initiatives that develop and enhance community outreach strategies for local audiences through existing non-governmental and volunteer organizations; and to address training gaps related to prevention and preparedness, including assistance for special needs populations.

The grant programs are continually being reformed and modified, but the following examples for 2004 offer a glimpse of the range of funding programs. ODP also awarded \$9 million in competitive grants in 2004 to 12 states for information technology demonstration projects as part of the ITEP effort to foster and evaluate the use of state-of-the-art technologies for removing barriers and improving information sharing and integration among first responders.

***“We are working with governors, chiefs and others to determine how the grant process is working and identifying grant best practices. We want the money to get into your hands.”***

***—Joshua Filler, Director,  
Office of State and Local  
Government Coordination  
and Preparedness,  
Department of Homeland  
Security***

The Urban Areas Security Initiative (UASI) grant program provided funding to address the needs of cities for planning, equipment, training and practice exercises. The funds were distributed to enhance and sustain area capacity to help first responders and state and local governments prevent, respond to and recover from the threat of WMD and other acts of terrorism. This program also provided funding to mass transit authorities to protect critical infrastructure and conduct emergency preparedness activities. Funds were awarded and distributed through the State Administrative Agency designated by the governor of each state.

Every state grantee for 2004 was required to submit a three-year State Homeland Security Assessments and Strategies (SHSAS) plan to DHS for approval before any federal funds were distributed. The plans included the state’s critical infrastructure vulnerability assessment, the

<sup>76</sup> Grants were also provided to the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the Commonwealth of Northern Mariana Islands, Guam and the U.S. Virgin Islands.

<sup>77</sup> ODP also administered the Assistance to Firefighters Grant Program, which was not stressed by participants, as they were ineligible for the funds.

perceived threat to their state, a proposal on how the state would improve the security of their state and an explanation of how federal funding would assist preparedness.

DHS has also administered the State Homeland Security Grant program, designed to prepare all first responders for incidents involving chemical, biological, radiological, nuclear and explosive (CBRNE) devices, as well as cyber attacks. This program has integrated the State Homeland Security Program (SHSP), the Law Enforcement Terrorism Prevention Program (LETPP) and the Citizen Corps Program (CCP) at the time of this writing.<sup>78</sup> SHSP is intended to cover costs associated with implementing the SHSAS. The LETPP funds support law enforcement terrorism prevention activities through planning, organization, training, exercises and equipment.

At a time when communities are calling for immediate readiness, there has never been a more pressing need for the efficient and effective delivery of these funds to those who need them to develop key competencies and to acquire adequate supplies, tools and technology. Some executive session participants stressed that the funds should be disseminated based on a national strategy of shared responsibility, accountability and leadership.

### Local Funding Challenges

The executive session included a lively discussion of perceived challenges with the grant process. Reductions in federal funding for traditional crime fighting has stretched police resources to their limits, which puts more stress on the need for efficient and effective terrorism-related grants. Furthermore, some session participants believe that policymakers are failing to recognize the obvious

connection between supporting traditional anti-crime initiatives and advancing homeland security efforts. Many of the participants argued that adequate funding should be allocated to address traditional crime issues (e.g., drug operations, identity theft, money laundering) that affect national security. As a matter of practicality, when determining how grants will be spent, it is also not realistic to carve up a community police officer's duties into those that only address terrorism and those that identify suspicious criminal activity, advance criminal intelligence gathering or many other routine functions. Many participants expressed the concern that we may be trying to win a war against terrorism by undercutting our commitment to communities to address crime, violence and fear.

Local agencies understand that under counterterrorism grants their requests must fit into certain funding categories. One participant

***“Citizens want immediate responses to their problems and fears. I’m not sure federal agencies have the same sense of urgency we have at the local level. Funding needs to be quicker and we need a more decentralized federal system with more authority given to those in the field who support us.”***

***—Chief Richard Myers,  
Appleton (WI) Police  
Department***

<sup>78</sup> As of December 2, 2004, DHS further consolidated first responder grants to include UASI grants, Emergency Management Performance grants and the Metropolitan Medical Response System grants under the State Homeland Security Grant Program. Further modifications may be forthcoming.

***“Los Angeles has lost more lives to gangs than some wars, but the funding isn’t there from the federal government for the community policing hiring, training and approaches we have used—the same approaches that would help address terrorism. [At the time of the executive session] there have been proposals to increase counterterrorism funding, which though appreciated, needs to be used for traditional crime fighting as well.”***

***—Bureau Chief John Miller,  
Counter-Terrorism and  
Criminal Intelligence  
Bureau, Los Angeles Police  
Department***

discussed that his SWAT training for any hazard is the same as that for terrorist attacks. Local law enforcement has pushed for greater emphasis on such matters as an all-hazards approach for funding; greater flexibility of spending, particularly for dual uses (e.g., protective gear that can be used in

meth labs and terrorist attacks); more standards and guidance on equipment<sup>79</sup> and technology; and more hiring and overtime grants.

Local law enforcement agencies face keen competition for funding. Yet unlike EMS and fire, they have a tremendous emphasis on prevention as they expend resources to guard infrastructure, oversee special events and much more, especially when alert levels rise. Local law enforcement is increasingly concerned about cuts that will affect public safety services, personnel and other critical areas as they struggle to provide proper responses to terrorism alerts and to develop their own monitoring and prevention efforts. Executive session participants indicated they are trying to think creatively about how to partner with other federal agencies, the private sector, local foundations and surplus programs without lowering standards or jeopardizing the agency’s independence or integrity.

Other concerns were much more administrative in nature, though given that DHS started just one year before, there was recognition that these challenges are the type found in any emerging organization. Some of the executive session participants complained that there were delays, and in some cases no receipt of funding for designated purposes in local jurisdictions.<sup>80</sup> Executive session participants discussed the first year’s technical and logistical challenges. For instance, some executive session participants indicated that they have had technical problems when submitting the

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<sup>79</sup> S&T in partnership with the National Fire Protection Agency (NFPA) and the National Institute for Occupational Safety and Health (NIOSH) adopted in February 2004 standards on personal protective equipment (PPE) to safeguard first responders against chemical, biological, radiological and nuclear materials. The standards provide guidance to state and local procurement officials and manufacturers to provide first responders with the essential PPE. These guidelines also apply performance standards and test methods to manufacturers.

<sup>80</sup> For a discussion of the funding process, see *An Analysis of First Responder Grant Funding*, prepared by the staff of the House Select Committee on Homeland Security. At this writing, this document can be found at <http://homelandsecurity.house.gov/files/First%20Responder%20Report.pdf>.

According to a February 2005 Government Accountability Office report, ODP established and refined the grant award procedures for states and localities. See United States Government Accountability Office, February 2005. *Homeland Security: Management of First Responder Grant Programs Has Improved, But Challenges Remain*. Report to the chairman, Committee on Appropriations, House of Representatives. The GAO Report # 05-121 can be found at [www.gao.gov](http://www.gao.gov).

***“The unintended consequences of the way the grant programs are set up include fostering divisiveness among disciplines and agencies as they compete for limited resources. We need a problem-solving approach to terrorism, including how grants are given.”***

***—Chief Thomas D. McCarthy, Fayetteville (NC) Police Department***

strategic plans through the Internet. Others needed guidelines to write a strategic plan. Some stated that other federal agencies are asking for similar information and types of forms, creating redundant paperwork. Still others believed DHS should pre-approve vendors and establish product standards to facilitate procurement, particularly when there are requirements that spending be completed within a relatively short time period. Importantly, DHS session participants indicated that many of these problems in the grant process have already been addressed, and additional improvements and guidance are ongoing.

#### **Homeland Security Funding Task Force <sup>81</sup>**

DHS executives at the session indicated that DHS recognizes that improvements are still needed in distributing homeland security funds. To address

these problems, in March 2004 the Homeland Security Funding Task Force, composed of a bipartisan group of governors, mayors, county officials, tribal leaders and senior officials with experience in homeland security issues, examined the funding process to recommend ways that DHS funds could move quickly to local first responders.<sup>82</sup> The task force distributed a report to the Secretary of DHS that indicates that no single issue or agency is responsible for the delays, but that several complicating factors (procurement rules, backlog of equipment orders from private sector vendors and others) have collectively slowed the funding flow. The task force identifies effective funding solutions for jurisdictions where there are obstacles to the efficient and effective distribution of state and local homeland security funds. It also documents best practices in delivering funds more rapidly to law enforcement officials, emergency managers and other first responders, and provides specific recommendations for reforms.

As discussed later in this paper, it is apparent that local authorities must work strategically with their state and federal gatekeepers who obtain and distribute the funding. Some executive session participants expressed concern that not all local executives have the same influence with state officials who administer grants. They also believed that the current grant process, in some cases, is divisive in the way first responders from different disciplines vie for funding and compete with other law enforcement agencies in the area.

<sup>81</sup> More information on the task force is available at <http://www.dhs.gov/dhspublic/display?theme=38&content=3354>. The task force reports directly to the Secretary of DHS and operates under the guidance of the Homeland Security Advisory Council (HSAC) and its State and Local Officials and Emergency Response Senior Advisory Committees.

<sup>82</sup> As an example of grant reforms, DHS announced in January 2005 that it still had more than \$4 billion in funds that had not been distributed to cities because of federal rules that required the money to be disbursed only to *reimburse* states and localities for expenditures they already made on antiterrorism measures. The requirement has been waived for fiscal year 2005 to expedite the flow of funds to those in need.

**COMMONWEALTH OF MASSACHUSETTS EXECUTIVE OFFICE OF  
PUBLIC SAFETY HOMELAND SECURITY GRANT PROCESS**

**by Secretary Edward A. Flynn and Assistant Secretary Jane  
Wiseman, Commonwealth of Massachusetts  
Executive Office of Public Safety<sup>83</sup>**

The Commonwealth of Massachusetts developed a process to allocate its federal fiscal year 2004 DHS funds that prioritizes risks and then relies on regional planning to address those risks. This innovative approach allows funds to be applied where they are most needed, making most efficient use of the federal investment in Massachusetts' homeland security. Our process for developing this strategy was inclusive of the many different stakeholder groups from law enforcement, fire, emergency management, public health, transportation, public works and general government administration. The pages that follow provide background on the principles applied and how the outcome was achieved.

***The Importance of Risk-Based Allocations of Funds***

Massachusetts has often distributed federal or state grant funding to municipalities based on population, often making sure that every community, no matter how small, gets some minimum level of funding. This "everyone gets something" approach has served to dilute the investment in the areas most in need of assistance. In 2003,<sup>84</sup> Massachusetts implemented a competitive grant program for distributing the funding. This was the first time funding had not been guaranteed to every community. Instead, only those proposals deemed most meritorious were funded. This resulted in a number of very disappointed communities as the conventional wisdom was turned on its head. So, for the 2004 funding cycle, the majority of the dollars were distributed on a risk-based formula that weighted critical infrastructure and verifiable "potential threat elements" rather than simply population. The overall breakout of funding was as follows:

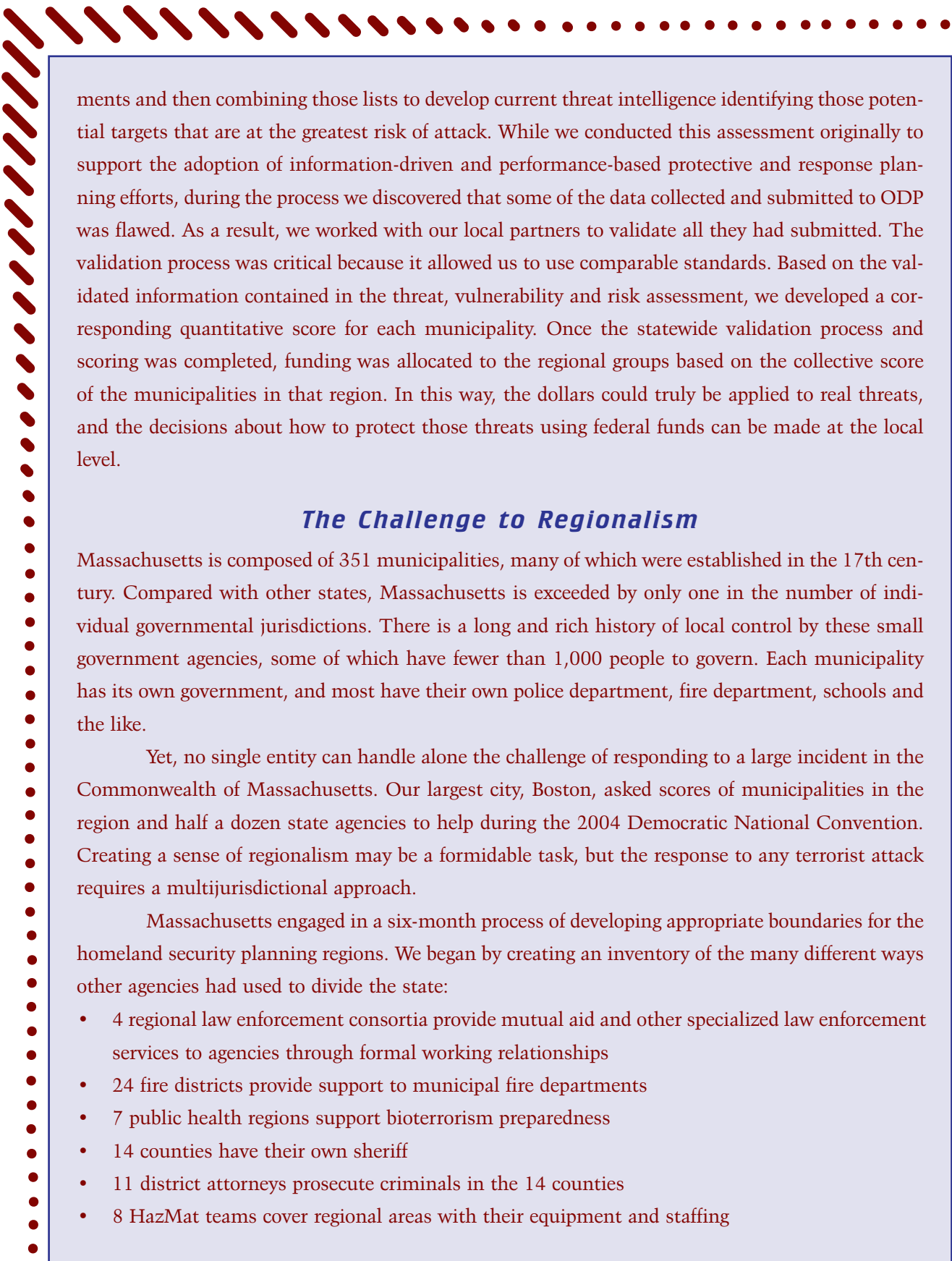
- 20 percent for statewide projects and state grant administration
- 10 percent for a program to provide a minimal level of funding for any interested municipality
- 48 percent for risk-based allocation to regional planning groups
- 22 percent for interoperability projects in the regional planning groups

The key innovation here is that our team introduced an information-driven, risk-based approach to homeland security planning and operations. The foundation of this approach was a statewide threat, vulnerability and risk assessment performed by the state and local police departments. This assessment involved the identification of critical assets, special events and potential threat ele-

<sup>83</sup> Public Safety Secretary Edward Flynn was the Chief of Police in Arlington County, Virginia during the time of the September 11, 2001 attack on the Pentagon, which strongly influenced the Massachusetts model that came to be based on a regional approach.

<sup>84</sup> Unless indicated otherwise, years are for the federal fiscal year (October to October), rather than a calendar year.





ments and then combining those lists to develop current threat intelligence identifying those potential targets that are at the greatest risk of attack. While we conducted this assessment originally to support the adoption of information-driven and performance-based protective and response planning efforts, during the process we discovered that some of the data collected and submitted to ODP was flawed. As a result, we worked with our local partners to validate all they had submitted. The validation process was critical because it allowed us to use comparable standards. Based on the validated information contained in the threat, vulnerability and risk assessment, we developed a corresponding quantitative score for each municipality. Once the statewide validation process and scoring was completed, funding was allocated to the regional groups based on the collective score of the municipalities in that region. In this way, the dollars could truly be applied to real threats, and the decisions about how to protect those threats using federal funds can be made at the local level.

### ***The Challenge to Regionalism***

Massachusetts is composed of 351 municipalities, many of which were established in the 17th century. Compared with other states, Massachusetts is exceeded by only one in the number of individual governmental jurisdictions. There is a long and rich history of local control by these small government agencies, some of which have fewer than 1,000 people to govern. Each municipality has its own government, and most have their own police department, fire department, schools and the like.

Yet, no single entity can handle alone the challenge of responding to a large incident in the Commonwealth of Massachusetts. Our largest city, Boston, asked scores of municipalities in the region and half a dozen state agencies to help during the 2004 Democratic National Convention. Creating a sense of regionalism may be a formidable task, but the response to any terrorist attack requires a multijurisdictional approach.

Massachusetts engaged in a six-month process of developing appropriate boundaries for the homeland security planning regions. We began by creating an inventory of the many different ways other agencies had used to divide the state:

- 4 regional law enforcement consortia provide mutual aid and other specialized law enforcement services to agencies through formal working relationships
- 24 fire districts provide support to municipal fire departments
- 7 public health regions support bioterrorism preparedness
- 14 counties have their own sheriff
- 11 district attorneys prosecute criminals in the 14 counties
- 8 HazMat teams cover regional areas with their equipment and staffing

- 5 emergency management regions provide support to local emergency management efforts by helping to keep local emergency plans updated to changing circumstances
- 39 state police barracks provide highway patrol and other law enforcement support to communities and citizens
- 8 regional re-entry centers provide supervision to offenders returning to our communities

A series of meetings was conducted with key stakeholders to discuss the various ways that the state could “draw the lines” for the homeland security regions. The eventual consensus was that the existing emergency management regions would be modified to accommodate the Boston-area homeland security planning region created for the Urban Area Security Initiative grant program funded by DHS. To the extent possible, other regional efforts are being aligned or at least coordinated with the existing homeland security footprint.

### ***The Importance of Building in Intelligence: The Fusion Center***

As we learned from the risk assessment, 351 municipalities may have 351 different ways of identifying, describing and analyzing potential threats. We decided to create a centralized, standardized source of information analysis and referral. To that end, our state police have developed an information fusion center that is our single source of homeland security information analysis and dissemination. We have worked with all levels of government in developing this effort—including the FBI, the United States Attorney, and the first responders in all our municipalities.

The importance of the fusion center is that information and data form the core of our strategy, and our operations. Threat, vulnerability and risk-related information drive all of our activities—whether the allocation and disbursement of funds or the development and implementation of protective, response and continuity plans. This approach stems from our philosophy that it is not possible to protect every potential target from every conceivable type of attack; there needs to be a system of prioritization and that is what we are developing.

### ***Strategic Management and Oversight of Funds***

Massachusetts forged a meaningful partnership between the first responder community and existing regional planning agencies to ensure federal funds would be effectively used for multijurisdictional and multidisciplinary readiness. While this seems completely logical on its face, it is a leap across many government “stovepipes” that had never worked together before. Regional planning agencies have long partnered with multiple jurisdictions on common interests in urban and regional plans for housing and economic development. But never had the law enforcement or other first responder community participated directly with the regional planning agencies. This new collaboration brings the regional planning agencies’ expertise in federal grant management to the challenge of supporting homeland security efforts in the newly designated regions.



### *Planning as a Precondition for Spending*

Funding was obligated to the municipalities in the regional planning councils in a timely fashion. Modeling the process on the federal Urban Area Security Initiative, we mandated that funds could not be spent on major projects until the planning phase was completed. Regional planning councils were given several months to complete their strategic plan for funding priorities, working with their designated regional planning agency. The regional planning agencies (RPA) have served as fiduciary agents and taken the lead for developing the plans. The RPAs are the existing agencies that have done work on economic development and the like. They are new to homeland security but have done federal grant work for local government for a long time.

In particular, funds for any communications or interoperability projects could not be spent until the state completed its interoperability strategy. In summer 2003, Massachusetts communities participated in a survey that identified the existing infrastructure for first responder communications. Based on that picture of the environment, a committee was created and tasked with developing a consistent, long-term statewide strategy for interoperability of voice and data communications. Communities were asked to hold off on any communications-related projects until they could certify that the project was consistent with the statewide strategy.

### *Continuous Improvement*

No system or process is perfect when it is first created. We continue to learn of ways to improve both the process and the way we communicate with our stakeholder community. Frequent meetings of all relevant stakeholders have kept a meaningful dialogue moving, and we hope to develop an even more refined strategy for the funding year ahead.

## **CONCLUSION**

Many local and state agencies reported having recent successful experiences with DHS when implementing operational security plans for national events and conventions. They have seen tremendous progress in how the federal agencies work together and applaud efforts to further reduce redundancy and turf issues among federal partners. Training resources and other support were similarly appreciated by executive session participants, though there was consensus that additional resources are needed, as well as more standards and guidance for evaluating the type and quality

offered to local law enforcement. Though many representatives were unaware of NIMS at the time of the session, efforts to provide uniform guidance were also given kudos. There was some question as to how local law enforcement would operate within the NIMS structure.

Though agencies appreciate federal support for equipment, technology and other purposes, the greatest concerns voiced at the session were from local law enforcement representatives who focused on the funding limitations for crime and terrorism prevention. Executive session participants stressed that local law enforcement is

uniquely positioned to prevent attacks through proactive law enforcement work with community members; by drawing on trust relationships with diverse groups; through information collection and analysis that builds on previous criminal intelligence work; by providing a visible presence at potential targets; by identifying which infrastructure is most at risk and how to protect it; as well as myriad other functions. And while crime has decreased overall, many chiefs are concerned about what they see as worrisome emerging crime problems such as gangs, youth homicides and the rise of methamphetamine production and abuse—all of which also require significant resources. Yet law enforcement is competing with other first responders

and one another for limited funding that does not adequately address some of their greatest needs: overtime, hiring, greater dual use resources and more.

Again, participants lauded the statements of federal agency colleagues at the session to redouble their efforts to ensure that money is getting to local law enforcement and that changes to the grant processes and parameters will reflect their commitment to addressing local police needs. Importantly, some of the issues are beyond their reach to fix immediately as congressional mandates, state processes and other factors can influence the success of the grant-making programs. The latter will require an education process that could take significant time.



# INFORMATION SHARING, ALERT SYSTEMS AND NEW TECHNOLOGIES

HERE IS PERHAPS NO MORE DIFFICULT ISSUE IN FEDERAL-LOCAL RELATIONS than information and intelligence sharing.<sup>85</sup> Just as the FBI dealt with these issues for many years, DHS now faces formidable challenges in getting information down to local law enforcement and back up again as the process continually evolves to include new material and analysis from all involved players. The challenges include the growing pains associated with any new endeavor in which bonds of trust must be developed, the technical issues related to interoperability and funding for systems, the need to address redundant functions, the related privacy and security concerns and many others. Though these kinds of communications problems are expected in an agency that is just one year old at the time of the session, the good news is that these are issues recognized and being addressed by DHS.

The discussion that follows offers some insights into possible solutions and directions that will improve the processes already begun by DHS. There was consensus that there are too many systems at work and that state-of-the-art secured technologies are needed to facilitate coordinated information sharing among local, state, tribal and federal agencies. Further, executive session participants stressed that new relationships and training must complement the advances being made with emerging technologies.

The Homeland Security Advisory System (HSAS) is perhaps the most visible information sharing mechanism that has been implemented by DHS to alert law enforcement to potential threats. This chapter reviews how local agencies perceive the system and discusses their recommendations on how it and other information sharing systems can be improved. Also provided below is a brief overview of how existing and new technologies can enhance prevention, detection and response efforts.

<sup>85</sup> PERF's previous white paper, *Protecting Your Communities from Terrorism, Strategies for Local Law Enforcement Volume 4: Production and Sharing of Intelligence* is dedicated to exploring issues in intelligence development and sharing and provides detailed discussions on related topics. The report can be downloaded for free from [www.policeforum.org](http://www.policeforum.org) or [www.cops.usdoj.gov](http://www.cops.usdoj.gov).

## Information-Sharing Mechanisms

Executive session participants discussed the full range of mechanisms DHS and other federal agencies use to share information with law enforcement partners and other government agencies. Several of the key issues included hearing about new developments in the media before being contacted by federal partners; information being too vague to guide any particular local action, while increasing citizen fear; and there being too many federal sources of sometimes-conflicting information. Participants' discussions at the executive session focused largely on the last concern: Local law enforcement representatives emphasized the importance of coordinating the timing of the release of information (without delaying it) and eliminating overlapping responsibilities at the federal level to prevent contradictory information from coming to them from several federal sources and sometimes weeks apart. Some local law enforcement participants reported that they would get an alert from one federal agency, then they would contact a second federal agency only to find out it was the same information the second agency had released weeks earlier and then dismissed as lacking credibility. Others said they have been confused about whether the information from DHS or another federal agency was old, whether a new similar threat had arisen, or was inaccurate given interim information from other sources. Some of the confusion seemed to stem from the fact that three or four federal agencies might be analyzing the same information at different tempos and releasing the findings at different times. These issues are explored further in the section, "Timely and Accurate Information." later in this chapter.

Though participants agreed that the federal intelligence community has made significant

***“DHS should be the intelligence newsroom for locals. The alerts should take terrorism information from around the world and then translate what the TTIC, Ops Center and other analysts are talking about into meaningful information for local law enforcement, with priority items sent over Blackberries and cell phones.”***

***—John Miller, Bureau Chief,  
Counter-Terrorism and  
Criminal Intelligence  
Bureau, Los Angeles Police  
Department***

progress since September 11 and that greater effort has been made to produce actionable intelligence, some expressed concern that remaining obstacles to information sharing were draining scarce resources and confounded more than clarified. Executive session participants discussed the need for federal agencies to do an analysis of all information-sharing mechanisms to identify gaps and overlapping areas, as well as to improve processes.

DHS has employed a number of information-sharing approaches and expressed appreciation for executive session participants' feedback on how effective they have been and how recipients used the information. The federal participants reiterated that sometimes there was a misperception that they were withholding specific information or actionable intelligence when, in fact, that information has not existed. Examples of the ways in which DHS has

kept law enforcement and others informed of threats and other information include email updates; monthly conference calls; Internet resource sites; law enforcement networks; screening and integration center feedback; as well as the HSAS color-coded system's advisories, bulletins and alerts. These are described below, as well as law enforcement's concerns about using the information for resource allocation and other decision making.

### **Distributing an Electronic Publication**

DHS uses email to distribute an electronic publication, *DHS Today*, with information for law enforcement partners and other first responders. *DHS Today* is distributed to approximately 1,700 individuals at this writing. The newsletter contains current DHS news, press releases and information on upcoming events. The Office of State and Local Government Coordination and Preparedness (SLGCP) also sends the information to other state, tribal and local government officials.<sup>86</sup>

### **Homeland Security Information Bulletins**

DHS and the FBI also issue joint information bulletins—the *Homeland Security Information Bulletin*. They communicate issues that pertain to the critical national infrastructure and are for informational purposes only.<sup>87</sup>

### **Monthly Conference Calls**

The SLGCP also hosts monthly conference calls with national organizations that represent state, tribal and local law enforcement, as well as other first responders. The purpose of the conference

calls is to maintain open lines of communication with law enforcement partners, and to provide an opportunity to inform national organizations of current DHS initiatives. First responders can use these conference calls to relate their concerns, priorities and efforts in communities around the country to DHS. The monthly conference calls were not designed to provide a secure means of communication for actionable intelligence or threat information. Clearly other instant communication mechanisms have been developed to meet this important operational necessity.

### **State Emergency Information Sharing Web Portal**

Executive session participants emphasized that learning about others' successes and failures is one of the greatest contributions DHS can make to advancing state initiatives. On April 19, 2004, DHS launched a web portal, *Lessons Learned Information Sharing System*, to enable first responders and homeland security professionals to share information and best practices.<sup>88</sup> Access is granted to authorized homeland security officials and first responders at the local, state and federal levels to share expertise on effective planning, training and operations. The directory of responders and homeland security officials provides users access to contact information for networking. The web portal serves as a central repository for homeland security-related documents and events. The site also includes peer-reviewed after-action reports, exercise and emergency drill examples (e.g., tabletop, full scale), best practices and other resources.

<sup>86</sup> To receive this publication, requests should go via email to Sarah Fulton at sarah.fulton@dhs.gov or call 202-282-8054.

<sup>87</sup> More information is available about the bulletin on p. 67.

<sup>88</sup> DHS launched the web portal in 2004 that was developed by the National Memorial Institute for the Prevention of Terrorism (MIPT) [www.mipt.org](http://www.mipt.org) and DFI International (<http://www.dfi-intl.com/>). At the time of this writing, the *Lessons Learned Information Sharing System* web portal can be found at [www.llis.gov](http://www.llis.gov).



## Interactive Communications Systems Available to Law Enforcement

DHS uses existing communications systems traditionally employed to share crime information among local authorities, such as the Regional Information Sharing System (RISS), Law Enforcement Online (LEO) and Joint Regional Information Exchange System (JRIES).<sup>89</sup> The participants expressed concern that there is a tendency to continually introduce new and better systems instead of improving on existing structures. They recommended that DHS and other federal agencies continue to use existing local and state networks, databases and mechanisms instead of introducing new systems when possible. There was a call, however, to integrate some of these systems to provide single-query capabilities. Session participants also recommended better use of the National Crime Information Center (NCIC) system, accessible to front-line officers across the country, for limited purposes.

## Terrorist Screening Center<sup>90</sup>

Participants emphasized the need for a full and comprehensive picture of the terrorist intelligence that informs the actions of DHS and other federal agencies. Executive session participants discussed how multiple databases used to screen for terror-

ists in the United States and abroad has created confusion and problems for state and local authorities. They anticipated that once the Terrorist Screening Center (TSC) has been fully operational for a longer period it would improve information sharing and reduce duplicative services provided by federal agencies.

The TSC was established on September 16, 2003, and became operational on December 1, 2003, to merge terrorist watch lists and provide real-time operational support for officials and entities. The mission of the TSC is “to consolidate the government’s approach to terrorist screening by creating a single comprehensive database of known or appropriately suspected terrorists, and to make this consolidated list available to local, state and federal screeners through the TSC’s 24/7 Call Center.”<sup>91</sup> The TSC is overseen by the FBI and receives identity information about terrorists and suspected terrorists from two sources: international terrorist information comes from the Terrorist Threat Integration Center (TTIC) (see section below about TTIC and the newer National Counterterrorism Center) and information about known or suspected domestic terrorists comes from the FBI, based on their respective sources.

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<sup>89</sup> The RISS Program operates a secure intranet, known as RISSNET, to encourage law enforcement communication and the sharing of criminal intelligence information nationwide among local, state, federal and tribal law enforcement member agency personnel. RISSNET provides information on offender criminal activity including address, phone numbers, weapons used and other useful information. It is now being expanded to help disseminate and share terrorism-related sensitive-but-unclassified information. More information on the RISS Program can be found at <http://www.rissinfo.com/>.

On September 1, 2002, RISSNET interconnected with the LEO system to create a single log-on system for the exchange of sensitive-but-unclassified homeland security information. More information on the LEO system can be found at <http://www.fbi.gov/hq/cjisid/leo.htm>.

JRIES serves as a secure virtual private network, connecting data sources using encrypted communications via the Internet. JRIES relies upon commercial, off-the-shelf technology and web-based software that enables users to access database and analysis applications; send secure email, including maps and graphics; and collaborate in real time. JRIES is also used to exchange sensitive-but-unclassified information. DHS is planning to upgrade the network security to allow the exchange of classified information at the secret level. For more information on JRIES, see [http://www.dhs.gov/dhspublic/interapp/press\\_release/press\\_release\\_0354.xml](http://www.dhs.gov/dhspublic/interapp/press_release/press_release_0354.xml).

<sup>90</sup> At the time of this writing, more information on the Terrorist Screening Center can be found at <http://www.dhs.gov/dhspublic/display?content=1598>.

<sup>91</sup> U.S. Department of Justice, Federal Bureau of Investigation, *Terrorist Screening Center* brochure, 2005.

At the time of the executive session, the TSC consolidated information from approximately 12 databases into a single resource that federal security screeners, state and local law enforcement officers, U.S. consular officials stationed abroad, and in limited cases, even foreign governments could query. The database has improved such processes as accessing information for consular officers to determine whether to grant a visa, or for immigration officials to decide whether a person is eligible to enter the United States. The TSC ensures screeners are using the same unified data set of suspected terrorists and their associates.

The U.S. Attorney General implemented procedures that are meant to safeguard information about U.S. persons, in coordination with the Secretary of DHS, the Secretary of the State Department and the Director of the CIA. The TSC was established to be consistent with law and constitutional requirements that protect privacy interests and other liberties. The TSC does not have the authority to collect intelligence, only to amass the identity information that is already being captured by the intelligence community and other agencies.

### **Terrorist Threat Integration Center and National Counterterrorism Center**

At the time of the executive session, the TSC received the vast majority of information about known or suspected international terrorists from the information and intelligence amassed by the Terrorist Threat Integration Center (TTIC). In August 2004, President Bush announced plans to create a National Counterterrorism Center (NCTC) in an effort to build upon the work of the Terrorist Threat Integration Center. The NCTC was formally established in January 2005 as part of The Intelligence Reform and Terrorism Prevention

Act of 2004. TTIC's analytical capabilities were folded into NCTC upon the new center's creation. The NCTC is also now responsible for analyzing and integrating intelligence acquired from all U.S. government departments and agencies with terrorism-related responsibilities—except intelligence pertaining exclusively to domestic terrorists and domestic counterterrorism. NCTC also has the authority to assign roles and responsibilities to departments or agencies for counterterrorism responsibilities as part of its strategic operational planning duties. The NCTC, however, cannot direct the execution of any resulting operations.

The NCTC has no independent authority to collect intelligence but plays a central role as a fusion center for the analysis of counterterrorism information. NCTC integrates all raw data from the intelligence communities to be analyzed and provides assessments of intelligence that are relevant to foreign and domestic terrorism. NCTC officials analyze information and determine who in the intelligence community needs the resulting analysis. The information provided by NCTC personnel to the TSC can be critical for ensuring that street officers who stop individuals will be in the loop to identify and hold suspected terrorists. Local law enforcement agencies can also participate on the TSC watch desk.

With the information that TSC merges, personnel then incorporate the records in the National Crime Information Center (NCIC) database. The implications for local law enforcement include more ready access to information about suspected terrorists. For example, when a law enforcement officer runs a NCIC check on a suspect during a routine traffic stop or criminal investigation, the terminal message may indicate for the officer to contact the TSC Call Center and then it

***“The Fairfax County Police Department maintains a positive and growing relationship with our federal partners and DHS, largely due to our commitment to the [HSOC] watch center. This assignment encourages the passage of critical information to troop-level users.”***

***—Acting Chief Suzanne Devlin, Fairfax County (VA) Police Department***

guides the officer on how to handle the stop. TSC will guide the officer through a number of steps depending on TSC’s level of interest in the individual.<sup>92</sup> All positive or inconclusive matches of individuals to the TSC database are forwarded to the FBI Counterterrorism Watch (CT Watch). The CT Watch directs the police response and can dispatch the local JTTF to provide a coordinated response and to report back to the TSC and originating agency.

The TSC receives calls daily from local and state officers receiving NCIC messages. The TSC is staffed 24-hours-a-day to aid in the identification of these individuals. At the time of the executive session, if an officer wished to contact the TSC outside of an official hit, they could do so

by contacting the Homeland Security Information Network (HSIN), contact their FBI field office, or contact their local JTTF. Many of the executive session participants stressed that they would like to have a single point of contact for this function in the future.

At the executive session, participants expressed concern that established relationships with various federal agencies with whom they are comfortable sharing suspect information and intelligence might be undermined with the emphasis on the TTIC/NCTC approach. They were concerned about how they might affect the existing decentralized system of information sharing with the FBI and others. State and local law enforcement also prefer to have direct access to information from federal information systems.

It is important to note that DHS’s Information Analysis and Infrastructure Protection (IAIP) unit also fuses information from many sources as a full partner and consumer of intelligence from such sources as the CIA, the NSA and the FBI. While it acts as a fusion center, the information is used to protect critical infrastructure. NCTC, in contrast, is an intelligence fusion center than helps ensure all federal agencies have the same set of data and intelligence from which to work. (IAIP and NCTC personnel share information with one another, as well.) DHS representatives indicated that they are trying to work with all intelligence agencies to provide local, state and

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<sup>92</sup> The TSC brochure outlines four categories of instructions found within the text of the NCIC response. The first indicates the officer should arrest the individual thought to be a terrorist and to contact the TSC. The second asks the responding officer to detain the individual who is of investigative interest for a reasonable time and to contact the TSC for more direction. The third indicates that the person MAY have terrorist ties and to call the TSC for additional help in making that determination, but not to notify the person of the notice or arrest him or her unless there has been a criminal violation. The fourth category carries the same admonitions but asks the officer to collect identifying information, which the TSC may request at a later time, and to contact the TSC if questioning raises suspicions about possible ties to terrorist activity.

tribal agencies with timely and accurate threat-specific warning information.

### **Homeland Security Advisory System (HSAS)**

The IAIP established in March 2002 a nationwide Homeland Security Advisory System (HSAS),<sup>93</sup> to facilitate the federal government's efforts to communicate information quickly to local and state officials and the public on national threats. The HSAS was designed to set in motion protective measures when intelligence agencies receive credible and/or corroborated information regarding a specific industry sector or geographic region. The alert that is provided to public safety officials and the public is based on threat information and vulnerability assessments. Executive session participants discussed the progress made in improving the HSAS threat warning process, as well as the steps that would make it more effective. The HSAS encourages appropriate preparedness and preventive measures at the local, tribal, state and federal levels through three means of communication: Homeland Security Threat Advisories, Homeland Security Information Bulletins and a color-coded threat level system.

***Homeland Security Threat Advisories.*** (This category includes products formerly named alerts, advisories and sector notifications.) During an emergency, IAIP develops and issues national and sector-specific (water treatment facilities, nuclear plants, ports) threat warnings and advisories through the HSAS. Threat advisories are meant to provide actionable information about an incident involving, or a threat targeting, critical national networks, infrastructures, national or large-scale events or strategic U.S. assets. These

advisories can also communicate recently developed procedures that can improve security or protection. The advisories may also recommend a change in readiness or response. Advisories are targeted to federal, state and local governments; private sector organizations and international partners.

***Homeland Security Information Bulletins.*** An "alert" is a more serious and specific threat warning, whereas a "bulletin" is a more general update. Bulletins include information for public safety officials that does not meet the timeliness, specificity or significance thresholds needed for alerts. Bulletins provide statistical reports, periodic summaries, incident response or reporting guidelines, common vulnerabilities and other information. It also may include preliminary requests for information. A bulletin can be distributed to a specific audience or more broadly, usually transmitted electronically or via fax. At the time of the executive session (one year after the establishment of DHS), a DHS participant indicated that there had been 70 issued warnings through bulletins.

***Color-Coded Threat Level System.*** The color-coded threat system spans five colors and corresponding threat levels, including green (low threat risk), blue (guarded), yellow (elevated), orange (high risk) and red (severe threat risk). The color-coded threat system is meant to facilitate a uniform and consistent response among all agencies engaged in counterterrorism. This system also alerts the public to take suggested protective measures to reduce the likelihood or impact of an attack. But different states and jurisdictions have varying protocols for acting on a change in threat level. Some executive session participants stated

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<sup>93</sup> More information on HSAS can be found at <http://www.dhs.gov/dhspublic/display?theme=29>.

that there was a need for greater specificity in the information that is disseminated during heightened threat periods. DHS responded that work is underway to make the system more responsive to sector or area alerts, so that the entire nation does not need to escalate its response, sometimes with very costly measures, if the threat is unlikely to affect them. Based on threat information, the system can place specific geographic regions or sectors on a higher alert status than other areas or industries.<sup>94</sup>

### **Coordinated Response to Threat Warnings**

The issuance of a DHS advisory or a change in the threat level is meant to trigger a strong coordinated response among law enforcement agencies at all levels. DHS requests that all relevant federal agencies develop a general protocol to correspond with each color-coded level and develop more detailed response strategies to some of the more specific threat advisories that are disseminated in coordination with the raising of the threat level.<sup>95</sup> DHS also encourages those local, state and tribal agencies with their own area alert system to adopt one that is compatible with the HSAS system and the federal response.<sup>96</sup> DHS urges each locality to develop detailed actions for threat-specific warnings or for a change in the color-coded threat level that is consistent with the DHS response. DHS executives at the session indicated they are developing recommendations for more tailored regional responses.

<sup>94</sup> See footnote 51 regarding area-specific threat warnings to East Coast financial districts.

<sup>95</sup> DHS provides guidelines to federal agencies at the following website [http://www.dhs.gov/dhspublic/interapp/press\\_release/press\\_release\\_0046.xml](http://www.dhs.gov/dhspublic/interapp/press_release/press_release_0046.xml).

<sup>96</sup> At this writing, the Major City Chiefs (MCC) Association is working on developing a protocol consistent with best practices in security preparedness and response, as well as methods to address different threat level updates. An interim report was released by MCC in June 2004 and is available at <http://www.neiassociates.org/>.

### **Local and State Concerns with the HSAS and Sharing Issues**

Executive session participants agreed that the HSAS has laudable goals, but more needs to be done to meet their needs. Law enforcement executives value threat and target-specific warnings but do not have sufficient details to guide responses to a change in threat level or issued advisories or warnings. Among the concerns are that alerts must be more specific to jurisdictions; that there is no detailed protocol universally adapted by police agencies (shift schedules, visible patrols and other measures may be taken by one police agency, but not the neighboring agency); that there is no circumstance that would drop it below “elevated” and so it is effectively only a three-tiered system; there needs to be more information about what drives an advisory status change; and more. Participants also expressed concern that community fear levels were being raised with insufficient information to guide them on how to act. They wanted to be privy to what was likely to be released to the public to prepare what advice they would offer to help their own officers and community members handle the information.

***“We’re concerned that you can’t stand at attention forever.”***

***—Chief Charles Ramsey,  
Washington (DC)  
Metropolitan Police  
Department***

Some of the confusion related to alerts to date has resulted in what some perceive as inaction by local law enforcement. Local police executives indicated that their jurisdictions do not always respond with increased activity to warnings. There were two primary reasons: Executives decided warnings were not specific to their jurisdiction and law enforcement leaders felt they could not be any more vigilant than they already were given the vagueness of the threat.

It has also been difficult to gauge local reactions to threat warning changes because one agency may provide an all-out response at one color level and another agency responds the same way at only a higher level. There is no consistency across agencies for a specific detailed protocol. Some agencies also have a city threat system that does not always track national alerts. For instance, since September 11, New York has always been on orange alert even though it does not necessarily mean their response is similar to other jurisdictions that are on orange alert. The local response to a national alert change may be affected by other intelligence it is receiving, whether from its own intelligence bureau, that of larger neighboring agencies, the FBI field office and JTTF in the area, or regional or state homeland security offices.

DHS representatives understand the frustration law enforcement has experienced trying to translate the change in the HSAS threat level (and corresponding colors) to actionable information. The DHS executive session participants indicated that IAIP is working with national law enforcement organizations to assess and improve the value of the alert systems and advisories.

### **Who Should Be the Primary Federal Contact**

Many executive session participants stated that when DHS issues a warning, the chief executive

***“We need a shared view of the threat and a clear understanding of our roles and responsibilities in countering that threat. Terrorists clearly have a shared understanding of the goal and the roles in attaining it.”***

***—Executive Assistant  
Director Maureen Baginski,  
Office of Intelligence, FBI***

contacts their FBI Special Agent in Charge (SAC) or the JTTF representative to discern whether the information is accurate and timely. Local law enforcement, in particular, felt partnerships with the FBI have been long established and they turn to them first for sharing information between federal, state, tribal and local law enforcement agencies. Many reported significant improvement over the years between local law enforcement and the FBI, particularly since September 11. Some local law enforcement representatives said they are now unclear whether DHS or FBI is the federal government’s primary conduit for information regarding potential terrorist activity in their jurisdiction. For some, the establishment of TTIC prompted the need to sort out the roles of each agency because many local police departments have traditionally worked with the FBI for some time and the inclination is to view them as the first point of contact. Chiefs also were accustomed to working with someone in their region, as with area field offices. However, police agencies recognized that DHS had been given an important national mission and operational coordination role.

Most of the chief executives reported that they know their FBI SAC or resident agent but are unaware of who their DHS representatives might be in their area. Participants believed decision makers in each region should help determine how DHS fits into the area response. Many participants agreed that federal agencies should consider a one-stop contact at the federal level to eliminate confusion and facilitate joint efforts.

***“We need to have a clear point of contact for local law enforcement. It has been the JTTF and field office, but now there is a DHS Operations Center. To avoid confusion and duplication, the JTTF should be the initial point of contact for law enforcement on all terrorism matters. We need to better sort out the overlapping jurisdictions.”***

***—Chris Swecker, Special Agent in Charge, Charlotte (NC) Field Office, Federal Bureau of Investigation***

Executive session participants agreed that federal agencies have made progress in analyzing and sharing information with relevant local, state and tribal agencies since the first executive session on *Local-Federal Partnerships* (see white paper one in the series).<sup>97</sup> Participants attributed this change to open dialogue and efforts to build stronger relation-

ships. Session participants agreed that the same relationship-building process will occur with DHS once confidence and mutual trust is strengthened over time with local, state, tribal and other federal agencies.

### **Timely and Accurate Information**

Many of the concerns described above regarding information sharing generally also apply to alert systems specifically. Local law enforcement emphasized that while there has been some improvements, threat advisories for the most part are still vague. To some degree, this is the nature of most intelligence. DHS representatives reported that there often is not a lot of good quality information to share with local and state partners. Local participants suggested, however, that warnings also be better coordinated among the federal agencies so that they come from one federal source at one time, not in stages that make the age and relevance of the data unknown.

DHS representatives explained that the source of some of the problems with warnings, alerts and other information sharing is quite complex. In part, the issues arise from congressional authority. Homeland security legislation gave DHS authority to collect and share information, as well as other activities, but did not rescind authority for other federal agencies already engaged in various aspects of intelligence sharing. This has created overlapping jurisdiction. There are also limitations on DHS sharing intelligence that the FBI or non-DHS agencies hold. DHS participants expressed their desire to make their systems more integrated and complementary, while trying to guard against federal-centric views. They

<sup>97</sup> Murphy, Gerard R. and Martha R. Plotkin. March 2004. *Protecting Your Community From Terrorism: The Strategies for Local Law Enforcement Series, Vol. 1: Local-Federal Partnerships*. Washington, DC: Police Executive Research Forum.

are also considering the need to better define when federal agencies communicate at the state homeland security level and when they should go directly to the local level. They invited local law enforcement to help define how DHS can add value to intelligence sharing efforts. Executive session participants from DHS agencies expressed a strong commitment to trying to get information pushed down faster and in a more usable format to local law enforcement.

Local law enforcement participants also encouraged DHS and other federal agencies to consider when information they are holding will be of importance to local law enforcement, even when no immediate threat of terrorism exists. For example, when the federal agencies were aware that President Jean-Bertrand Aristide of Haiti would need U.S. assistance and protection when he resigned in the face of growing unrest and violence in Haiti, local law enforcement officials with large Haitian populations believed that they should have been informed. This information would have helped them prepare for any problems at planned large events at the time the United States intervened, as well as for any disturbances or demonstrations.

The local law enforcement participants also urged their federal partners to focus more on longer-term analyses that would help them build their department capabilities and structures to face threats in the future. They are looking for more insights into what implications foreign intelligence has for their domestic policing efforts. For example, more information on what was learned from the ricin incidents in other countries could have value for U.S. efforts. Whether through alerts or other information sharing, local law enforcement is also looking for more information on

trends, techniques and operations that could be presented to officers in roll call trainings or daily briefings.

In sum, many law enforcement representatives indicated that they have the primary responsibility for preparedness and response activities in their jurisdictions, but are operating without strategic information that comes from a timely, coordinated federal effort. Law enforcement agencies are eager to obtain threat assessments for their jurisdiction, prevention tips to decrease vulnerability, guidance on responding to warnings, and information on what other agencies are doing to respond. They expressed that DHS has made significant progress and is trying to be receptive to their needs, recognizing the agency is still in its infancy.

## **Technologies**

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Executive session participants emphasized that agencies should take advantage of both existing and emerging technologies to prevent, detect and respond to terrorist acts. There are significant challenges, however, to integrating new technologies (information networks, detection technology and many others) with existing infrastructure and systems. The reality seems to be that it will take time to fully integrate technologies that advance information sharing and interoperability in an environment that demands instant solutions.

Executive session participants discussed how local and state agencies have existing technologies that are sometimes overlooked, but that can easily be enhanced—rather than re-inventing systems that may not be compatible with current systems, networks or related needs. Participants encouraged DHS's Science and Technology (S&T) directorate to assess and improve existing technologies as well as



develop new and innovative capabilities. The technologies should be capable of nationwide application with full compatibility and sustainability.

On June 7, 2004, the DHS S&T directorate launched the Regional Technology Integration Initiative (RTI) to facilitate the application of innovative technologies and organizational concepts to regional, state and local counterterrorism efforts.<sup>98</sup> DHS chose Anaheim, Cincinnati and Memphis as the first three pilot cities to share in the RTI's \$10 million funding. All of the pilot sites are participating in the Homeland Security Urban Area Security Initiative to adopt advanced and innovative concepts for emergency preparedness. The RTI purpose is to help these cities investigate private-sector technology that will affect efforts to combat terrorism and neutralize biological and chemical attacks. These pilot sites will test hardware and organizational concepts that will provide the science and technology community with information on how to choose, deploy and manage these technologies.

Executive session participants indicated that many local agencies are unaware of new technologies or do not have the funds to purchase, integrate and operate these systems. Planners must overcome obstacles such as cost and sustainability.<sup>99</sup>

Prior to implementation, measurable objectives and plans for continuous evaluation also need to be set.<sup>100</sup> The process should include integrating and sharing the lessons learned and best practices from other communities. Many local law enforcement executives encouraged DHS to aggressively compile promising practices and to offer training to localities on these technologies.

Executive session participants briefly discussed the different types of technologies available, including the biodetection and biometric identification systems described below.<sup>101</sup> Participants indicated that more technical assistance and education on these technologies is needed at the local level.

### Biodetection Systems

Since the beginning of 2003, DHS's BioWatch<sup>102</sup> early-warning biodetection system has been operating in many cities. Specific city and site locations and other system details are not publicized to avoid compromising the system. This tool is used by public health agencies to notify first responders and citizens of the existence of harmful biological agents. BioWatch is based on the sample analysis technologies demonstrated successfully by the Biological Aerosol Sentry and Information System (BASIS) developed by Livermore and Los Alamos

<sup>98</sup> At the time of this writing, more information on RTI can be found at [http://www.dhs.gov/dhspublic/interapp/press\\_release/press\\_release\\_0430.xml](http://www.dhs.gov/dhspublic/interapp/press_release/press_release_0430.xml).

<sup>99</sup> For an overview of issues to consider in funding new technology, see Bartosh, Douglas. 2005. "Ways to Fund Technology" in *Issues in IT: A Reader for the Busy Police Chief Executive*. Ronald W. Glensor and Gerard R. Murphy (eds.) Washington, DC: Police Executive Research Forum.

<sup>100</sup> As part of the Homeland Security Act of 2002, Public Law 107-296, Congress enacted the SAFETY Act to provide risk management and litigation management protections for the sellers and others in the supply or distribution of qualified anti-terrorism technologies. The Act is intended to encourage the development and deployment of anti-terrorism technologies that will substantially enhance the protection of the nation. A seller must formally apply to DHS for a potential anti-terrorism technology to be awarded SAFETY Act protections. DHS will perform a comprehensive evaluation to determine eligibility of SAFETY Act Designation or Certification. For more information see <https://www.safetyact.gov/DHS/SActHome.nsf/Main?OpenFrameset&67AB24>.

<sup>101</sup> Describing the many federal efforts to leverage technology to facilitate information sharing and for myriad other uses are beyond the parameters of this paper, but those interested in learning more about the Science & Technology Directorate's efforts should visit their website [www.dhs.gov/dhspublic/interapp/editorial/editorial\\_0531.xml](http://www.dhs.gov/dhspublic/interapp/editorial/editorial_0531.xml).

<sup>102</sup> DHS's BioWatch fact sheet can be found at [https://www.bids.tswg.gov/hsarpa/bids.nsf/F32FE3B1449E699D85256DC70065EB27/\\$FILE/BioWatchFactSheetFINAL.pdf](https://www.bids.tswg.gov/hsarpa/bids.nsf/F32FE3B1449E699D85256DC70065EB27/$FILE/BioWatchFactSheetFINAL.pdf).

laboratories that were deployed at the 2002 Winter Olympic Games in Salt Lake City and other high-profile events.<sup>103</sup> The BioWatch system detects trace elements of biochemical agents in the air that may be due to either intentional release or to small quantities in the environment. Air samples are routinely collected—daily or as frequently as needed. However, executive session participants emphasized that BioWatch is only as good as the assays they use to detect the pathogens, and stressed the importance of working closely with experts at the state and local levels. DHS developed sampling devices that are placed in key locations nationwide. These devices are used in many of the Environmental Protection Agency (EPA) Air Quality Monitoring Network sites in partnership with state and local environmental agencies.

The system assists public health experts in determining whether a biological agent has been released and in directing federal, state and local responses; medical care; and consequence management needs. DHS employs several federal response assets, such as the Strategic National Stockpile and the National Disaster Medical System—which include mobile medical units, vaccines and other medications—to support the public health infrastructure of an area with a positive detection. BioWatch is a partnership between local, state and federal agencies, and includes DHS, Centers for Disease Control and Prevention (CDC), the EPA and the Livermore and Los Alamos national laboratories.<sup>104</sup> These laboratories provide technical

expertise and training in biological detection to local and state agencies.

### **Biometric Identification System**

DHS, in a joint effort with the Department of Justice (DOJ), announced September 21, 2004, the integrated 10-print biometric identification technology that is operational in all U.S. Customs and Border Protection (CBP) Border Patrol stations throughout the country.<sup>105</sup> This capability allows CBP Border Patrol agents to search the FBI's fingerprint database at the same time as DHS immigration status databases. The Integrated Automated Fingerprint Identification System (IAFIS) and DHS's Automated Biometric Identification System (IDENT) help identify individuals with criminal warrants by comparing electronic submissions of 10-print digital finger scans against a nationwide database of the fingerprints of individuals with outstanding criminal warrants.

### **Other Technologies**

Countless other technologies are under consideration to compile data on suspected terrorists, high-risk sites, signs of bio-, chemical or nuclear activity and other information of interest to local law enforcement. Yet many local law enforcement agencies still lack the systems to share information even across jurisdictions or states. Obstacles remain on accessing many sources of information, maintaining the quality of the data and supporting the regional fusion centers that can make sense of the inputs to yield usable intelligence. Local, state and tribal law enforcement are increasingly looking

<sup>103</sup> More information on BASIS can be found at [http://www.llnl.gov/worldview/news/pdf/TRCounterTerror\\_BASIS.pdf](http://www.llnl.gov/worldview/news/pdf/TRCounterTerror_BASIS.pdf).

<sup>104</sup> More information on these laboratories can be found at <http://www.universityofcalifornia.edu/labs/>. And for more information on the Homeland Security Organization at Lawrence Livermore National Laboratory (LLNL), see <http://www.llnl.gov/hso/about.html>.

<sup>105</sup> At this writing more information on the biometric identification system can be found at <http://www.dhs.gov/dhspub/public/display?theme=43&content=4030>.

to DHS for standards, grants, other resources and training, and new technologies to address these issues.

## CONCLUSION

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There is a critical need for local law enforcement agencies to analyze their information-sharing mechanisms to identify gaps, obstacles and redundancies, and to improve processes in working with their state, tribal and federal partners. Participants expressed concern that there are too many stovepipes for intelligence and too many databases and other sources that make it difficult to judge the credibility, relevancy and timeliness of information. While executive session attendees generally agreed that federal agencies have made significant progress in DHS's first year, there is still much to be done to improve coordination among federal agencies to produce actionable intelligence and to reduce overlapping jurisdiction. While some session participants acknowledged that there is some value to redundancy in checking the value and credibility of information before it is released, that value is lost when so much duplication leaves local law enforcement with a confusing series of alerts and advisories from multiple federal sources with varying views. Local law enforcement called for a single point of contact at the federal level for intelligence and information sharing.

DHS efforts to use various means of communications ranging from email alerts to terrorist screening center feedback were applauded. Participants encouraged DHS to continue working with the other federal agencies to produce as much regional and threat-specific information as possible to better guide local initiatives. Information and intelligence must be packaged in ways that are useful to local law enforcement and better links street

officers to the information sharing loops that should exist among all federal, state, tribal and local law enforcement.

Local law enforcement wants information to flow from street officers to federal agencies and then down again. This is particularly important when there are new threat advisories. They also called for flexible protocols (what to do—not how to do it) that would provide some guidance as to how agencies might deploy officers under various color alert changes or other heightened alerts. These protocols would allow local law enforcement agencies to have a better sense of how colleagues across their state and region are responding in terms of overtime, shift schedules, resource allocation and other key decisions. Consideration should also be paid to how alerts affect community fear levels and subsequent demands on law enforcement.

Executive session participants also recommended that there be more education on the various available technologies and how they may be used. There was an emphasis on the need for dual-purpose solutions that could work effectively in a regional approach. The participants also stressed the advantages to building on existing structures and systems when possible, instead of creating more and more new ones.

The challenges faced in creating interoperable, effective information systems and new technologies that will link law enforcement at all levels of government are formidable. Executive session participants, however, demonstrated a firm commitment to taking them on to reduce federal redundancies and to promote other measures that would facilitate effective information exchanges.

# RECOMMENDATIONS

***“One thing that has come of this session is that DHS and FBI must have a summit to clear up any confusion about our multiple sources of information and how we coordinate.”***

***—Executive Assistant Director Charles Prouty,  
Law Enforcement Services, FBI***

The recommendations that emerged from the fifth executive session reflect a theme that has run through every preceding white paper in this series on protecting our community from terrorism. It is simply this: Any advances in securing our nation from terrorism must build on the successes of community policing and embrace its underlying principles. Creating and sustaining partnerships with law enforcement agencies at all levels of government, with other disciplines and with the public is essential in all efforts to prevent, prepare and respond to terrorism. For more than 20 years, community policing has encouraged law enforcement agencies to form bonds of trust with its partners, to engage in problem solving, to address fear and community priorities and to think creatively about crime. Local, state, tribal and federal agencies are concerned that some policymakers have lost sight of how crime and terrorism connect and how community-policing approaches can advance efforts to address both.

DHS has engaged thousands of agencies to improve the preparedness and response to terrorist threats, and is continuing the vital task of clarifying each agency's role and responsibilities in

homeland security. There is growing recognition that local law enforcement performs a critical function in counterterrorism and that community policing can promote effective prevention and response strategies. DHS has made tremendous progress in its first year, building a mammoth bureaucracy while developing immediately needed competencies, collaborations and structures. Still there is much work to be done, and local, state and tribal law enforcement must support the process. Law enforcement agencies will continue to work with DHS to assess and communicate their communities' risks and vulnerabilities to a terrorist attack. They must clearly convey their information and intelligence needs, their funding problems and other issues. And just as it took time to develop contacts within FBI field offices and JTTFs, local jurisdictions need to work with DHS and other federal agencies to ensure that regional efforts are coordinated. Together law enforcement at all levels must identify priorities for prevention, preparedness and response that recognize that local police cannot abandon their traditional crime problems. A comprehensive and cooperative strategy is essential to addressing the responsibilities and resource

allocations that DHS and law enforcement agencies must determine. The executive session participants concluded that coordinated regional approaches that build on best practices and that are based on the competencies each agency has to offer is vital.

The participants at the executive session provided many suggestions on how DHS and other federal, tribal, state and local agencies can strengthen their working relationships to secure communities across the nation. Highlights of these recommendations include the following:

### **DHS Component Agencies' Missions and Responsibilities**

→ DHS must continue to build on the significant progress made in its first year by aggressively marketing its capabilities and resources to all local, state and tribal law enforcement agencies, regardless of jurisdiction size or threat level.

→ DHS must continue work with other federal agencies to identify and reduce redundancies in resources, services and programs, particularly where agencies have been granted concurrent jurisdiction by Congress. Federal agencies with overlapping jurisdiction, especially in intelligence, should hold a summit to more clearly define their roles, reduce overlapping efforts and determine the best way to connect with local, state and tribal law enforcement.

→ DHS, in its work with state and local law enforcement, must recognize the connection between traditional crimes and terrorism. Initiatives should reflect that local law enforcement's criminal intelligence/information collection efforts, training, equipment and many other functions work to address both terrorism and traditional

crime. Accordingly DHS should share information and support traditional local law enforcement efforts that also benefit counterterrorism. DHS should provide grant support for law enforcement efforts to combat serious crimes that destabilize U.S. communities (e.g., serial shootings) or help support terrorist acts (e.g., money laundering, identity theft).

→ Participants recommend that DHS create a regional structure that would improve coordination with state and local law enforcement resources. These regions should be consistent with the regional efforts by other federal agencies to address terrorism and support existing task forces.

→ Session participants called for DHS to redouble its efforts to assemble and disseminate best practices from across the nation. After-action reports from other jurisdictions, promising approaches for infrastructure protection, strategic planning and any number of protocols were also requested with constant updates.

### **State and Local Homeland Security Structures and Functions**

→ Each state and many local jurisdictions have some type of a homeland security office, director or function. DHS should provide guidance to state and local homeland security offices by collecting and sharing promising models and approaches for developing and implementing homeland security plans. These models should reflect a coordinated and regional structure that recognizes the unique responsibilities of local law enforcement as the primary prevention coordinators and information collectors at the community level.

→ Executive session participants urged DHS and states to promote an “all hazards” approach to preparedness and response for a broad range of critical incidents that includes terrorism, natural disasters and serious crime issues.

→ State and local homeland security officials must work with local law enforcement agencies to help them meet homeland security demands and local crime problems. Funding for overtime and additional officers can alleviate some of the strain of responding to both demands. Problems with meeting these responsibilities must continue to be communicated to DHS.

→ State homeland security authorities should continue to foster strong relationships with local law enforcement leaders to ensure they have a voice in public safety plans, resource allocation and other aspects of homeland security strategies.

### **Building Capacities for Homeland Security through Partnerships**

→ Local law enforcement should use community-policing principles to help them meet the demands of homeland security. Forging partnerships with other emergency-service disciplines, working with neighboring law enforcement agencies, reducing fear, educating citizens about emergency preparedness and strengthening relationships with minority populations are all strategies of community policing that can help fulfill homeland security challenges.

→ Local law enforcement agencies must work with emergency service providers, such as fire, emergency management and public health, to build multidisciplinary teams capable of preparing for and responding to a multitude of terrorist incidents.

→ Local law enforcement agencies must work with neighboring jurisdictions to build regional capacities capable of preparing for and responding to a multitude of terrorist incidents. This includes developing mutual aid agreements and joint policies, procedures, plans and training.

→ Local law enforcement agencies must develop relationships with private sector interests to develop a comprehensive program to protect critical infrastructure and to prepare for and respond to terrorist incidents. Information sharing with the private sector and the use of private sector databases must consider privacy issues and include a public education effort that will clearly communicate how the information will be used, the limitations on its use and any impact on civil liberties.

→ Local agencies should continue to develop partnerships with and training for business leaders, facility owners and building staff (maintenance, doormen, front desk personnel), including residential complexes to support counterterrorism work. The partnerships could include target hardening through environmental design and other guidance and response procedures for building staff to handle suspicious people and packages.

→ Transportation security protocols should be applied to rail and bus systems, ports and cargo protection. Rail and bus transit systems often cross jurisdictional and state lines and present special challenges in coordinating protection and response efforts. Participants stressed the need for greater security measures, multidisciplinary exercises and training, funding and technology resources to better safeguard these systems.

→ Local law enforcement agencies with military bases or facilities in their jurisdiction should develop partnerships with these resources for protecting critical infrastructure (both technology/equipment and personnel). In addition, local agencies should try to ascertain when, and to what extent, military resources can be used to support civil responses to critical incidents.

→ Local agencies should work with military commands to develop protocols for re-integrating police personnel returning from active duty, as well as for supporting their families during call-ups.

→ Law enforcement at all levels should support efforts to address legal issues that hinder coordination and limit tribal enforcement authority to carry out counterterrorism duties. Tribal law enforcement is essential to the protection of more than 250 miles of borders. Obstacles to tribal law enforcement accessing NCIC and other basic services or resources also must be addressed.

### Engaging the Community in Homeland Security

→ Local law enforcement should remain committed to using a problem-solving approach to both crime and terrorism that builds on successful partnerships with citizens. Community partnerships and volunteers, including neighborhood watch, retired military and law enforcement personnel, Volunteers in Police Service members, police auxiliaries, and other individuals can provide valuable assistance in homeland security initiatives.

→ Police should engage in community education and awareness programs to discuss law enforcement initiatives to prevent terrorist incidents. This

could include discussing what suspicious activity looks like, suspicious packages on mass transit systems, police information-gathering and intelligence procedures and more.

→ Law enforcement should share best practices on investigatory stops, engaging the community when threat levels rise, protocols on what community members should report to police and how that information is handled, employing 911 or alternative systems and more.

→ Federal partners should work closely with local agencies when conducting interviews of members of their community or investigating within their jurisdiction.

→ DHS should continue to develop the Citizen Corps and Community Emergency Response Teams to increase volunteer involvement in preparedness and response efforts, including their inclusion in some training and practice exercises.

### Law Enforcement Role and Responsibilities

→ Local law enforcement participants stressed that a national response to terrorism must consider local law enforcement a full partner in homeland security work, particularly given the networks they have established through community policing. They would also like more support for their unique role among first responders in prevention work through information collection and target security.

→ Adequate direct federal funding to local law enforcement should be considered, which has been reduced over several years, for traditional law enforcement personnel and services that not only advances crime-fighting efforts, but also furthers counterterrorism work.

→ DHS, the FBI and other federal agencies must work with state and local law enforcement to support and train street-level officers to gather information and detect suspicious activity. Officers need further insights into terrorists' goals and methods, as well as the indicators of potential terrorist activities.

→ Local agencies must take appropriate steps to prepare and assign personnel to handle homeland security functions—or to enter into agreements with area agencies and others who may be able to provide needed support—while continuing to handle regular demands for service.

→ State and local agencies should have a response plan to address any officer fatigue issues, overtime concerns and limited resources, particularly when the threat level rises or in response to a terrorist incident.

→ Local law enforcement stressed that national response plans must consider designating a single federal coordinator to oversee all federal agencies during preparedness efforts and responses to critical incidents.

## **DHS Resources and Training**

→ DHS should educate state and local law enforcement about National Special Security Events (NSSEs), including criteria for NSSE designation, and the roles and responsibilities of participating agencies.

→ DHS should provide law enforcement with additional technical assistance and guidance for implementing the National Incident Management System (NIMS). The National Integration Center should provide clear direction for local law

enforcement as well as answers to ongoing implementation questions.

→ DHS should solicit law enforcement guidance when making decisions about training programs. There must be an ongoing analysis of training needs to identify gaps and redundancies. Consideration should be given to problems in covering travel or other costs associated with sending personnel to training and to assess effectiveness. Ongoing needs assessments must be made for local law enforcement-specific resources and equipment shortages, as well.

→ Local law enforcement needs training at all levels—from line officers to command-level to the chief executive level. Training should address street-level indicators of terrorism, the nexus between traditional crime and terrorism, information analysis, targeting and profiling issues, privacy concerns and other important concepts.

→ DHS and local agencies must work together to improve awareness of DHS training resources and opportunities. DHS should better promote its training programs, and local agencies should regularly browse the DHS website and the *Counter-Terrorism Training and Resources for Law Enforcement* website to find needed training and related material for their jurisdiction.

→ Participants encouraged DHS to make use of existing training facilities and programs, such as the Regional Community Policing Institutes (RCPIs). The RCPIs and other regional facilities can be used to deliver programs and identify experts to institute standards and evaluations for training.



→ DHS and law enforcement must work together to foster a greater dual use orientation for training.

## Grant Programs

→ DHS must continue to work with state and local governments as well as Congress to rectify obstacles to the quick, effective and flexible use of homeland security grants.

→ Participants agreed that funds should be distributed based on a national strategy of shared responsibility, accountability and leadership. The grants should emphasize the need for coordinated regional systems and address law enforcement's greatest needs.

→ DHS should continue to work on improving electronic grant filings; working with other federal partners to develop standards for equipment, training and technology purchased with grants; and providing technical assistance for strategic plans.

→ Local law enforcement encouraged lawmakers and federal grants administrators to remain cognizant of law enforcement's unique responsibilities for security and *prevention* that increase workload demands, particularly during elevated threat levels or large-scale community events.

→ State agencies must work with localities to improve strategies for developing plans and distributing funding to local agencies. Both state and local governments must be prepared to make changes in appropriations and procurement laws.

→ DHS should place a greater emphasis on an all-hazards and all-crimes approach for funding, including greater focus on dual use, and flexibility for spending for counterterrorism efforts that

include handling local crime issues that affect public safety.

→ Local agencies should consider seeking support from other sources including the private sector, local foundations and surplus programs for homeland security needs.

## Information Sharing and Alert Systems

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→ Session participants called for a summit for DHS, FBI and other intelligence producers and consumers to more clearly define roles in information collection, sharing, analysis and dissemination, including eliminating federal redundancies and obstacles to sharing.

→ Though ideally local law enforcement agencies would like DOJ and DHS to designate a single federal contact for receiving information from and disseminating intelligence to local law enforcement, they understand the realities of the federal structure. At minimum, closer coordination among the federal agencies would improve the consistency and timeliness of information they receive, which would increase their confidence in the product.

→ DHS must cultivate relationships and build trust with state and local law enforcement agencies that have a long history of working with the FBI and other DOJ resources.

→ Local law enforcement recommends an all-crimes approach to intelligence and information sharing—an approach that considers domestic and international terrorists, criminal activity that may be used to support or finance terrorism efforts, as

well as any other crimes and disturbances that threaten communities.

→ Federal officials must work with local law enforcement to more fully engage street-level officers as partners in the information-gathering and intelligence-generating functions. Street officers are uniquely positioned to interact with suspected terrorists or to gain information of value to intelligence analysts. Officers' value can be increased if they have a better understanding of indicators of terrorist activity.

→ To promote compatibility and interoperability, federal agencies, to the extent possible, should build on existing networks, databases and systems.

→ Federal, state and local law enforcement must ensure that any information sharing initiatives fully consider the civil rights and privacy issues of citizens. A public education effort should precede and continue after the launch of new systems that are used to collect, store and disseminate information on individuals gathered to further public safety initiatives.

→ Participants urged DHS to widely disseminate the evaluation of the Homeland Security Information Network-Critical Infrastructure Pilot Program to determine whether it is suitable for replication in other areas to facilitate coordination among the public and private sector.

### Alert Systems

→ DHS must continue work on the Homeland Security Advisory System to quickly identify regions and/or industry sectors at greater risk; to provide an explanation and specific information or criteria for a change in the threat level; and to

share exemplary practices used by law enforcement in response to various threat levels.

→ Local, state and tribal agencies in jurisdictions with their own citywide or statewide system should ensure there is compatibility with the national system.

→ Federal agencies should include in alerts a clear, single point of contact if local, state or tribal law enforcement have additional information related to the warnings.

→ Threat or warning information communicated to citizens should consider the potential effects on community reactions and the subsequent effect on state and local law enforcement agencies, including public education and community preparedness.

→ DHS and DOJ must develop clear protocols for communicating threat information with law enforcement and political authorities. Information releases should follow those protocols and should be coordinated through JTTFs or other established, immediate communication systems.

### Technologies

→ DHS should work with local, state and tribal agencies to increase their awareness of the availability, capabilities and funding options for new technologies, especially regarding interoperability, biodetection and biometric identification systems.

→ DHS should work with local and state agencies to identify existing technologies that can be enhanced or adapted for homeland security needs. DHS should solicit suggestions for new applications, and how to address funding and sustainability concerns.

## CONCLUSION

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The executive session was marked by a strong commitment to work together to solve complex problems and organizational issues. One recommendation was that working groups should be formed to resolve each of the more complicated issues participants raised. Though DHS made significant progress in its first year, and in many ways the challenges were unprecedented, the agency is committed to long-term improvements that meet the needs of law enforcement at all levels. Participants at the executive session recognized that like any new major corporation there will be inevitable growing pains and hurdles that must be navigated together.

Some of the remaining challenges will be addressed with time, collaborative efforts and the implementation of best practices. Others will require major changes in jurisdiction, organizational structure and ways of thinking about what constitutes a secure homeland. Many of these reforms can build on the success of community policing—innovative partnerships, problem solving and community involvement. Local law enforcement is uniquely positioned to detect and address possible terrorist threats, but cannot do so in a vacuum. They are looking to federal agencies for a coordinated approach to information sharing, intelligence dissemination, support and assistance. As roles are more clearly defined, it will become

apparent that limited resources must address both traditional crimes and terrorism.

Though participants placed a high premium on new technologies, grants and training opportunities, the greatest hope for advancement was premised on better communications, trust and respectful collaborations. Many participants indicated that this series of executive sessions provided some of the first opportunities for key players to openly discuss and propose changes based on recommendations for addressing homeland security issues. Local, state, tribal and federal agencies, including DHS representatives, challenged one another to continue these or similar forums to discuss homeland security issues and take on the tough issues that thwart effective, integrated efforts. They also challenged their colleagues to conduct the same types of forums at the local or regional level to confront turf issues, delineate roles and responsibilities and to ensure that limited resources are being used to their fullest to serve all our communities.

In the final analysis, the events that prompted the development of DHS have created an urgent need for a sustainable partnership among local, state, tribal and federal law enforcement agencies to focus all of our energies and abilities on preventing the next terrorist incident. It is our hope that this publication advances those efforts.

## APPENDIX A

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## APPENDIX B

# ABOUT THE AUTHORS<sup>108</sup>

### **Heather J. Davies, Ph.D.**

#### **Research Associate**

#### **Police Executive Research Forum**

Davies is responsible for managing national-level research and policy development projects. She is the project director of the white paper series, *Protecting Your Community from Terrorism: Strategies for Local Law Enforcement*, and the project on *Community Policing in a Security-Conscious World*. Davies is lead author of the second white paper in this series, *Working with Diverse Communities*, and co-author of the third white paper, *Preparing for and Responding to Bioterrorism*. She is one of PERF's representatives for several terrorism research working groups. Davies was also the project coordinator and contributing author of the Bureau of Justice Assistance-funded project, *Managing Multijurisdictional Cases: Lessons Learned from the Sniper Investigation*.

Prior to joining PERF, Davies was a senior research associate with the American Bar Association's Center on Children and the Law and the Criminal Justice Section. She was the principal investigator on a project evaluating parental involvement practices of juvenile courts, and one on improving legal and judicial responses to parental kidnapping. Davies assisted in the analysis of legal services provided by the District of Columbia's Office of Corporation Counsel to the Child and Family Services Agency. In addition, she served as the project associate on such studies as

the implementation of the Michigan Lawyer-Guardian Ad Litem Statute, a national assessment of law enforcement and community partnerships for helping children exposed to domestic violence, and an evaluation of domestic violence no-drop policies. Davies is the co-author of a National Center for Missing and Exploited Children monograph, *Child Pornography: The Criminal Justice Response*. Davies holds a bachelor's degree in sociology from Virginia Tech, and a master's degree and a Ph.D. in justice, law and society from American University. Her dissertation addressed *Understanding Variations in Murder Clearance Rates: The Influence of the Political Environment*.

### **Martha Plotkin, J.D.**

#### **Director of Communications and Legislative Affairs**

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Plotkin directs PERF's publications, media and legislative programs. She has had extensive experience researching and writing on law enforcement matters, as well as defining and implementing a national policy and legislative agenda for police professionals. She regularly has provided information to congressional leaders and the national media on matters of public safety. Plotkin has edited more than 50 publications in her tenure and has written myriad op-ed articles, briefings and testimonies on issues ranging from gun safety to funding police services. She is the co-author of the

<sup>108</sup> The authors' and contributing authors' titles and agency affiliations are as of the time of the executive session.

first volume in this series, *Local-Federal Partnerships*. Her other work includes being the author of *A Time for Dignity* and other articles and training materials on the police response to elder abuse. She is also the co-author of *Police and the Homeless: A Status Report* and the editor of *Under Fire: Gun Buy-Backs, Exchanges and Amnesty Programs*. Plotkin was also a contributing author of the publication *Managing Multijurisdictional Cases: Lessons Learned from the Sniper Investigation*.

An attorney, she also works on amicus briefs and other legal issues affecting police agencies. Plotkin has managed and continues to contribute to research projects on homeland security issues and the police response to special populations and victims. She completed the legal studies program at Brandeis University where she received her bachelor's degree in psychology. She earned her law degree from The George Washington University Law School.

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### **Joshua Filler**

#### **Director of the Office of State and Local Government Coordination Department of Homeland Security**

Filler is the primary point of contact for state, local and tribal homeland security leaders and is responsible for coordinating the programs and policies of DHS as they relate to state, tribal and local governments including funding issues, information sharing and incident management. As such, he works regularly with other senior DHS officials on a wide variety of topics including intelligence matters, grants, national preparedness, and antiterrorism operations within the United States and its territories.

Prior to joining DHS, he was director of local affairs for the White House Office of Homeland Security. As director of local affairs, Filler was responsible for coordinating with local governments around the country on homeland security matters. This included information sharing, incident management and response, as well as legislative and budget issues.

Before joining the White House, he served in the Cabinet of Mayor Rudolph Giuliani in New York as director of legislative affairs for the Mayor and chief of staff to the deputy mayor for operations. There he coordinated the city's operational agencies and all legislative and oversight issues for the city administration, including the NYPD, FDNY and the public health agencies. After September 11, he was responsible for emergency operational issues and managing contacts with local,

state and federal officials on behalf of New York City in connection with the attack on the World Trade Center.

Prior to his government service Filler was an attorney in private practice in New York. He graduated from Boston University with a B.A. in political science. He received his law degree from St. John's University School of Law.

### **Edward A. Flynn**

#### **Secretary of Public Safety Commonwealth of Massachusetts Secretary of Public Safety**

Secretary Flynn was appointed Secretary of Public Safety by Governor Mitt Romney in January 2003. He is responsible for the management and administration of a variety of public safety agencies, boards and commissions including the Massachusetts State Police, the Department of Corrections, the National Guard, the Department of Fire Services and the Massachusetts Emergency Management Agency. The Executive Office is also responsible for homeland security in the Commonwealth. The Executive Office of Public Safety has a budget totaling \$1 billion, and employs more than 10,000 people.

Prior to his appointment as secretary of public safety, he served for five years as the chief of police in Arlington County, Virginia. In his capacity as chief, Flynn was instrumental in the recovery effort at the Pentagon after the September 11 terrorist attack, and in 2002, he participated in the sniper-shootings investigation in the Washington, D.C. area.

His early career was spent in the Jersey City Police Department, where he served for 15 years, rising to the rank of inspector. He has been the chief of police in Braintree, Massachusetts, where he was credited with modernizing the department. He subsequently became chief of police in Chelsea, Massachusetts, where he helped lead the city out of state-imposed receivership to designation as an "All American City."

Flynn is a past recipient of the prestigious Gary P. Hayes Memorial Award for Police Leadership from the Police Executive Research Forum. He is on the board of directors of the national bipartisan anti-crime organization Fight Crime: Invest in Kids.

He holds a B.A. in history from LaSalle University in Philadelphia, a master's degree in criminal justice from John Jay College of Criminal Justice in New York and completed all course work in the Ph.D. program in criminal justice from the City University in New York. He is a graduate of the FBI National Academy, the National Executive Institute and was a National Institute of Justice Pickett Fellow at Harvard's Kennedy School of Government.

### **George Foresman**

#### **Assistant to the Governor for Commonwealth**

#### **Preparedness**

#### **Commonwealth of Virginia**

George W. Foresman serves Virginia's citizens and Governor Mark R. Warner as Assistant to the Governor for Commonwealth Preparedness, a Cabinet-level position. In this capacity he is the principal advisor and overall coordinator for homeland security, preparedness, and relations with military commands and installations throughout Virginia. Foresman chairs the Secure Commonwealth Panel and leads the Governor's related initiative responsible for strengthening

Virginia's security and preparedness for emergencies and disasters of all kinds, including terrorism. He serves as Virginia's principal liaison with the White House, Congress, U.S. Department of Homeland Security, and other federal entities to coordinate homeland security policy and programs as well as obtaining resources.

Maintaining a productive relationship with the Department of Defense and Armed Services remains a priority for Governor Warner. Foresman serves as the Governor's direct Cabinet-level liaison with top defense and military officials, commands and installations. He is the vice-chair of the Virginia Military Advisory Council that serves to foster civil-military communication and pro-military policies across Virginia. Foresman also provides oversight of the Commonwealth's activities relative to federal base realignment and closure process.

He is a nationally recognized expert on emergency preparedness and homeland security, and was a member and vice-chair of the Advisory Panel to Assess Domestic Response Capabilities Involving Terrorism, established by Congress in 1998 to evaluate America's readiness for terrorism. The Panel delivered five annual reports to the Congress and President before completing its work in December 2003. More than 125 of the Panel's 144 recommendations have been adopted in part or whole. He frequently is solicited for consultation on national policy issues.

A native of Lexington, Virginia, Foresman joined state government in 1985. He possesses more than 20 years of experience in emergency management, law enforcement, fire and emergency medical service organizations ranging from operations to executive-level

leadership. He is a graduate of the Virginia Military Institute as well as the Virginia Executive Institute.

### **Jacqueline Litzinger**

#### **Commander of Infrastructure Protection**

##### **CSX Transportation**

Litzinger has 24 years experience in law enforcement, having held positions in both the public and private sectors. Her experiences include positions held in the Baltimore City Police Department, the University of Arizona Police Department (nationally accredited) and CSX Transportation Police Department. Litzinger holds a Florida Law Enforcement Certification. She has previously held law enforcement certifications in both Maryland and Arizona.

Litzinger has been with CSX Transportation since 1994. She is responsible for the security planning, deterrence and mitigation of terrorist threats and other hazards affecting CSX Transportation. Litzinger's former position with CSX involved the supervision of railroad police special agents in the Jacksonville Division, whose jurisdiction included the States of Florida, Alabama, Louisiana and Mississippi. She participates in various law enforcement networks such as serving on the Executive Security Committee of JAXPORT and the Northeast Florida Domestic Security Task Force.

Litzinger earned a master of science degree in management with a concentration in community development from the Johns Hopkins University at Baltimore. She is a graduate of the Police Executive Leadership Program at Johns Hopkins University. Her undergraduate degree is a bachelor of science in public administration from the University of Arizona.

### **Chief Thomas D. McCarthy**

#### **Fayetteville Police Department**

Chief McCarthy began his policing career in the 1970s with the Newport News (VA) Police Department. During his tenure in Newport News he had the good fortune of working with Chief Darrel Stephens and the Police Executive Research Forum with one of the initial problem-oriented policing projects. While there, he attained the position of commander, leaving in 1987 to become the police chief of the Gaston County (NC) Police Department. He left in 1993 to become the Fort Lauderdale police chief. In 1994, at the request of the Gaston County Manager, he returned to Gaston County to become the deputy county manager and police chief. In 2001, he was selected as police chief in Fayetteville, North Carolina.

McCarthy has a B.A. in education from Southwestern College in Kansas, and a master's degree in public administration from the University of North Carolina at Charlotte. He is a graduate of the 145th Session of the FBI National Academy and the 25th Session of the FBI LEEDS program. He is also a veteran of the United States Coast Guard. He has served as an adjunct faculty member at Thomas Nelson Community College, Methodist College and the University of North Carolina at Charlotte. At this writing, he is an adjunct professor at the University of North Carolina at Pembroke's Master of Public Administration Program.

### **Jane Wiseman**

#### **Assistant Secretary**

##### **Commonwealth of Massachusetts Executive**

##### **Office of Public Safety**

Wiseman is responsible for overseeing \$100 million in federal and state grant funds for public safety and homeland security in Massachusetts. In this

position, she oversees grant making for programs funded by the Massachusetts state legislature, the U.S. Justice Department Office of Justice Programs, the Office of Domestic Preparedness, the Department of Education and the National Highway Traffic Safety Administration. She previously served in management consulting with Accenture. During her first year at the Executive Office of Public Safety, Wiseman initiated electronic grant making and has automated several components of the back-end processing of grants. Her previous experience includes nearly five years at the United States

Department of Justice, National Institute of Justice. During that time she worked for one budget season, on detail from the Justice Department for the U.S. House of Representatives Appropriations Committee, Subcommittee on Commerce, Justice, State and Related Agencies. She has also served in the U.S. Office of Management and Budget. Wiseman holds a bachelor's degree in government from Smith College and a master of public policy degree from the John F. Kennedy School of Government at Harvard University.

## APPENDIX D

# ABOUT THE OFFICE OF COMMUNITY ORIENTED POLICING SERVICES (COPS), U.S. DEPARTMENT OF JUSTICE

**T**HE OFFICE OF COMMUNITY ORIENTED POLICING SERVICES (COPS) WAS created in 1994 and has the unique mission to directly serve the needs of state and local law enforcement. The COPS Office has been the driving force in advancing the concept of community policing, and is responsible for one of the greatest infusions of resources into state, local, and tribal law enforcement in our nation's history.

Since 1994, COPS has invested over \$11.9 billion to add community policing officers to the nation's streets, enhance crime fighting technology, support crime prevention initiatives, and provide training and technical assistance to help advance community policing. COPS funding has furthered the advancement of community policing through community policing innovation conferences, the development of best practices, pilot community policing programs, and applied research and evaluation initiatives. COPS has also positioned itself to respond directly to emerging law enforcement needs. Examples include working in partnership with departments to enhance police integrity, promoting safe schools, combating the methamphetamine drug problem, and supporting homeland security efforts.

Through its grant programs, COPS is assisting and encouraging local, state, and tribal law enforcement agencies to enhance their home-

land security efforts using proven community policing strategies. Traditional COPS programs such as the Universal Hiring Program (UHP) give priority consideration to those applicants that demonstrate a use of funds related to terrorism preparedness or response through community policing. The COPS in Schools (CIS) program has a mandatory training component that includes topics on terrorism prevention, emergency response, and the critical role schools can play in community response. Finally, COPS has implemented grant programs intended to develop interoperable voice and data communications networks among emergency response agencies that will assist in addressing local homeland security demands.

The COPS Office has made substantial investments in law enforcement training. COPS created a national network of Regional Community Policing Institutes (RCPIs) that are available to state and local law enforcement, elected officials



and community leaders for training opportunities on a wide range of community policing topics. Recently the RCPIs have been focusing their efforts on developing and delivering homeland security training. COPS also supports the advancement of community policing strategies through the Community Policing Consortium. Additionally, COPS has made a major investment in applied research, which makes possible the growing body of substantive knowledge covering all aspects of community policing.

These substantial investments have produced a significant community policing infrastructure across the country as evidenced by the fact that at the present time, approximately 86 percent of the nation's population is served by law enforcement agencies practicing community policing. The COPS Office continues to respond proactively by providing critical resources, training, and technical assistance to help state, local, and tribal law enforcement implement innovative and effective community policing strategies.

## APPENDIX E

# ABOUT THE POLICE EXECUTIVE RESEARCH FORUM (PERF)

**P**ERF IS A NATIONAL PROFESSIONAL ASSOCIATION OF CHIEF EXECUTIVES OF LARGE city, county and state law enforcement agencies. PERF's objective is to improve the delivery of police services and the effectiveness of crime control through several means:

- the exercise of strong national leadership,
- the public debate of police and criminal justice issues,
- the development of research and policy, and
- the provision of vital management and leadership services to police agencies.

PERF members are selected on the basis of their commitment to the organization's objectives and principles. PERF operates under the following tenets:

- Substantial and purposeful academic study is a prerequisite for acquiring, understanding and adding to that body of knowledge.
- Maintenance of the highest standards of ethics and integrity is imperative to the improvement of policing.
- The police must, within the limits of the law, be responsible and accountable to citizens as the ultimate source of police authority.
- The principles embodied in the Constitution are the foundation of policing.

Categories of membership also allow the organization to benefit from the diverse views of criminal justice researchers, law enforcement of all ranks and other professionals committed to advancing law enforcement services to all communities.

Additional color copies of this report can be downloaded for free at [www.policeforum.org](http://www.policeforum.org) and [www.cops.usdoj.gov/](http://www.cops.usdoj.gov/).

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