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**NAVAL  
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**MONTEREY, CALIFORNIA**

**THESIS**

**THE WICKED PROBLEM OF INFORMATION SHARING  
IN HOMELAND SECURITY—A LEADERSHIP  
PERSPECTIVE**

by

G.C. Sam McGhee

June 2014

Thesis Advisor:  
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<b>REPORT DOCUMENTATION PAGE</b>			<i>Form Approved OMB No. 0704-0188</i>
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<b>1. AGENCY USE ONLY (Leave blank)</b>	<b>2. REPORT DATE</b> June 2014	<b>3. REPORT TYPE AND DATES COVERED</b> Master's Thesis	
<b>4. TITLE AND SUBTITLE</b> THE WICKED PROBLEM OF INFORMATION SHARING IN HOMELAND SECURITY—A LEADERSHIP PERSPECTIVE		<b>5. FUNDING NUMBERS</b>	
<b>6. AUTHOR(S)</b> G.C. Sam McGhee		<b>8. PERFORMING ORGANIZATION REPORT NUMBER</b>	
<b>7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES)</b> Naval Postgraduate School Monterey, CA 93943-5000		<b>10. SPONSORING/MONITORING AGENCY REPORT NUMBER</b>	
<b>9. SPONSORING /MONITORING AGENCY NAME(S) AND ADDRESS(ES)</b> N/A		<b>11. SUPPLEMENTARY NOTES</b> The views expressed in this thesis are those of the author and do not reflect the official policy or position of the Department of Defense or the U.S. Government. IRB Protocol number ___N/A___.	
<b>12a. DISTRIBUTION / AVAILABILITY STATEMENT</b> Approved for public release; distribution is unlimited		<b>12b. DISTRIBUTION CODE</b> A	
<b>13. ABSTRACT (maximum 200 words)</b>  This thesis is an autoethnographic study exploring ineffective practices of American information sharing and intelligence in a post-9/11 world. It answers the questions: 1) What is there to learn about the relationship between homeland security information sharing, leadership doctrine, and personal experience?, and 2) How does complexity science influence this relationship? The study combined personal experience with a methodological framework that leverages complexity science, social planning (wicked problems), and leadership doctrine to discover improved coordination between the federal intelligence community (IC) and state, local, tribal, territorial, and private (SLTTP) first responder levels. The analysis reveals virtually no interaction or understanding of the available resources occurred on either level before the 9/11 attacks. Pre-9/11, both entities were focused on their respective missions, the IC on post-Cold War Soviet issues, and state and local first responders on local criminal issues. After 9/11, both were forced to somehow coalesce, to mitigate gaps identified by the 9/11 Commission, which created a paradox of conflict and resistance within reform systems that would not have existed but for the efforts to coalesce them, within which this nation continues to flounder. The conclusion provides recommendations and potential solutions to remaining information gaps, as well as leadership doctrine that can provide a foundation for operating within the complex domain.			
<b>14. SUBJECT TERMS</b> Information Sharing; Intelligence; Leadership; Complexity Science; Wicked Problems; Relationship between State and Local First Responder and Intelligence Communities			<b>15. NUMBER OF PAGES</b> 225
			<b>16. PRICE CODE</b>
<b>17. SECURITY CLASSIFICATION OF REPORT</b> Unclassified	<b>18. SECURITY CLASSIFICATION OF THIS PAGE</b> Unclassified	<b>19. SECURITY CLASSIFICATION OF ABSTRACT</b> Unclassified	<b>20. LIMITATION OF ABSTRACT</b> UU

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**THE WICKED PROBLEM OF INFORMATION SHARING IN HOMELAND  
SECURITY—A LEADERSHIP PERSPECTIVE**

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Submitted in partial fulfillment of the  
requirements for the degree of

**MASTER OF ARTS IN SECURITY STUDIES  
(HOMELAND SECURITY AND DEFENSE)**

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## **ABSTRACT**

This thesis is an autoethnographic study exploring ineffective practices of American information sharing and intelligence in a post-9/11 world. It answers the questions: 1) What is there to learn about the relationship between homeland security information sharing, leadership doctrine, and personal experience?, and 2) How does complexity science influence this relationship? The study combined personal experience with a methodological framework that leverages complexity science, social planning (wicked problems), and leadership doctrine to discover improved coordination between the federal intelligence community (IC) and state, local, tribal, territorial, and private (SLTTP) first responder levels. The analysis reveals virtually no interaction or understanding of the available resources occurred on either level before the 9/11 attacks. Pre-9/11, both entities were focused on their respective missions, the IC on post-Cold War Soviet issues, and state and local first responders on local criminal issues. After 9/11, both were forced to somehow coalesce, to mitigate gaps identified by the 9/11 Commission, which created a paradox of conflict and resistance within reform systems that would not have existed but for the efforts to coalesce them, within which this nation continues to flounder. The conclusion provides recommendations and potential solutions to remaining information gaps, as well as leadership doctrine that can provide a foundation for operating within the complex domain.



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## LIST OF ACRONYMS AND ABBREVIATIONS

ACLU	American Civil Liberties Union
AIN	agency information network
AoR	areas of responsibility
APD	Aurora Police Department
ATFE	Bureau of Alcohol, Tobacco, Firearms and Explosives
CALEA	Commission on Accreditation for Law Enforcement Agencies
CIA	Central Intelligence Agency
CIAC	Colorado Information Analysis Center
CICC	Criminal Intelligence Coordinating Council
CIE	Criminal Intelligence Enterprise
CISC	Colorado Information Sharing Consortium
COI	coordinator of information
COP	community oriented policing
CPTED	crime prevention through environmental design
CRCL	civil rights and civil liberties
CSP	Colorado State Patrol
CTC	Counterterrorism Center
CWE	common work environment
DCI	Director of Central Intelligence
DEA	Drug Enforcement Administration
DHS	Department of Homeland Security
DIA	Defense Intelligence Agency
DNC	Democratic National Convention
DNI	Director of National Intelligence
DOC	department operations center
DOD	Department of Defense
DOMDNI	Domestic Director of National Intelligence Representative
DOS	Directorate of Operational Support
DOT	Department of the Treasury
DPD	Denver Police Department
ELG	Executive Liaison Group
EMS	emergence medical services
ESF	emergency support function
FEMA	Federal Emergency Management Agency
FISA	Foreign Intelligence Surveillance Act
FLO	fusion center liaison officer

GAC	Global Advisory Committee
GIWG	Global Intelligence Working Group
GLOBAL	Global Justice Information Sharing Initiative
HSDN	Homeland Security Data Network
HSIN	Homeland Security Information Sharing Network
I&A	Intelligence and Analysis
IACP	International Association of Chiefs of Police
IAFC	International Association of Fire Chiefs
IAIP	Intelligence, Analysis and Infrastructure Protection
IC	intelligence community
IGA	intergovernmental agreement
ILP	intelligence-led policing
IOC	Intelligence Operations Center
IRA	Irish Republican Army
IRTPA	Intelligence Reform and Terrorist Prevention Act
ISE	Information Sharing Environment
ITACG	Interagency Threat Assessment and Coordination Group
JCAT	Joint Counterterrorism Assessment Team
JFC-PMO	Joint Fusion Center Management Office
JIBS	joint intelligence bulletins
JIC	Joint Information Center
JOC	Joint Operations Center
JRIG	Joint Regional Intelligence Group
JTTF	Joint Terrorism Task Force
KST	known or suspected terrorist
LEO	Law Enforcement On-Line
LPO	Leadership in Police Organizations
MCCA	Major Cities Chiefs Association
MIAC	Missouri Information Analysis Center
MOU	memorandum of understanding
NCISP	National Criminal Intelligence Sharing Plan
NCTC	National Counterterrorism Center
NFCA	National Fusion Center Association
NGA	National Geospatial-Intelligence Agency
NSA	National Security Agency
NSC	National Security Council
NSI	Nationwide Initiative

NSSE	national special security event
NYPD	New York Police Department
ODNI	Office of Director of National Intelligence
OMB	Office of Management and Budget
OSS	Office of Strategic Services
PII	personally identifying information
PINS	priority information needs
PM-ISE	program manager for the information sharing environment
RAS	reasonable articulable suspicion
RFI	requests for information
SAC	special agent in charge
SAR	suspicious activity reporting
SARA	scanning, analysis, response and assessment
SINS	standing information needs
SLTLE	state, local and tribal law enforcement
SLTP	state, local, tribal or private sector
SLTT	state, local, tribal and territorial
SLTTP	state, local, tribal, territorial and private sector
SME	subject matter expert
SVTC	secured video teleconference
TATP	triacetone triperoxide
TIDE	Terrorist Identities Datamart Environment
TLO	terrorism liaison officer
TS/SCI	top secret sensitive compartmentalized information
TTIC	Terrorist Threat Integration Center
TTP	terrorist tactics, techniques and procedures
U.K.	United Kingdom
U.S.	United States
UASI	urban area security initiatives
WMD	weapons of mass destruction



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## EXECUTIVE SUMMARY

During the cold war, the intelligence community (IC) was primarily focused on the Soviet Union, which influenced the majority of intelligence activity in the United States. In 1946, George Keenan devised the concept of containment, which initially focused on economic and political impacts but later grew to have a military context. Much of today's IC mentality is a post-Cold War Era residual.<sup>1</sup> Post 9/11 intelligence functions required the IC to acknowledge a shifting of intelligence priorities including becoming aware of and working more closely with state, local, tribal, territorial and private sector (SLTTP) first responders. While the intelligence mission has not changed, the priorities have become so interrelated that they may become blurred. For example, the relationship between terrorism and illicit narcotics trafficking can be closely aligned, often to the point that a decision must be made to consider both as collective priorities or segment them, subordinating one or the other.<sup>2</sup>

As a result, the IC and the SLTTP have been forced to interact more, which may provide an understanding of the existing rift between the IC and SLTTP. Yet, post-9/11 reform has emphasized the critical need to create ways to coordinate information sharing between the two realms.

The homeland security enterprise extends far beyond DHS and the federal government. A key part of the enterprise includes working directly with law enforcement, state and local leaders, community-based organizations, and private sector partners to counter violent extremism at its source...<sup>3</sup>

This thesis focuses on the multitude of government entities involved in United States (U.S.) information sharing, the pre-9/11 mindset of segregation between the IC and SLTTP, and the post-9/11 emphasis to strengthen information sharing by closing the gaps perpetuated today between the two entities. It analyzed the evolution of the relationships

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<sup>1</sup> Mark M. Lowenthal, *Intelligence: From Secrets to Policy*, 5th ed. (Los Angeles, CA: SAGE/CQ Press, 2012), 252.

<sup>2</sup> *Ibid.*, 273.

<sup>3</sup> The Department of Homeland Security, *Implementing 9/11 Commission Recommendations: Progress Report 2011* (Washington, DC: United States Government, 2011), 9.

within the information sharing environments at the federal and SLTTP levels, how on one hand, strategies, executive orders, public laws, and policies have urged stronger relationships between the IC and SLTTP, and on the other hand, struggles to accomplish these directives and guidelines linger. It explores how leadership plays a role in coalescing information sharing at all levels of government and the impact complexity has had on the information sharing effort in the homeland security enterprise. The author leveraged his unique first hand experience operating within the IC and the SLTTP environments to help identify those concepts that would be necessarily considered in analyzing current and future information is shared in the United States.

The thesis demonstrates that the evolution of information sharing in the United States has shifted from a pre-9/11 relationship between the IC and SLTTP, where the IC has been predominantly focused on the Cold War concerns related to the former Soviet Union, and the SLTTP that was primarily focused on reducing crime and the fear of crime within law enforcement and for other disciplines, responding to natural or man-made disorder. Both produced structures, procedures, laws, and policies to support their missions. Each component of the current-day homeland security project (IC and SLTTP) was virtually unconscious of the other's presence and certainly each other's equities.

Post-9/11 reform has forced a shift from the pre-9/11 relationship to one in which the two massive disciplines must not only become aware of each other's missions and equities, but to form new relationships and resulting government structures to support emerging relationships between the two. While innumerable strategies, policies, executive orders, laws, and guiding documents call for improved collaboration across all segments of government, no central doctrine exists from which the information sharing stakeholders, deemed critical to each other in post-9/11 lexicon, can draw central guidance for information sharing while meeting the unique demands of local jurisdictions. The research has explored how leadership doctrine and complexity science interact and how they might play a role in the future of information sharing in the United States.

21st century leaders in all disciplines and industries are faced with uncommon levels of complexity, and leaders in homeland security are no exception. This period in

history could well be construed as a renaissance for those in the business of protecting this country because state and local first responders, national intelligence community members, and private security professionals are facing the urgency of creating new, never-before-experienced relationships between jurisdictions, disciplines, and organizations in an effort to share information and better coordinate resources. These fledgling relationships, coupled with the emergence of new technology and the use of big data, have catapulted the world and those responsible to lead into the realm of identifying, assessing, and addressing problems while in the midst of discovering them; all the while, being mindful of the pace at which technology offers solutions, as well as dangers of potentially abridged liberties.

The result of producing this thesis and the process leading to its conclusion has brought forward the following realization.

- Pre-9/11, the IC and SLTTP were focused on their respective missions: the IC on the former Soviet Union, and SLTTP on reducing crime or responding to natural or man-made hazards. Each constructed structures, laws, policies, processes, and procedures to address their needs and were virtually not conscious of each other's existence much less their equities.
- After 9/11 occurred, the IC and SLTTP were forced to become aware of each other, to somehow come together to solve what the 9/11 Commission listed as gaps in this nation's system. Numerous strategies, policies, executive orders, laws and government restructure have been aimed at providing better coordination, and yet a paradox still exists; conflict and resistance have been created within this country's systems of reform that would not have existed except for the efforts to coalesce them that continue to flounder. Some members of the SLTTP first responder community, such as the author, have been introduced into the mysterious realm of the IC. This community has been encouraged to learn the ways of the IC and to notice where the gaps lie between the IC and SLTTP. It has also been challenged to provide suggestions for improvement. When this occurs, and suggestions are introduced for improvement, resistance is encountered in part by individual agendas but also due to a lack of a central guiding doctrine from which the whole of government can derive its strategies whether at the federal or state, local, tribal or territorial level.
- An analysis into the thematic evolution of the homeland security information-sharing enterprise can provide clarity as to what to do next. How are these gaps improved upon and the self-imposed resistance overcome? How can a better understanding of complexity science and leadership help to create the new thinking, doctrine, laws, and policies

necessary to better blend these two massive disciplines? The analysis in this thesis has allowed for recommended solutions to remaining information gaps, as well as leadership doctrine that can be leveraged to provide a foundation for operating within the complex domain.

As a result, the thesis concludes that three major shifts in American information sharing could provide for more effective structures and environments to meet the emerging complexity of sharing information between the SLTTP and IC.

First, create a national information-sharing doctrine serving as the genesis from which continuity in mission, vision, and values would emanate across all levels of government. The 9/11 Commission contemplated recommending a cabinet level intelligence director but felt it was untenable at the time. Today, many who operate at the national intelligence level and some who were involved in the 9/11 Commission wonder if now may be the time to reintroduce this concept.

Second, a gap exists in the American information-sharing architecture, which does not allow for a bottom-up collection process. Since police, fire, and private sector first responders number nearly 3 million, some mechanism for providing training, awareness, and reporting is needed to bridge this gap.

Finally, the information-sharing realm in America is steeped in complexity. To be effective in leading new ways of thinking and applying innovative initiatives relative to complex problems, adapting to complex adaptive systems and applying solutions, which are resilient in these environments, the homeland security leader will need effective leadership tools and principles. Complexity Leadership Theory provides for the understanding of complexity science and the leadership principles specifically designed or combined to create milieus for creating results in complex environments. This leadership approach should be included in the national doctrine patterned after the Leadership in Police Organizations (LPO) curriculum currently being delivered nationally by the International Association of Chiefs of Police.

## ACKNOWLEDGMENTS

The completion of this thesis has provided a challenge, a process of growth and a new level of learning. I have achieved new heights in my understanding of the relationship between information sharing, leadership and complexity science. However, no massive undertaking is successful without support from others and this accomplishment is no exception. It is said that transformation only lives when it is shared with others. I have transformed many times throughout my career but no more so than since 2007 when I became involved in the homeland security project. Since that time, I have been afforded very unique experiences, some with life changing impacts for me. I have been embedded within the intelligence community in Washington, DC, served as a fusion center deputy director, and completed this master's program. Combined, these experiences have brought me here to this point where I feel an obligation to repay for the privilege of gaining the unique and specialized experience that I have received. I am committed to sharing the benefits of what I have learned and what has transmuted my understanding of our homeland security project, specifically how we share information in America. Contributing to the homeland security project based on the experiences I have received begins with acknowledging those who have supported me throughout this period of growth.

To Daniel J. Oates, Chief of Police, Aurora, Colorado Police Department, for placing me in situations and environments that have made me uncomfortable and forced me to expand my knowledge, skills, and abilities. He allowed me the privilege of serving for a year in Washington, DC, as fusion center deputy director, and for attending this once-in-a-lifetime opportunity at the Naval Postgraduate School. My debt of gratitude will be served out in as yet undefined ways with yet to be identified beneficiaries.

To Dr. Chris Bellavita who, for me, has emerged as the teacher just as I as the student have become ready for the lessons you have taught. To U.S. Naval Captain Wayne Porter for his support and encouragement, and for offering a different way to perceive the world through your National Strategic Narrative. To Dr. Lauren Fernandez for her patience, understanding, and for her willingness to understand my quirky thinking

and writing. To mom and Shawn for their unending patience and willingness to proofread the enumerable papers and posts, and for their perfect balance in supporting me while at other times reminding me to stop overanalyzing and to get back to work.

# I. INTRODUCTION AND OVERVIEW TO THE WICKED PROBLEM OF LEADERSHIP IN HOMELAND SECURITY INFORMATION SHARING

## A. PROBLEM SPACE

- The Lingering Problems in American Information Sharing Between the Intelligence Community and State, Local, Tribal, Territorial and Private Sector First Responders

During the Cold War, the intelligence community's (IC) primary concerns were focused on the Soviet Union, which influenced the majority of intelligence activity in the United States. In 1946, George Keenan devised the concept of containment, focused externally on the Soviet Union, which initially was an economic and political concept but later grew to have a military context. Much of how the IC thinks and operates today is residual from the Cold War era processes.<sup>1</sup> Post-9/11 intelligence functions have required the IC to acknowledge shifting intelligence priorities including becoming aware of and working more closely with state, local, tribal, territorial and private sector first responders (SLTTP). While the mission of intelligence has not changed, the priorities have become so interrelated that they may become blurred. For example, the relationship between terrorism and illicit narcotic trafficking can be so closely aligned that a decision must be made to consider them both priorities or to segment them, subordinating one or the other.<sup>2</sup>

As a result, the IC and the SLTTP have been forced to interact more; it may provide an understanding as to the rift existing between the IC and SLTTP. Yet, post-9/11 reform has emphasized the critical need to create ways in which to coordinate information sharing between the two realms.

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<sup>1</sup> Mark M. Lowenthal, *Intelligence: From Secrets to Policy*, 5th ed. (Los Angeles, CA: SAGE/CQ Press, 2012), 252.

<sup>2</sup> *Ibid.*, 273.



The homeland security enterprise extends far beyond DHS and the federal government. A key part of the enterprise includes working directly with law enforcement, state and local leaders, community-based organizations, and private sector partners to counter violent extremism at its source...<sup>3</sup>

This thesis focuses on the myriad of government entities involved in information sharing in the United States the pre-9/11 mindset of segregation between the IC and SLTTP, the post-9/11 emphasis to strengthen information sharing and the gaps perpetuated between them today. It endeavors to analyze the evolution of the relationships within the information-sharing environments at the federal and SLTTP levels, how on one hand strategies, executive orders, public laws, and policies have urged stronger relationships between the IC and SLTTP, and on the other hand, struggles to accomplish these relationships linger. It explores how leadership plays a role in coalescing information sharing at all levels of government and the impact complexity has on the information sharing in homeland security enterprise. The author also leverages his unique and first hand personal experience operating within the IC and the SLTTP environments to help identify those concepts that would necessarily be considered in analyzing how information is shared in the United States now and how it could be in the future.

Why is this important? While the Department of Homeland Security (DHS) and the Federal Bureau of Investigation (FBI) have created significant inroads in improving how information is shared with local law enforcement through mechanisms informing them of threat pictures and vulnerabilities, as well as efforts to train SLTTP responders on indicators of extremism or terrorist activity,<sup>4</sup> struggles still exist that emanate from the previously illustrated dichotomy. For all intents and purposes, information sharing between the IC and SLTTP is not part of a national construct; rather, individuals among or within the two domains share information through incongruent strategies or individual good will efforts. Without a common understanding, belief system, or doctrine to drive these efforts, they will remain random with occasional, and perhaps, resulting in

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<sup>3</sup> The Department of Homeland Security, *Implementing 9/11 Commission Recommendations: Progress Report 2011* (Washington, DC: United States Government, 2011), 9.

<sup>4</sup> Ibid.

inadvertent increased levels of performance and outcomes. As suggested by Phillip Zelikow, the former director of the 9/11 Commission, the timing may now be right for a Secretary of Intelligence, at the cabinet level, to make this effort a priority.<sup>5</sup> Whether such a central guiding paradigm is instituted or not, homeland security leaders of the future will face uncommon levels of complexity to help lead through emerging relationships among thousands of disciplines and jurisdictions to coalesce information-sharing efforts across all levels of government.

The United States has proven it is capable of massive governmental reform as evidenced by the creation of the DHS, the creation of important transformation within the IC, such as the Intelligence Reform and Terrorism Prevention Act, as well as key executive orders and public law. The challenge is to consider implementing such levels of transformation in a deliberate, innovative fashion outside the necessity of a national emergency such as 9/11.

Further, in a departure from the deluge of national strategies, the *National Strategic Narrative* calls for “renewing American leadership—building at home, shaping abroad.”<sup>6</sup> Authors Porter and Mykleby challenge Americans to reframe from a zero sum orientation of control in a closed system to a more collaborative and influential posture of an open system. Translated to information sharing in America, this new paradigm would invite those insidiously focused on myopic interests and agendas to abandon them in favor of a more open system—whole-of-government approach. The authors invite American leaders to shift from the constricted posture of containing other nations as introduced by Keenan in 1946, to an intrinsic focus of sustaining America by concentrating on important socio-economic aspects for long-term sustainment. This shift, say the authors, will not only strengthen American resolve and reinforce American values, but will also serve as a model framework for other nations to follow.<sup>7</sup> How information is shared among the entities within the IC and SLTTP can take this idea,

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<sup>5</sup> Bipartisan Policy Center, “The Current State of Intelligence Reform,” December 11, 2013, <http://bipartisanpolicy.org/events/2013/12/current-state-intelligence-reform>.

<sup>6</sup> Wayne Porter and Mark Mykleby, *A National Strategic Narrative* (Washington, DC: Woodrow Wilson International Center for Scholars, 2011).

<sup>7</sup> Ibid.

expand, and integrate it into a national mindset focused on a more expansive and accurate intelligence collection architecture including a bottom-up component from SLTTP entities to provide a holistic view of the threat rather than the current approach analogous to the allopathic view of medicine wherein the symptoms are treated rather than the causal effects. In American counterterrorism intelligence, the threat is determined without a comprehensive bottom-up, domestic perspective. What would it take to cause such a shift within the innumerable levels of government?

Certainly, a need exists to understand better what leadership tools and principles might produce outcomes, which could provide such a shift in this nation's collective outlook. A critical examination of the literature related to leadership doctrine, evolution in homeland security information sharing, as well as this author's experience in leading homeland security initiatives, may identify emerging complexity, as well as supporting principles from which homeland security leaders may more effectively embrace adaptability, creativity, and learning.<sup>8</sup> This review would be important to be able to understand and address the complex relationships between the IC and SLTTP at the operational, as well as the analytical levels, and to provide creative outcomes when formulating appropriate policies, budgets, and discerning guidance to legislators and senior policy makers, which may be more sustainable for the future.

The homeland security project has existed since the attacks of 9/11. Changes in American government after the attacks represent the most complex and significant since the creation of Department of Defense in 1947. Much of the homeland security project has been focused on streamlining information and intelligence sharing at all levels of government, as well as with the private sector.<sup>9</sup>

Advances in information sharing have occurred within the federal IC. For example, the Intelligence Reform and Terrorist Prevention Act (IRTPA) of 2004 created the Director of National Intelligence (DNI), which superseded the Director of Central

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<sup>8</sup> Mary Uhl-Bien, Marion Russ, and Bill McKelvey, "Complexity Leadership Theory: Shifting Leadership from the Industrial Age to the Knowledge Era," *Leadership Quarterly* 18, no. 4 (August 2007): 298–318.

<sup>9</sup> Philip Zelikow et al., *The 9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks upon the United States* (New York, London: W.W. Norton & Company Inc., 2004).

Intelligence (DCI) as the chief intelligence community official. The DNI is now the principal intelligence advisor to the president and National Security Council (NSC). Formerly, the focus of the IC has been on foreign and domestic intelligence as distinct realms. The DCI's responsibility was centered on foreign intelligence. The IRTPA generated two shifts. First, it altered the definition of intelligence to that of national intelligence with subsets of foreign, domestic, and homeland security. Second, it has broadened the DNI's responsibility beyond that of the DCI's, particularly in the domestic realm. While the DCI represented a specific agency, the Central Intelligence Agency (CIA), the DNI does not. Thus, the DNI is not only in a position to have access to all intelligence but to ensure intelligence is shared appropriately across all IC agencies. The position is also responsible for safeguarding intelligence sources and methods. The main thrust of the act was aimed at improving intelligence sharing between IC agencies, particularly within the foreign-domestic intelligence rift.<sup>10</sup>

A word about the use of the expression state, local, tribal, territorial and private or SLTTP. This term and its variations are commonly used in the modern homeland security lexicon to simply describe what is a much more complicated group of disciplines, levels of government, and jurisdictions. It is utilized in this thesis and within the literature as a distinguisher between the federal services, predominantly, the IC, and essentially, state and local first responder agencies. This simplified distinction may be a disservice to those in the SLTTP category, and certainly, the federal service, if the goal is to provide clarity through education and awareness of each other's domains by collapsing SLTTP into one collective group. In reality, very stark differences exist between state and local levels of government culturally, operationally, fiscally, and politically, however, for purposes of this thesis, they remain as a collective, separate and distinct from the federal services when discussing information sharing and intelligence, or criminal versus national security matters.

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<sup>10</sup> Lowenthal, *Intelligence: From Secrets to Policy*, 417.

SLTTP information-sharing innovations have revolutionized how information is shared and crimes are solved (in the case of state and local law enforcement). As an example, state and local law enforcement has endeavored to simplify and improve efforts in information sharing to address crime trends better through cross-jurisdictional and multi-discipline information sharing. Recent examples include the creation of the Criminal Intelligence Enterprise initiative (CIE), a groundbreaking initiative that proposes an intelligence-cycle-driven approach that emphasizes valuable analysis, which cannot occur without a formal and quality driven collection process.<sup>11</sup> In addition, state, local, tribal, and federal partners, along with several national law enforcement organizations, have collaborated to develop the Nationwide Suspicious Activity Reporting (SAR) Initiative (NSI), which was formalized by the Office of Director of National Intelligence (ODNI), and program manager for the information sharing environment (PM-ISE). The NSI struggles to provide comprehensive data and meaningful analysis of suspicious activity reporting but the concept of such a resource evolving into a national program to share terrorism-related SAR data at all levels of government, provides the genesis for an effective system for detecting and disrupting threat streams.<sup>12</sup>

Originating from the *Implementing Recommendations of the 9/11 Commission Act of 2007*, the first-ever initiative of its kind created the former Interagency Threat Assessment and Coordination Group (ITACG), and current Joint Counterterrorism Assessment Team (JCAT). These programs were created to bring SLTTP and IC members together in a one-year fellowship format to create new levels of awareness and innovative relationships for information sharing between the two cultures.<sup>13</sup> Finally, information sharing between the government and private sector has been reinforced through emerging associations, such as InfraGard. Such efforts create information-

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<sup>11</sup> Major Cities Chiefs and Major County Sheriffs Intelligence Commanders Groups, *Criminal Intelligence Enterprise: Threat Domain Assessment, How-to-Packet* (Chicago IL: Major Cities Chiefs and Major County Sheriffs, 2013).

<sup>12</sup> See ODNI at Office of the Director of National Intelligence, "Home," November 17, 2013, <http://www.dni.gov/>; also see PM-ISE NSI at Information Sharing Environment, "Nationwide SAR Initiative," November 17, 2013, <http://ise.gov/nationwide-sar-initiative>.

<sup>13</sup> *Implementing Recommendations of the 9/11 Commission Act of 2007, Public Law 110-53* (2007).

sharing alliances between the government, (FBI in the case of InfraGard), and the private sector to better prevent, detect, respond, and recover from intrusions or attacks on critical infrastructure sectors.<sup>14</sup>

The stage has been set, while the IC and SLTTP have focused on streamlining information sharing in their respective spheres, the need for a strengthened relationship and collaborative efforts between the IC and SLTTP remains. If considering that law enforcement and fire first responders at the state and local level number approximately 2 million, and that they are in American homes providing service every day, it is easy to imagine the importance of ensuring they are aware of terrorist tactics, techniques and procedures (TTPs). The Najibullah Zazi and Naser Jason Abdo cases illustrate the possibility of terrorist planning within the homeland, and the opportunity for detection by first responders.<sup>15</sup> James Clapper, the current DNI, has recognized the value of the federal IC having a role in domestic counterterrorism and transnational crime.

We need to deal with the realities of globalization –the blurring these days of foreign and domestic matters. Because when threats like terrorism and international organized crime transcend borders, it’s critical that we think holistically about intelligence.<sup>16</sup>

The IC, through foreign counterterrorism surveillance efforts, discovers these TTPs. The potential for a strengthened relationship between the IC and state, local, tribal and territorial (SLTT) governments may create opportunities for increased reporting between the two. If first responders do not know what is important, they clearly will not be alert to terrorist indicators or be in a position to intervene in a terrorist plot. An enhanced relationship would inspire a vision for the future, which would ensure better

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<sup>14</sup> InfraGard, “Home,” accessed July 28, 2013, <https://www.infragard.org>.

<sup>15</sup> Phil Hirschhorn, “Would-be Subway Suicide Bomber Najibullah Zazi Speaks,” *CBS News*, accessed July 21, 2013, [http://www.cbsnews.com/8301-201\\_162-57416351/would-be-subway-suicide-bomber-najibullah-zazi-speaks/](http://www.cbsnews.com/8301-201_162-57416351/would-be-subway-suicide-bomber-najibullah-zazi-speaks/); J. David Goodman, “Soldier Held Amid Claim of Terror Plot at Fort Hood,” *The New York Times*, accessed July 21, 2013, [http://www.nytimes.com/2011/07/29/us/29awol.html?\\_r=0](http://www.nytimes.com/2011/07/29/us/29awol.html?_r=0).

<sup>16</sup> James Clapper, *2010 State of Domestic Intelligence Reform Conference* (Washington, DC: Bipartisan Policy Center, 2010).

collection methods, heightened ability to respond to emerging threats, and more effective resource utilization.<sup>17</sup>

Despite this growing need, barriers exist that must be acknowledged and embraced as opportunities for redefining the relationships within the IC and SLTTP. An operational divide exists between the IC and SLTTP communities based on philosophy, policy, constituency, and legislation of empowering statutes or ordinances. The fundamental differences between the IC and SLTTP agencies represent a legitimate issue to consider, and may place some appropriate constraints on aspects of coalescing the IC and SLTTP. For instance, the IC is charged with “provid[ing] the President, the National Security and Homeland Security Councils (now combined) with necessary information on which to base decisions concerning conduct and development of foreign, defense and economic policies and the protection of United States national security interests from foreign security threats.”<sup>18</sup> Further, the IC is directed by Title 50 of the U.S. Code designated for agencies and activities involved in war and national defense activities.

The IC operates almost exclusively in a classified environment. Very few SLTTP community members have security clearances, and by contrast with the IC, work predominantly within the open source realm. Further, obtaining a clearance requires that a federal agency sponsor the state or local employee at a significant cost to the sponsoring agency. In addition, at times, difficulties arise in reciprocity, or having a security clearance from one sponsoring agency recognized by another federal sponsor.

The IC has vastly different rules than the SLTTP community in terms of the collection and storage of information. For example, IC information is collected through specific and various methods, and is treated as classified national security information on varying levels.<sup>19</sup> By distinction, state and local government cannot store personally

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<sup>17</sup> David L. Carter, “Law Enforcement Intelligence and National Security Intelligence: Exploring the Differences,” *Journal of the International Association of Law Enforcement Intelligence Analysts* 21, no. 1 (2012): 2.

<sup>18</sup> President of the United States. *Executive Order 12333, United States Intelligence Activities* (Washington, DC: U.S. Government, 1981, 2003, 2004, 2008), Part 1.1.

<sup>19</sup> *Safeguarding Classified National Security Information*, 32 CFR Part 2004.

identifying information (PII) on U.S. persons without a criminal nexus,<sup>20</sup> and all actions must be based on a minimal standard of reasonable articulable suspicion or probable cause (in which case an arrest can be made).

This divide results in lost opportunities for deeper understanding of the differences between the two cultures. To highlight the importance of building stronger relationships, Cilluffo et al. assert state and local law enforcement may well be the “first and last line [of defense].”<sup>21</sup> One of the most compelling reasons for the IC and SLTTP communities to build deeper understanding of the other’s culture is the blurring distinction (as described by Director Clapper) between crime at the state and local level and terrorism.<sup>22</sup> In a white paper published by the Major Cities Chiefs Association, attention is drawn to the growing number of incidents resulting in disrupted terror plots, which were exposed at the local policing level. In a study cited by this paper, 22 percent of 68 thwarted terrorist schemes (15 incidents from 1999 to 2009) were discovered by state and local law enforcement agencies. In addition, 50 percent of these cases required some form of state or local preliminary investigation before being forwarded to federal law enforcement. Finally, in 18 percent of these cases, initial detection of the plots came from traditional police interaction in a non-terrorism scenario.<sup>23</sup>

An effective relationship between the IC and SLTTP easily becomes a focal point when it is understood that an ever-present likelihood exists that domestic crime may correlate to terrorism. Further, according to a poll of section chiefs from the intelligence units of major American metropolitan police departments, a consensus exists that counterterrorism intelligence collection and analysis is a shared function between local and federal governments. What is more, they felt that analytical skills and collection skills were interchangeable when compared to traditional police work and

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<sup>20</sup> *Criminal Intelligence Systems Operation Policies*, 28 CFR Part 23.

<sup>21</sup> Frank J. Cilluffo, Joseph R. Clark, and Michael P. Downing, *Counterterrorism Intelligence: Law Enforcement Perspective* (Washington, DC: George Washington University, Homeland Security Policy Institute, 2011), 1.

<sup>22</sup> Clapper, *2010 State of Domestic Intelligence Reform Conference*.

<sup>23</sup> Major Cities Chiefs and Major County Sheriffs Intelligence Commanders Groups, *Criminal Intelligence Enterprise: Threat Domain Assessment, How-to-Packet*.



counterterrorism. However, the same survey participants expressed concern about the training and skill level of state, local and tribal analysts. Twenty-six of 42 respondents indicated that increased analytical capability was either their first or second most important area of needed improvement within their department.<sup>24</sup>

The existence of 17 national intelligence agencies and 18,000 state and local law enforcement organizations highlights the complexity from which any effort at coalescing information sharing between these levels of government would have to be considered by the PM-ISE, ODNI, and various guiding organizations, such as the IACP, as well as other organizations responsible for creating and planning future initiatives to enhance these relationships. Leading such an initiative may require a unique understanding of how complexity and emergence allow for new and innovative approaches in leadership to realize effective results.

While expanding information sharing components between the federal IC and SLTTP produces clear potential benefits, opponents are concerned that broadened information collection and sharing processes may jeopardize privacy, civil liberties, and civil rights of citizens, a concern shared by law enforcement and intelligence leaders alike.<sup>25</sup>

Although American homeland security achievements since 9/11 may be viewed as extraordinary in terms of American resolve and ingenuity, it may also be said that the national collective worldview is one of victimization and retribution toward U.S. enemies.<sup>26</sup> Mueller and Stewart declare that Americans have invested in a perpetual hysterical mindset around terrorism, born of the 9/11 attacks, and carried through by government officials' carefully chosen phrases, such as "existential" risks or threats,

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<sup>24</sup> Cilluffo, Clark, and Downing, *Counterterrorism Intelligence: Law Enforcement Perspective*, 13.

<sup>25</sup> It is important to note that all changes in information sharing practices require the creation of stringent privacy policies and adherence to the privacy and civil rights guidelines of the Information Sharing Environment (ISE). See ISE, "Privacy, Civil Rights, and Civil Liberties Protection Framework," December 20, 2013, <http://ise.gov/privacy-civil-rights-and-civil-liberties-protection-framework>.

<sup>26</sup> John E. Mueller and Mark G. Stewart, *Terror, Security, and Money: Balancing the Risks, Benefits, and Costs of Homeland Security* (Oxford, New York: Oxford University Press, 2011), 267.

“critical infrastructure,” and “key resources.”<sup>27</sup> They claim when the risk is assessed, whether based upon past documented atrocities or the potential for future attacks, the potential worst-case scenario does not support a “significant existential [struggle]”<sup>28</sup> for America. Yet, America has spent in excess of \$1 trillion on domestic homeland security between 2002 and 2011.<sup>29</sup> How does this mindset translate into the information-sharing mandates of post-9/11? What shifts in collective consciousness among leaders could be explored to focus on legitimate threats and subsequent outcomes better? What leadership tools and principles could be identified as providing a way for homeland security leaders to be consistently open and resilient to complexity; thereby, better able to adapt and respond effectively?

## **B. RESEARCH QUESTIONS**

What can be learned about the relationship between homeland security information sharing, leadership doctrine, and personal experience? How does complexity science or the presence of wicked problems affect this relationship?

These questions are important because of the advancing interconnectedness between all levels of U.S. government with an expectation to share information to identify, prevent, or intervene in threats to this nation’s security. The relationships between these levels of government exist and will continue to morph whether they are acknowledged and nurtured, or ignored;<sup>30</sup> each approach, therefore, producing its own distinct outcome. Due to the sheer size and complexity of the government entities involved at the federal, state, local, tribal, territorial levels, and due to the structures, laws, policies, and individual interests, it highlights the possibility and potential benefit to intimately understand, and therefore, operate within these relationships.

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<sup>27</sup> Mueller and Stewart, *Terror, Security, and Money: Balancing the Risks, Benefits, and Costs of Homeland Security*, 267.

<sup>28</sup> *Ibid.*

<sup>29</sup> *Ibid.*

<sup>30</sup> Angelique Keene, “Complexity Theory: The Changing Role of Leadership,” *Industrial and Commercial Training* 32, no. 1 (2000): 16.

A recognized value exists for creating fellowship opportunities for SLTTP members to work within the federal government, at Federal Emergency Management Agency (FEMA), DHS, the National Counterterrorism Center (NCTC) or others to name a few.<sup>31</sup> Those who experience these opportunities are naturally exposed to the gaps between the two realms, intrigued by the possibilities presented and urged to address them through innovative national initiatives. The former ITACG was such a fellowship, and in part, serves as the impetus for this thesis. The ITACG environment encouraged SLTT first responders to identify gaps within the system, to assess options critically, and to create national initiatives to address them.<sup>32</sup> With increased integration between first responders and federal services, an increased consciousness of the value of better coordination will continue to emerge. As time progresses, and more cross-jurisdictional and cross-disciplinary opportunities for a more coalesced information-sharing architecture emerge, the importance of the development of interrelationships between information sharing, leadership, and complexity increases exponentially. Leaders will need to understand the intricacies and implications of emerging methods and the relationship between the ability to navigate complexity and the capacity for creating and leading initiatives for information sharing in the future. Not only will emerging technologies for information sharing be required, but innovative critical thinking in leadership is also necessary to match the unrelenting demands within the complex domain.

### **C. METHOD**

This thesis is based on the review of the literature, an analysis based on the author's first-hand experience from both the first responder's worldview, as well as the experience he has had operating within the IC. Appreciative inquiry, as well as the autoethnographic method, was included when practical, which focused the analysis toward creating better outcomes while recognizing what has not worked in the past.<sup>33</sup>

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<sup>31</sup> 110th Congress, *Implementing Recommendations of the 9/11 Commission Act of 2007*.

<sup>32</sup> Author's first-hand account: ITACG member 2011/2012.

<sup>33</sup> Frank J. Barrett and Ronald E. Fry, *Appreciative Inquiry: A Positive Approach to Building Cooperative Capacity* (Chagrin Falls, OH: Taos Institute Publications, 2008), 121.

Appreciative inquiry leverages the art of asking effective questions to focus on what is already working, which helps to orient an individual's thinking toward a productive outcome. Krug and Oakley discuss the power of effective questions in their book, *Enlightened Leadership: Getting to the Heart of Change*, in which they suggest that the quality of the question asked will determine the quality of the answer received or the outcome produced. Why? The mind searches for answers no matter the origin and if the question is open-ended and forward-focused, it will produce a result oriented toward growth, learning, and expansion all through innovative thinking.<sup>34</sup> Both appreciative inquiry and enlightened leadership support the notion that to focus first on what is working supports a barrier free inquiry of how to best advance an idea or system. Outcomes that have been successful are identified as part of this analysis. Aspects of what led to the successful result are synthesized and considered for utility in less successful facets of the analysis.

The first phase consists of a review of the literature dealing with complexity science, in particular, wicked problems as they relate to homeland security information sharing and leadership doctrine, as well as the author's experience in homeland security. He has drawn findings based on a synthesis of how these facets interact and how that interaction may be useful to future homeland security leaders who will operate in an increasingly complex environment

In the second phase, a critical analysis of the literature is conducted on leadership doctrine, theory, practice and approaches, how complexity is viewed by modern leadership theory, and how this relationship can be leveraged to support the improvement of information-sharing efforts or the development of innovative information-sharing models and policies within a complex adaptive system across the homeland security project.

In the third phase, an examination of the literature is conducted on pre- and post-9/11 government and intelligence frameworks, policies and laws to include the following post-9/11 initiatives.

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<sup>34</sup> Doug Krug and Ed Oakley, *Enlightened Leadership: Getting to the Heart of Change* (New York: Simon and Schuster, 1991).

- Intelligence Reform and Terrorist Prevention Act; Presidential Directive 12333 (2008) (prior versions may be useful in pre-9/11 focus)
- Implementing Recommendations of the 9/11 Commission Act; Public Law 110–53
- Interagency Threat Assessment and Coordination Group (ITACG) and subsequent Joint Counterterrorism Assessment Team (JCAT)
- Director of National Intelligence (DNI); National Counterterrorism Center (NCTC)
- Program Manager for Information Sharing Environment (PM-ISE)
- Intelligence Working Group (GIWG)
- Criminal Intelligence Coordinating Council (CICC)
- Criminal Intelligence Enterprise (the genesis of which is state and local)

The fourth phase chronicles the author’s personal experience in homeland security, information sharing and intelligence, as well as an analysis of leadership development. In this phase, the autoethnography methodology is used to leverage the author’s background. This methodology approaches research and writing in a way that seeks to describe and analyze personal experience to understand the cultural experience.<sup>35</sup> Based on the foundations formed from a law enforcement career beginning in 1980, this analysis synthesized lessons learned from assignments to a number of senior leadership positions both pre- and post-9/11.

The author’s experience allows for a unique perspective from which to perform this reflection and analysis. Upon appointment as the Deputy Executive Director of the Colorado Information Analysis Center (CIAC) (Colorado’s fusion center) in March 2012, he gained valuable experience in information sharing at the executive level. The deputy director is responsible for executive level policy development, organizational strategy, and coordinating with the National Network of Fusion Centers in a time when fusion centers are at the forefront of criticism. In 2011, he was detailed for a year to the ITACG, located at the NCTC in Washington, DC. This initiative was aimed at building two-way

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<sup>35</sup> Carolyn Ellis, Tony E. Adams, and Arthur P. Bochner, “Autoethnography: An Overview,” *Forum: Qualitative Social Research* 12, no. 1 (2011).

awareness and training between state and local first responders and the IC as a result of a post-9/11 congressional mandate.

In addition, the author has served on the CICC since 2007. The CICC and Global Intelligence Working Group (GIWG) are national level post-9/11 efforts focused on improving the critical process of information sharing. The GIWG supported the development of the National Criminal Intelligence Sharing Plan (NCISP). The NCISP recognized the importance of state, local and tribal law enforcement agencies as a key ingredient in the nation's intelligence process and called for the creation of the CICC to establish the linkage needed to improve information sharing among all levels of government. Key focus areas include the following.

- Assisting the U.S. Department of Justice in ensuring that every chief, sheriff, and law enforcement executive understands their agency's role in developing and sharing information and intelligence
- Providing input to the federal government in its efforts to develop and share criminal intelligence
- Recommending a framework for implementing and ensuring the longevity of the standards-based intelligence plan, training and technology coordination, outreach and education, and resource coordination
- Advising the U.S. Attorney General on the best use of criminal intelligence to keep the nation safe

The review included the following.

- Planning for the Democratic National Convention
- Planning and collaboration during a full-scale exercise
- The author's experience in the Interagency Threat Assessment and Coordination Group
- His experience as deputy director of the Colorado Information Analysis Center, examples of expanded support for major events...the Aurora theater shooting, state corrections chief assassination, record-setting fires in Colorado, private sector collaboration referencing *Empowering Local Partners to Prevent Violent Extremism in the United States 2011*
- His involvement in the Criminal Intelligence Coordination Council

This outlined background has provided a distinct perspective based on an intimate knowledge of the state and local information-sharing community, as well as a first hand practitioner's view of the IC. As such, the author has been exposed to the tremendous potential to coalesce information-sharing best practices of the two communities. The combined analyses as outlined provide a comprehensive examination of the relationship between key aspects of the homeland security project and leadership best practices. This thesis may result in the observation of emerging theory and resulting recommendations.

## **II. REVIEWING THE LITERATURE**

The enormity of the information-sharing enterprise, newly emerged since 9/11, and its varied and complex aspects becomes overwhelming when considering the numerous levels of government departments, policies, and strategies at the federal level. The state, local, tribal and private aspect of the enterprise represent a similar degree of intricacy; however, when considered in tandem, they become a wicked problem in terms of sheer numbers of agencies, systems, policies, and strategies all focused on the same outcome, to share information in a way that protects American citizens. To uncover frameworks, theory, or doctrine in leading information-sharing initiatives, a preliminary review of literature related to government reform, leadership doctrine, as well as the author's personal experience directly related to this effort, has been conducted.

### **A. COMPLEXITY AND WICKED PROBLEMS**

#### **1. What Is Complexity Science?**

To understand better the degree to which the literature would be helpful for homeland security leaders in creating solutions within complex adaptive environments, the author sought out literature that could provide a broader understanding of: 1) complexity science and its properties, 2) the origins of complexity science, and 3) the degree to which leadership can be leveraged to navigate within complex domains. The literature in this section has provided a holistic view of complexity science, and in particular, wicked problems as they relate to understanding the differences between approaching problems through linear thinking versus shifting a person's mindset to understanding complexity or non-linear thinking. It has helped to define the problems faced by today's homeland security professionals as wicked or complex problems due to the wide array of interactions between multitudes of disciplines and jurisdictions. It demonstrates that the two problem-solving approaches (linear or non-linear [complex]) provide distinctly different outcomes; the top-down linear model of problem solving limits the problem solver's capacity to address constant morphing and shifting problems as it relies upon the understanding of cause to effect, and it results in a stopping point; an



end to the problem signifies completion.<sup>36</sup> Problem solvers who understand complexity are able to shift their thinking to adapt better to constantly flowing levels of order present in the current situation faced. In the complex domain, the problem solver may not be able to relate the problem to a particular cause and effect relationship until looking at it retrospectively; the problem does not reach an end, rather ever-evolving versions are created.<sup>37</sup> The ability to analyze and synthesize complex problems can be enhanced through sensemaking tools, such as the Cynefin Framework.<sup>38</sup> The literature has also drawn an analogy between critical non-linear thinking and leadership within the complex domain.

Complexity can be described as that space that a social system (including an organization or group of organizations) occupies and that constantly moves between order and chaos. Due to the constant interaction and evolution among the elements, within a system, as well as interaction with the system itself, new stages of existence emerge.<sup>39</sup> The study of complex adaptive systems within living systems has attempted to address the constant fluidity within these systems. Critical thinking emerging from these studies has begun to apply complexity science to organizational behavior and the impact leadership has on dynamics of change within these systems.<sup>40</sup>

The key concepts to be understood is that complexity is related to social systems (organizations, interrelationships between organizations, political agendas, competing interests, shifting priorities, and so forth), constantly morphing between chaos and predictability, continuously producing new levels of order, and requires new levels of critical thinking to recognize and interact within the complex domain.<sup>41</sup> To illustrate, the

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<sup>36</sup> Horst W. J. Rittel and Melvin W. Webber, "Dilemmas in a General Theory of Planning," *Policy Sciences* 4 (1973): 162.

<sup>37</sup> David F. Snowden and Mary E. Boone, "Wise Executives Tailor their Approach to Fit the Complexity of the Circumstances They Face: A Leader's Framework for Decision Making," *Harvard Business Review* (November 2007): 3.

<sup>38</sup> David F. Snowden, *The Cynefin Framework* (Singapore: The Cognitive Edge, 2010), video recording.

<sup>39</sup> Keene, "Complexity Theory: The Changing Role of Leadership," 15–18.

<sup>40</sup> Ibid.

<sup>41</sup> Snowden and Boone, "Wise Executives Tailor their Approach to Fit the Complexity of the Circumstances They Face: A Leader's Framework for Decision Making," 3.

DHS is comprised of 22 legacy agencies all formerly well-established entities with unique missions, visions, and value systems. The IC is comprised of 17 massive federal agencies and 18,000 agencies represent state, local tribal and territorial law enforcement. The United States has approximately 2 million law enforcement and fire service first responders, and approximately 1 million private security personnel. Each plays a role in the information-sharing enterprise in the United States, and this context helps to define the complexity involved in implementing reform involving all elements described.

Introducing the concept of complexity, and specifically wicked problems, brings with it an interesting paradox. On one hand, Rittel and Webber discuss in seeming prophetic fashion, the notion of complexity in the public sector dating back to 1973 when it would seem simpler world existed in which to operate.<sup>42</sup> On the other hand, this ostensibly dated material may be more applicable today than ever before for leaders to grasp fully the implications complexity and wicked problems present in homeland security. As an example, a global debate, emerging daily, discusses the aspects of American informational collection for intelligence analysis, global due to the exposure of American collection of American, as well as foreign communication metadata. At the core of this argument, the National Security Agency (NSA), is defending its collection methods of, among other pools of data, U.S. personal data for potential analysis with suspected terrorists. Central to the dispute is the question of whether this policy, and therefore, techniques are in violation of the First and Fourth Amendments and whether the NSA is acting under proper statutory authority. As of December 2013, two opposing legal decisions have been created, both by federal judges, one affirming the constitutionality of NSA's practices and one vehemently opposing the same.

In an effort to define complexity as it relates to public and social policy, Rittel described wicked problems as the antithesis of what science focuses on, which is the clearly defined problem with an equally defined completion or solution to the problem. Wicked problems, by contrast, are convoluted due to their indefinable properties; they have neither a clearly defined problem nor solution.<sup>43</sup> While this reference source may at

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<sup>42</sup> Rittel and Webber, "Dilemmas in a General Theory of Planning," 155–169.

<sup>43</sup> *Ibid.*, 160.

first glance appear passé, is it particularly germane to the 21st century environment because today's homeland security project mirrors the epitome of characteristics associated with such complexity.

Rittel and Webber's assessment suggests it may be possible to extrapolate that the homeland security information sharing environment may be indicative of a wicked problem, one in which the formulation of the problem in and of itself becomes the problem.<sup>44</sup> Solutions to wicked problems are unique to those few who are intimately involved in the problem set.<sup>45</sup> Contrast this scenario with a benign or tame problem wherein the mission is clear and whether or not the problem is solved, is also clear.<sup>46</sup> The question then becomes, who is part of the problem set and will those stakeholders remain consistent long enough to be of strategic value long term? As time has progressed since 9/11, the push for a stronger understanding, and indeed, practical co-operation between the SLTTP and the federal services, namely the IC, has emerged. As will be a common theme in this thesis, while the two worlds have been divergent by historical design, an emerging requirement to look for ways in which the two should build cooperative policies and safeguards will be continuous throughout. Certainly, this kind of emergent thinking brings with it an enormous responsibility to respond to the criticisms of IC.

Dr. Christopher Bellavita observes that for the homeland security community to get where it wants to be is analogous to driving at night; the destination is more or less known, but it is only possible to see as far as the car's headlights, and therefore, the nuances of the road are only revealed as they are approached. He has further noted that the methods and strategies used effectively in known or knowable areas will not be effective in the unordered realm, unordered meaning somewhere between order and disorder. It is not the opposite of disordered and yet not the opposite of ordered.<sup>47</sup> Bellavita refers to the Cynefin Framework, a sensemaking structure designed to help

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<sup>44</sup> Rittel and Webber, "Dilemmas in a General Theory of Planning," 161.

<sup>45</sup> Ibid., 163.

<sup>46</sup> Ibid., 160.

<sup>47</sup> Christopher Bellavita, "Changing Homeland Security: Shape Patterns Not Programs," *Homeland Security Affairs* 11, no. 3 (2006): 1-21.

demystify the relationship between the known and knowable domains and those that are chaotic and complex. The Cynefin Framework as Snowden illustrates, as a sensemaking model, is distinct from a categorization model in that categorization models exist in a classic 2x2 matrix often used in business settings to assess sets of data quickly, categorize them, and make decisions based on these categories. Once the data is collected, it can be dropped into the appropriate box within the model and a business decision can be made based on the category in which it fits. This model is more effective for exploiting data than exploring nuances or differences within data.<sup>48</sup>

In the Cynefin Framework, the data comes before the framework is applied. As illustrated in Figure 1, the Cynefin framework is comprised of four quadrants with a noticeable space in the center. The ordered domains on the right are divided into two distinctions, complicated and simple. Each has a relationship of cause and effect with a subtle difference of being aware of those causes and effects as in the simple domain or not being aware as in the complicated domain. Chaos and complexity on the left do not have the same relationships of cause to effect. Chaos can be deliberate, which is viewed as innovation or accidental, which requires immediate stabilization of the environment. Complexity has no relationship to causality until it is viewed in retrospect; where emergent order occurs based on unpredictable evolving outcomes. In this domain, experimentation helps to determine solutions. Desirable outcomes are amplified and dampening is applied to what does not work. The result is often new ways of doing things, and novel and developing practices. In the center of the framework is disorder, which means people do not recognize the domain they are in; it is the domain in which people spend most of their time. The domain people find themselves in is then interpreted based on their preference for how they relate to and solve problems. The distinction between this framework and most other management-based frameworks is that each domain requires a different way of thinking as opposed to a one-size-fits-all model.<sup>49</sup>

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<sup>48</sup> Snowden, *The Cynefin Framework*.

<sup>49</sup> Ibid.



Figure 1. The Cynefin Framework<sup>50</sup>

Unordered can be either complex or chaotic. Complex would be analogous to wicked problems. Those issues that “evolve in unpredictably interactive and uncontrollable ways,”<sup>51</sup> the salience of which can only be realized in retrospect. The information-sharing emphasis in America emerged unpredictably out of 9/11. The call for better and stronger methods (most of which were undefined at the time) by the 9/11 Commission for information sharing at all levels of government emerged out of the retrospective (complex domain) review of the attacks. Only when this comprehensive analysis was performed did this nation, as a collective, fully understand the importance of effectively sharing information and the beginning of the embrace for understanding complexity in what was to become homeland security. See Figure 2.

<sup>50</sup> Wikipedia, s.v. “Cynefin Framework,” February 2, 2011, [http://upload.wikimedia.org/wikipedia/commons/4/45/Cynefin\\_framework\\_Feb\\_2011.jpeg](http://upload.wikimedia.org/wikipedia/commons/4/45/Cynefin_framework_Feb_2011.jpeg).

<sup>51</sup> Bellavita, “Changing Homeland Security: Shape Patterns Not Programs,” 8.

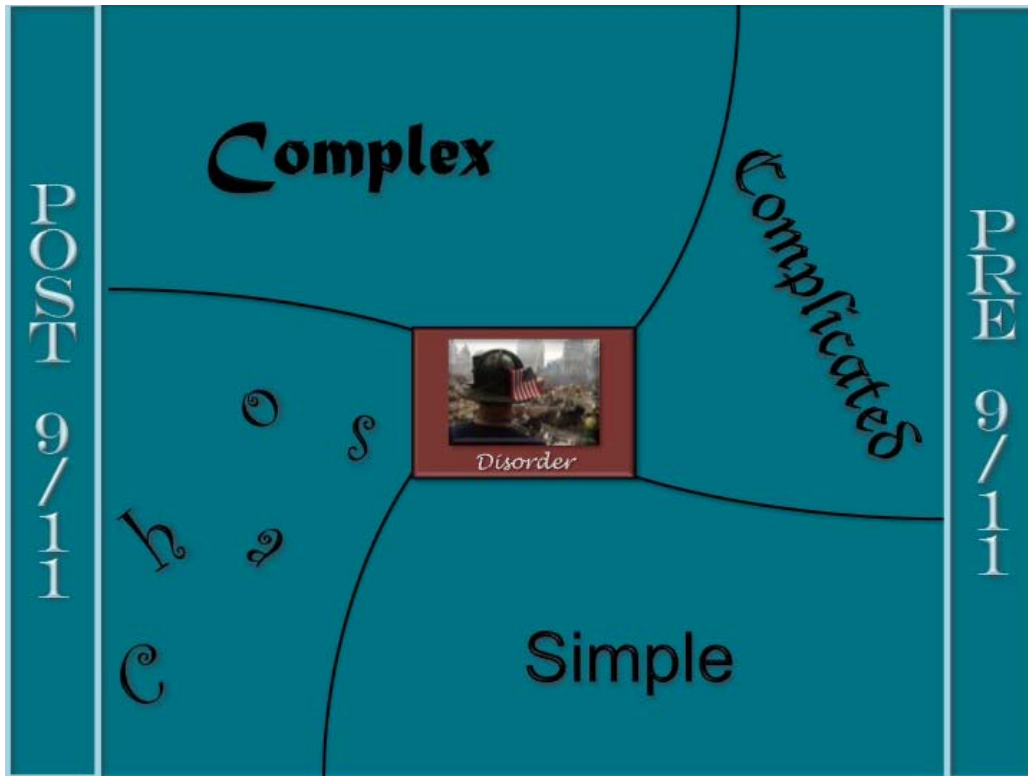


Figure 2. Cynefin Framework representation of pre- and post-9/11 relationship to complexity

New threats and dilemmas have emerged that could not have been predicted or detected much, if at all, before they materialized. Examples, such as Najibullah Zazi who conspired to bomb the New York Subway system in 2009,<sup>52</sup> Faisal Shahzad who attempted a bombing in Times Square in 2010,<sup>53</sup> Nidal Malik Hasan who killed 13 people in 2009 at Fort Hood Texas,<sup>54</sup> and Naser Abdo who plotted a massacre in 2011 much like Hasan's.<sup>55</sup> All are cases that have transpired since 2006, in the midst of bolstered homeland security improvements in airline safety, information sharing and

<sup>52</sup> Hirsch Korn, "Would-be Subway Suicide Bomber Najibullah Zazi Speaks."

<sup>53</sup> Michael Wilson, "Shahzad Gets Life Term for Times Square Bombing," *New York Times*, accessed December 23, 2013, [http://www.nytimes.com/2010/10/06/nyregion/06shahzad.html?\\_r=1&](http://www.nytimes.com/2010/10/06/nyregion/06shahzad.html?_r=1&).

<sup>54</sup> Billy Kenber, "Nidal Hasan Sentenced to Death in Fort Hood Shooting," *Washington Post*, accessed December 23, 2013, [http://www.washingtonpost.com/world/national-security/nidal-hasan-sentenced-to-death-for-fort-hood-shooting-rampage/2013/08/28/aad28de2-0ffa-11e3-bdf6-e4fc677d94a1\\_story.html](http://www.washingtonpost.com/world/national-security/nidal-hasan-sentenced-to-death-for-fort-hood-shooting-rampage/2013/08/28/aad28de2-0ffa-11e3-bdf6-e4fc677d94a1_story.html).

<sup>55</sup> Jason Ryan and Lee Ferran, "Naser Jason Abdo, Ft. Hood Plotter, Gets Life in Prison," *ABC News*, accessed December 23, 2013, <http://abcnews.go.com/Blotter/naser-jaon-abdo-ft-hood-plotter-life-prison/story?id=16978363>.

public education, to name a few. While additional attacks or attempted attacks have not surprised this nation, and certainly could have been predicted, where and when they are executed is a continued enigmatic challenge facing this country. In three of these cases, Zazi, Shahzad, and Abdo, systems put in place after 9/11, some as simple as alert citizens reporting suspicious behavior after being educated and urged to do so, resulted in disrupting the plots and may have saved many lives.

However, the illusive and seemingly emergent threat still exists that has materialized many times in this country, and indeed across the globe, which has resulted consistently in mass casualties. The active lone shooter, who in most cases, is not deemed a terrorist by the letter of the law, and yet in many ways, is much more lethal, accurate, and sure. This type of threat has produced a pattern or patterns in which it may be possible to respond better but has this nation been imaginative enough to predict such an attack? Is this threat being considered as part of the homeland security, information sharing project?

Upon delving into research of the complexity domain, the question arose as to whether the term *wicked problem* was simply a crafty academic notion to highlight the degree of difficulty certain problems presented. Is it a concept that applies in today's context in which homeland security issues and problems emerge daily? Given the constant challenges of sharing information across various levels of government in a way that provides timely and actionable information, does using the concept of wicked problems provide relevancy to today's homeland security leader?

## **2. The Genesis of Complex Environments: Identifying the Wicked Problem**

In this section, the origin of the wicked problem and the criteria used to define it are explored. This portion of the research reveals that the term wicked problem resulted from a phrase coined in the 1970s by a local government planner who began to notice how social aspects grew more complex after basic city planning infrastructure was established. It demonstrated that complexity has been identified and analyzed since the

1970s. A wicked problem can be defined and problem set can be measured against ten criteria.

It is helpful first to look at the evolutionary progression of complexity from the historical perspective of the public policy professional as it relates to early problem solving and how complexity began to emerge. Horst Rittel, an urban planner and designer, discovered in the 1970s that traditional linear thinking ill-prepared those in the field of city planning for the odd-structured problems of the day. It is from this perspective that a short detour is taken to understand the genesis of this kind of thinking.<sup>56</sup>

In the past, the public professional's job was to solve an array of problems, which were identifiable and understandable and which were deemed by the conventional wisdom of the time as issues to be addressed for the whole of the community. Examples, such as established infrastructure (i.e., schools, hospitals, roads, water, sewage, education), served as problems solved by public planners and organizational leaders. Once easier problems were solved, more complex and complicated issues demanded the attention of the public leader. Over time, as the increasingly pluralistic American society grew, it diffused value systems and introduced accompanying varied agendas. What was once a robust approach to problem solving based on "Newtonian, mechanistic physics"<sup>57</sup> became less and less effective as open systems in organizations, as well as society, became more complex. Due to the ever-evolving American cultural diversity, it fostered increasing difficulty to establish equity among the varied interests of cultural groups.<sup>58</sup>

During the Industrial age, the importance of efficiency permeated efforts involving planning and professionalism. Accomplishing objectives with the least amount of resources quickly became the tradition. Today, the reliance on efficiency through the leverage of technological advances is resumed in many aspects of Western culture but

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<sup>56</sup> Jeff Conklin, *Dialogue Mapping: Building Shared Understanding of Wicked Problems* (Napa, CA: CogNexus Institute, 2006), ch. 1.

<sup>57</sup> Rittel and Webber, "Dilemmas in a General Theory of Planning," 156.

<sup>58</sup> *Ibid.*, 167.



also in the sciences and engineering.<sup>59</sup> Keeping in mind the nebulous characteristics of wicked problems, as well as the human urge to make sense of complexity, Rittel reduced his observation of the components of a wicked problem to 10 definable factors. These factors in and of themselves seem to represent somewhat of a paradox. While Rittel astutely grasped the concept of complexity within a wicked problem environment as constantly morphing and shifting, he still felt compelled to reduce its components to the simplest of terms, and consequently, solving the problem in the tradition sense with linear thinking, and thus, an easy-to-grasp list of characteristics. Further, Rittel's context is from a public planner's worldview. Notwithstanding, the 10 properties help to grapple with the tenuous features of such problems as they may relate to the homeland security project.

- No definitive formulation of a wicked problem exists
- Wicked problems have no stopping rule
- Solutions to wicked problems are not true or false but good or bad
- No immediate or ultimate test of a solution to a wicked problem is available
- Every solution to a wicked problem is a one-shot operation as no opportunity exists to learn by trial and error; every attempt counts significantly
- Wicked problems do not have innumerable (or exhaustibly describable) set of potential solutions, nor does a well-described set of permissible operations exist that may be incorporated into the plan
- Every wicked problem is essentially unique
- Every wicked problem can be considered to be a symptom of another problem
- The existence of discrepancy in describing a wicked problem can be explained in numerous ways. The choice of explanation determines the nature of the problem's resolution.
- The planner has no right to be wrong

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<sup>59</sup> Rittel and Webber, "Dilemmas in a General Theory of Planning," 158.

Given these criteria, how does a homeland security leader distinguish between problem solving models, how does a more traditional method of problem solving compare when dealing with wicked problems?

“We can’t solve problems with the same thinking as when we created them.”

–Albert Einstein

### **3. Tame Problem Solving Technology: Suited for the Complex Domain?**

In this section, the distinction is made between how the wicked problem is solved versus how a more traditional or “tame” problem is solved. It begins to illustrate how a linear problem-solving model may be inadequate for the complex domain. In this case, the scanning, analysis, response and assessment (SARA) model is used as an example of a linear problem-solving model.

Traditional problem solving models rely on an orderly, linear, top-down approach working from the problem to the solution.<sup>60</sup> Rittel calls the types of problems addressed by this kind of thinking as “tame” problems.<sup>61</sup> As an example, for many years in American policing, the SARA model of problem solving was the vanguard of Problem-Oriented Policing. Beginning with **S**canning the environment, officers were taught to do an appraisal of key contributing factors that result in creating the problem. The first step would be the establishment that a problem exists, and then key aspects, such as the degree of impact and frequency of the problem, should be weighed for their impact on the problem identification. Next, the **A**nalysis of the problem required collection of pertinent data, understanding the underlying causal factors, and hypothesizing about why it is occurring. The **R**esponse phase next focuses on a desired intervention based on choices among alternative solutions. In this stage, clarity in identifying a plan, as well as responsible parties for executing the plan, is essential. Finally, the **A**ssessment step determines whether the actions taken were effective, whether modifications should be

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<sup>60</sup> Conklin, *Dialogue Mapping: Building Shared Understanding of Wicked Problems*, 4.

<sup>61</sup> Rittel and Webber, “Dilemmas in a General Theory of Planning,” 60.

made, and what, if any, maintenance operations should be established.<sup>62</sup> While creative and even resilient aspects are part of this model, it represents a linear approach to problem solving with a definable problem and outcome. See Figure 3.



Figure 3. SARA model

According to Johnston, the intelligence cycle is a visual, easy-to-understand representation of a complex process. On its face, the intelligence cycle seems linear and top-down, as it does not consider the non-linear aspects related to the analysts' biases, the fact that sources of information are from outside the analysts' control, and a strong reliance on the analyst to produce and manage a final product. As practiced today, intelligence analysis is a combination of art, tradecraft, and science.<sup>63</sup> See Figure 4.

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<sup>62</sup> Center for Problem-Oriented Policing, "The SARA Model of Problem-Solving," accessed November 17, 2013, <http://www.popcenter.org/about/?p=sara>.

<sup>63</sup> Rob Johnston, *Analytic Culture in the U.S. Intelligence Community/an Ethnographic Study* (Washington, DC: Center for the Study of Intelligence, Central Intelligence Agency, 2005), 43.

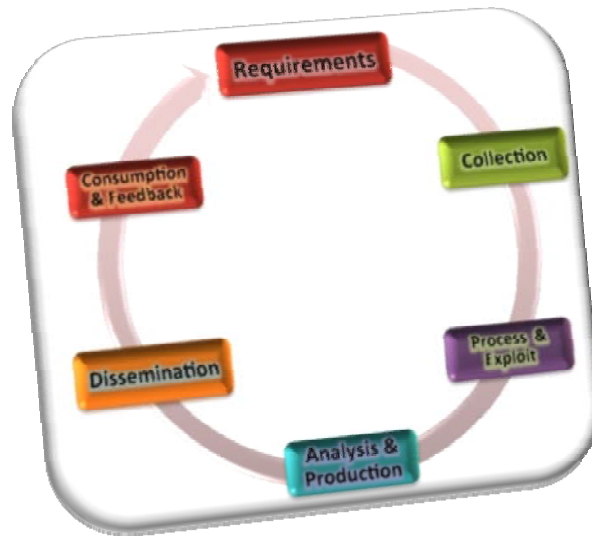


Figure 4. A deceptively simple representation of the intelligence cycle

In the intelligence community, intelligence analysis tends to be approached in a more individual fashion of problem solving. Given that the IC is comprised of numerous agencies, disciplines, and organizational cultures, each with their own analytic methodology, this type of problem solving may not be surprising. While IC disciplines will employ analytical methods unique to their culture, when faced with an interdisciplinary analytical problem, a multi-method analysis may be used resulting in a “best-fit” synthesis.”<sup>64</sup> In addition, Johnston identified at least 160 analytic methods, which remarkably has not led to a standardized central analytic doctrine.<sup>65</sup>

In a comment on current analytical standards within the IC, Lowenthal alludes to the fact that intelligence analysis is more aligned with complexity than a linear approach to problem solving when he states: “Value is given to consistency, which can run counter to the desire for analytic insight and avoidance of groupthink.”<sup>66</sup> Further, sound methodology may not equate to accuracy if accuracy is of the highest priority, and

<sup>64</sup> Johnston, *Analytic Culture in the U.S. Intelligence Community/an Ethnographic Study*, xviii.

<sup>65</sup> Ibid.

<sup>66</sup> Lowenthal, *Intelligence: From Secrets to Policy*, 155.

“[may] run the risk of creating a very mechanistic approach to what is [ultimately] an intellectual process.”<sup>67</sup>

Conklin notes that as this nation progresses into the new millennium, differing views and competing interests between divergent groups or organizations trying to accomplish a common goal seem to be intensifying; the bigger the disparity, the more likely they flounder, which essentially guarantees failure. Many managers lack a basic awareness about complex problems; principal among them is the realization that linear problem solving processes are ineffective with such problems.<sup>68</sup>

It is clear that the IC and SLTTP represent two distinct and disparate realms within the United States, but if the SLTTP is to be integrated into the national security enterprise, as has been proffered in post-9/11 thinking, how will problem solving be approached when so many competing elements are involved? What can be learned from the dynamics that seem to cause a separation of essential features needed in a problem-solving environment?

#### **4. How Fragmentation in Complexity Helps to Understand the Dichotomy between Levels of Government**

This section explores the phenomenon of fragmentation, and how it impacts complex systems or organizations with similar goals but differing perspectives from which conflict arises. Fragmentation within the context of complexity describes how stakeholders in a project, such as information sharing in the homeland security project (or fragmented elements in organizations, such as the 22 legacy agencies within the DHS), see that their perspective of the problem is the only one that matters. Fragmentation can be hidden from view when the stakeholders do not appreciate that different perspectives should be observed. The analogy is that the IC and SLTTP agencies had virtually no consciousness of the significance of the two different perspectives until post-9/11 reform forced the exploration of enlightened outlooks from both sides.<sup>69</sup>

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<sup>67</sup> Lowenthal, *Intelligence: From Secrets to Policy*, 155.

<sup>68</sup> Conklin, *Dialogue Mapping: Building Shared Understanding of Wicked Problems*, 4.

<sup>69</sup> *Ibid.*

The fragmentation between the IC and SLTTP may be viewed as a naturally occurring phenomenon based on historical evolution. The national intelligence establishment in the United States can draw its origins from 1940 when the coordinator of information (COI) and the Office of Strategic Services (OSS) were created under President Franklin D. Roosevelt.<sup>70</sup> During this period, the power struggles between the U.S. military and intelligence functions were the concern of the day; even at the earliest stages of development, the IC was focused on foreign threats or its relationship within the federal community at home. There was no mention found in the literature of any awareness, much less concern for the relationship between state and local first responders (what we know now as SLTTP) and the IC, could be found. During the Cold War era, the IC had its clearly defined problem of ensuring American interests primarily abroad were protected. The central concern was the Soviet threat; so much so that the bulk of American activities and processes were dominated by the focus on the Soviet Union. Two decades after the end of the Cold War, U.S. intelligence processes are still influenced by those developed during the Cold War focus on the Soviet Union.<sup>71</sup>

The state and local intelligence or information-sharing function (formally or informally) was primarily focused on countering crime in the United States. For years pre-9/11, the predominant relationships between state and local first responders and the federal community was limited to the FBI, Drug Enforcement Administration (DEA), and Bureau of Alcohol, Tobacco, Firearms and Explosives (ATFE) based on mutual criminal case investigations.

Wicked problems are one of the forces that exacerbates fragmentation, and it is imperative that those responsible for dealing with these complex problems understand the properties (as outlined previously) so as to mitigate the fragmenting effect wicked problems may pose.<sup>72</sup> Due to the social dynamic of the wicked problem, it requires a social process to address the problem. The antidote for wicked problems according to Conklin is coherence. Coherence means shared understanding and a shared commitment

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<sup>70</sup> Lowenthal, *Intelligence: From Secrets to Policy*, 19.

<sup>71</sup> Ibid.

<sup>72</sup> Conklin, *Dialogue Mapping: Building Shared Understanding of Wicked Problems*, 18.

among agents within the system or stakeholders, especially in a situation in which collaboration will define success or failure. To achieve a commonly understood set of mission, vision, values, the goal to be achieved, the dynamics of wicked problems, as well as how to defragment them, must be understood by leaders. Coherence denotes a commitment to the project, its desired outcomes, and the processes necessary to achieve them.<sup>73</sup> The presence of the strong and effective leadership would play an essential role in the creation of coherence, but is this possible?

## **B. LEADERSHIP AND COMPLEXITY**

### **1. What Do the Experts Say About Leadership in the 21st Century?**

The discussion of leadership has been at the forefront of business and government shortfalls in recent times. The literature reviewed for this thesis was sought out to provide insight into what purported experts say about leadership in the 21st century, as well as how they address complexity in today's multifaceted work environments. This concept is important given the context laid in the previous chapter regarding how complex the efforts in homeland security information sharing is when integrating the multitudes of government disciplines, jurisdictions, laws, policies, and political agendas. A wide array of material was available to review, more than could possibly be consumed in a reasonable timeframe. However, Kellerman brought to bear a compelling argument that the leadership industry has, for the past 40 years, shortchanged the world. This situation in and of itself would be of interest but the fact that Kellerman hails from the leadership industry herself draws extra attention from the reader.

Kellerman's essential messages are first; there is no empirical evidence that suggests that leadership training and education has resulted in advanced leadership skills among the world's leaders. Such training has focused more on the power and status of leadership positions and revenue for leadership industry gurus than recognition of the value followers bring to an organization. In fact, she claims, if the failures of leaders within business or government are analyzed, the conclusion could easily be drawn that the leadership industry has become a dismal failure. Next, she asserts that the dynamic

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<sup>73</sup> Conklin, *Dialogue Mapping: Building Shared Understanding of Wicked Problems*, 18.

between leader and follower has shifted, the leader has lost ground and the follower has gained influence. That leaders have historically forsaken followers in pursuit of their power and followers have now arisen by leveraging social media and other methods.<sup>74</sup>

While the initial research was focused on the most recent and relevant resources on leadership within the 21st century, the research produced work from much earlier (the 1990s and early 2000s) that countered not only Kellerman's denunciation of the leadership industry but addressed complexity science as well. For example, Oakley and Krug discussed how leaders must tap in to the richness of the organization's staff by creating an environment based on trust between the leader and follower, essential to organizational health say the authors. Their theme of powerful leadership is more from the intrinsic qualities needed by the leader to be effective than how the leader imposes influence over the follower.<sup>75</sup>

Wheatley, a physicist, in 1999, discussed the distinctions between Newtonian thinking in organizations and how field theory or quantum physics relate more effectively to organizations and organization leadership due to the complexity and social dynamics involved.<sup>76</sup> Uhl-Bien et al. leveraged themes similar to Oakley, Krug, and Wheatley, and created *Complexity Leadership Theory* in an effort to narrow in on equipping leaders of the 21st century for leading in complex adaptive systems.<sup>77</sup> Consistent with the literature reviewing complexity, non-linear critical thinking is indicated for leaders to be effective in complex adaptive systems, such as the homeland security enterprise.

Hailes calls today's environment the "Age of Surprise,"<sup>78</sup> one in which America never expected, and therefore, has become involved in activities and relationships never

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<sup>74</sup> Barbara Kellerman, *The End of Leadership* (New York, NY: HarperCollins, 2012).

<sup>75</sup> Krug and Oakley, *Enlightened Leadership: Getting to the Heart of Change*.

<sup>76</sup> Margaret J. Wheatley, *Leadership and the New Science: Discovering Order in a Chaotic World*, 2nd ed. (San Francisco, CA: Berrett-Koehler Publishers, 1999), 197.

<sup>77</sup> Uhl-Bien, Russ, and McKelvey, "Complexity Leadership Theory: Shifting Leadership from the Industrial Age to the Knowledge Era," 298–318.

<sup>78</sup> Michael C. Davies, Theodore C. Hailes, and Linton II Wells, ed., *Changing Mindsets to Transform Security: Leader Development for an Unpredictable and Complex World* (Fort Lesley J. McNair, Washington, DC: Center for Technology and National Security Policy at the National Defense University, 2013), 220.



before imagined. This nation is involved in partnerships with nations considered enemies, such as U.S. support to Syria, perplexing relationships with Pakistan and Iran, and new technologies in low-tech weaponry, such as the plastic (and now metal) firearms produced on 3-D printers and improvised explosive devices.<sup>79</sup> Information-sharing concerns related to this kind of evolution emerge as homeland security leaders endeavor to predict through a new way of thinking, what threats may surface, how relationships within the homeland can be leveraged, and whether foreign relationships should be strengthened to provide a more sustained level of not only security but prosperity as well.

To add to the complexity of emerging threats, the threat to Americans as known today lies somewhere between a post-9/11 lexicon of hysteria steeped in an ““existential threat””<sup>80</sup> based on this country’s collective memory—and the disgruntled high school student who open fires on classmates or teachers. As noted by Bellavita, Americans are constantly confronted by the evolution between what is known, knowable, or intended as a homeland security strategy, and what is emergent, or unpredictable;<sup>81</sup> emergence being defined as “nonlinear suddenness that characterizes change in complex systems.”<sup>82</sup> Hailes claims that by 2035, those he refers to as super empowered individuals will have access to technology and weapons that would truly pose an existential threat to nation-states. They will be virtually impossible to identify or isolate. While Mueller and Stewart raise concerns over how the United States may be exaggerating the danger faced, questioning whether a truly existential threat exists (including the ultimate damage caused by the 9/11 attacks),<sup>83</sup> Hailes proposes the approaching possibility of such a threat reaching existential proportions. The challenge for the homeland security community including the military will be to leverage yet to be imagined technological systems to do

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<sup>79</sup> Davies, Hailes and Wells, ed., *Changing Mindsets to Transform Security: Leader Development for an Unpredictable and Complex World*, 220.

<sup>80</sup> Mueller and Stewart, *Terror, Security, and Money: Balancing the Risks, Benefits, and Costs of Homeland Security*, 267.

<sup>81</sup> Bellavita, “Changing Homeland Security: Shape Patterns Not Programs,” 1–21.

<sup>82</sup> Uhl-Bien, Russ, and McKelvey, “Complexity Leadership Theory: Shifting Leadership from the Industrial Age to the Knowledge Era,” 303.

<sup>83</sup> Mueller and Stewart, *Terror, Security, and Money: Balancing the Risks, Benefits, and Costs of Homeland Security*, 267.

so.<sup>84</sup> Further, it will become increasingly important that SLTTP responders become aware of and equipped for reporting on or intervening in such activity, which will require resilient systems adept at meeting emerging information-sharing demands as new threats emerge. Can leadership provide the proper environment for ensuring such shifting and evolving demands are met?

Kellerman has doubts. In her book, *The End of Leadership*, she has begun a challenging debate on whether the “leadership industry” has lived up to what it has claimed for over 40 years, growing leaders and making one more efficient and effective. She discusses how many so-called leaders have fallen into disrepute and highlights the changing dynamic between leaders and followers, leaders losing power and followers gaining power. In a time when American culture clamors for authentic leadership, American government and business is suffering a near breakdown in the ability to effect policy and to work collaboratively to address this country’s most pressing problems.<sup>85</sup>

Initially, in the American culture, and now globally, becoming a leader has become a mantra for three reasons says Kellerman: (1) an evolution toward weakening leaders and strengthening followers has occurred, (2) this shift following the sociopolitical turmoil of the late 1960s and early ‘70s has accelerated, and (3) the perceived decline of the United States in the 1970s and ‘80s as compared to Japan and China has advanced. To be a leader has signified culturally that an individual is destined to be of higher status than followers—is on the path of achieving power, influence, authority and money, and has achieved personal and professional fulfillment. This worldview is engrained so much so that \$50 billion is spent on corporate leadership training and development annually with the expectation that leadership can be achieved by anyone over a period of weeks, months, or a weekend, that leaders drive outcomes and that followers, in comparison to leaders, are much less significant. This infatuation can negate the importance of focusing on excellence in essential organizational functions.<sup>86</sup>

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<sup>84</sup> Davies, Hailes, and Wells, ed., *Changing Mindsets to Transform Security: Leader Development for an Unpredictable and Complex World*, 396.

<sup>85</sup> Kellerman, *The End of Leadership*, xix.

<sup>86</sup> Ibid.

The efficacy of the leadership industry itself invites skepticism when examining certain aspects as introduced by Kellerman. The field of leadership studies is not deemed a suitable subject for serious study by academia because it is neither rigorous nor replicable. It is “self-satisfied, self-perpetuating and poorly policed.”<sup>87</sup> Leadership training and development is largely devoid of objective assessment, and when compared to the immensity of scandal and dissatisfaction with formal leaders, it falls on unsteady ground to say that it has lifted either corporate America or the U.S. government to levels an individual may aspire to as a leader. To illustrate, in 2011, Harvard’s Center for Public Leadership found that 77 percent of Americans “agree” or “strongly agree” that America has a leadership crisis, and that according to a Maritz Research poll in 2010, only seven percent of employees trust their employers, leaders, and managers, and workers generally do not consider their bosses to be either honest or capable.<sup>88</sup>

Kellerman claims that approximately 1,500 definitions of leadership and another 40 leadership theories exist.<sup>89</sup> Presuming she is somewhat accurate in her assertion, it may be no wonder this nation struggles today in narrowing how to cause the best results as leaders in organizations, especially when considering the impact complicated environments have on the ability to lead effectively. The very existence of this inordinate number of ways in which leadership is defined, coupled with how it is applied through theory, suggests the high degree of complexity in today’s world and the eager attempt to demystify it. Kellerman observes that an unavoidable shift in the leadership industry is afoot; leaders are hungry for more insight and losing ground, and followers are edgy, disillusioned by their leaders’ inability to deliver, and yet emboldened by their newfound ability to expose leaders’ ineptitudes and establish their own power.<sup>90</sup>

Evolutionary leadership theory posits that humans tend to live in groups; groups with leaders perform better than those without. Certainly, ancestral groups relied on the relationship between leader and follower for mere survival based on a social contract

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<sup>87</sup> Kellerman, *The End of Leadership*, 169.

<sup>88</sup> *Ibid.*, 170.

<sup>89</sup> *Ibid.*

<sup>90</sup> *Ibid.*

between the two. This contract undertakes the notion that the leader is expected to control “while [the] followers are generally expected to go along.”<sup>91</sup> This concept is helpful in understanding how and why certain attributes of leadership exist, such as a top-down premise of how the leader assumes all responsibility for the group. This dynamic lives sturdily in many homeland security environments. To be certain, law enforcement remains steeped in this kind of culture with a chief of police and descending levels of authority typically replicating a military rank structure to some degree or another referred to colloquially as paramilitary meaning a civilian organization acting as the military.

The transference of the power from the leader to follower among other aspects of leading in the 21st century is occurring at warp speed, says Kellerman and if we [don’t] “get a grip, the prognosis is grim.”<sup>92</sup> Therefore, it is that the leaders of today are not only facing the complexity of their industry, in this case, information sharing in homeland security, but the ever-changing complexity of the leadership realm itself. While the shift of power from leader to follower can be traced back to the late 1960s and early 70s, the focus on leadership never faded; rather, it morphed into the distinction between a manager, one who was a “bureaucratic bore”<sup>93</sup> and a leader, or “swashbuckling hero.”<sup>94</sup> This shift in power, coupled with the speed at which information-sharing technology has evolved, puts the leaders of today on notice that they can be subjected to a firestorm of social network, mass media, or other form of mass communication from a group of disenchanted followers; thereby, weakening the leader. How? When leaders are exposed for their inequities, corruption, ineptitude, or other weaknesses, information regarding their frailties (accurate or not) is immediately received by the masses, the leader’s potency is immediately affected, and followers are emboldened. When considering the repercussion of social media mass communication as has been featured in recent governmental downfalls, such as Egypt, or government leaders being affected, such as

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<sup>91</sup> Kellerman, *The End of Leadership*, 69.

<sup>92</sup> *Ibid.*, xxii.

<sup>93</sup> *Ibid.*, 31.

<sup>94</sup> *Ibid.*

judges who must declare a mistrial when jurors transmit electronic messages counter to instructions, it is imposing to realize the power followers wield.<sup>95</sup>

These implications may seem self-evident, and in many respects, they are, however, for the homeland security leader they may have an emerging impact. The use of these technologies by the young and savvy is standard fare wherein as recently as 2010, 64 percent of American CEOs were not using social media of any kind to connect with employees, customers, or boards. This lack of use can have a more serious impact on government leaders than in business due to what is at stake. In Egypt's and Tunisia's case, their tech-savvy youth plotted and planned on social media outside the consciousness of the senior leadership of their countries.

Closer to home, the DHS found itself in 2012 explaining in a bipartisan congressional hearing why only 37 percent of employees found their leaders motivating or that they were satisfied with their senior leaders' policies and practices. As dismal as this rating may be, it rises above the Maritz Research poll in 2010 as cited above.<sup>96</sup> Touted as a colossal leadership failure, the response to a federal leadership survey indicated that DHS was ranked only 31st among 33 of the largest agencies within the best places to work in the federal government survey published by the Partnership for Public Service.<sup>97</sup> While stronger leadership is indicated by observers, even stronger followership has raised the issues of the troublesome environment to the level of public ire; a concept lost on those in Congress who asked for representatives of the DHS to appear before them to aid in the understanding of the nature of the shortfalls and wholly dismissive of DHS employees' perceptions of DHS problems as no rank-and-file-employees were apparently invited to testify at the hearings.<sup>98</sup>

Kellerman poses the question, since the old justifications for leaders having power are no longer convincing, and followers are bolstered in their own capabilities, what then motivates a follower in the second decade of the 21st century to follow leaders? Only

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<sup>95</sup> Kellerman, *The End of Leadership*, 31.

<sup>96</sup> *Ibid.*, 170.

<sup>97</sup> Joe Davidson, "Homeland Security's Morale Is at Code Red," *Washington Post*, March 22, 2012.

<sup>98</sup> *Ibid.*

two; go along because people believe they have to, or because they want to. The former says Kellerman is more related to the workplace due to the fear of losing a job, the latter more oriented to governance as a contract and is based on the leader's merit between the leader and follower.<sup>99</sup>

In the congressional hearings discussed previously regarding DHS's morale woes, a variation of the adage "People don't leave jobs they leave managers" was repeated.<sup>100</sup> Employees may at times feel disempowered, but as Kellerman is suggesting, they are leveraging their influence more and more. The merit Kellerman refers to is distilled surprisingly into two attributes, ethics and effectiveness—simply put, being corrupt or inept does not inspire followers. However, is it truly as simple as this? How do people lead and yet face the complexity outlined previously? Leaders are facing a collective status diminished from what it was; scarcer resources, power and authority plague the contemporary leader's repertoire. The requisite to lead, however, has not faded; it is more necessary than ever before. Historically implied under the concept of *leadership development*,<sup>101</sup> leaders simply learned about the catch-phrases or theories of the day and went back to work cured of any leadership ailments by which they may have been afflicted.

It is curious to observe Kellerman's take on how the leadership industry has become so devoid of the follower's essential contribution to the leader/follower dynamic when the well-established social exchange theory and others has emphasized, at the least a symbiotic relationship between leader and follower, and at best, a referent rapport between the two based on mutual organizational needs.<sup>102</sup> Oakley and Krug wrote about these very dynamics in the 1990s by placing the onus of being a leader squarely on the leader but with an obligation for the leader to place the follower in high regard for optimal effectiveness in the face of rapidly shifting priorities. In fact, they claimed no

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<sup>99</sup> Kellerman, *The End of Leadership*.

<sup>100</sup> Davidson, "Homeland Security's Morale Is at Code Red."

<sup>101</sup> Kellerman, *The End of Leadership*.

<sup>102</sup> E. P. Hollander, *Leadership Dynamics: A Practical Guide for Effective Relationships* (New York: The Free Press, 1978).

organizational malady was beyond the reach of a powerful environment, which enabled or empowered followers to notice inefficiencies and bring them forward. Moreover, if the organizational dysfunction escaped an employee's attention, the leader, if the proper environment had been created, need only ask pertinent questions of the follower to gain perspective on given problems. Effective questions asked of a sufficient number of employees, and the whole of the problem, and its solution is revealed—no need for an organizational consultant. In an apparent retreat from the leadership principals of the time, as well as from the past 40 years according to Kellerman, their message was that the leader must establish credibility through deep introspection and a willingness to lead one's self before ever hoping to lead others.<sup>103</sup>

LPO, an IACP initiative, is being implemented across the country within law enforcement, and the fire service. In a [behavioral] science-based program, the follower is viewed as an essential part of the organizational health. Parsed into four systems: the individual, the group, the leadership system, and the organization; the course encourages a holistic view of leadership.<sup>104</sup>

The cornerstone of the LPO training centers on the *leader thought process*—a specific formula or model for evaluating relationships situations and issues. This process originally was developed at West Point by a working group involving Brigadier General Howard Prince and later Lieutenant Colonel John Halstead, who later collaborated with the IACP and an advisory group to refashion the program for the law enforcement community.<sup>105</sup> The *leader thought process* teaches leaders to diagnose a given organizational challenge by taking the following approach: 1) understanding what is happening and identifying areas of interest to be analyzed, 2) identify a logical chain of events leading to the issue at hand, 3) account for what is going on by analyzing through theories and experiences, 4) identify the root cause(s) for the problem, 5) select a leader

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<sup>103</sup> Krug and Oakley, *Enlightened Leadership: Getting to the Heart of Change*.

<sup>104</sup> International Association of Chiefs of Police, *Training Curriculum: Leadership in Police Organizations*, 2013.

<sup>105</sup> Erin McKay, "Leadership in Police Organizations: The Leading Edge," *The Police Chief* 79, no. 8 (2012): 1–8.

strategy, and 6) apply the leader strategy.<sup>106</sup> A strong point in this course is a focus on leading change using behavioral science and leadership theories oriented to help the leader succeed in the 21st century. In particular, after understanding group and organizational dynamics, the leader is armed to be able to know and understand what motivates individuals, groups, and organizations when leading new initiatives.

In a world in which the context is fraught with complexity and constraint, the homeland security leader must be adept in understanding the context within a given situation. Contextual intelligence,<sup>107</sup> or knowing and understanding the importance of the context under which individuals are leading, has moved from a lower priority to being of primary importance with vital consequences in Kellerman's view. Key to this paradigm shift must include the intimate understanding of followership and how to follow.<sup>108</sup> Joyce agrees; citing Osborn, Hunt, and Jauch, leadership changes as the context for it changes. Leadership is a blend of small impacts within the system embedded in context.<sup>109</sup> This viewpoint has everything to do with leading in complex adaptive environments and moving deliberately and effectively within and between the various domains as illustrated in the Cynefin framework. Joyce says leading on the edge of chaos involves promoting networks, experimenting, and gathering information. To be effective, a leader is adept at sensemaking, story telling, and moving the collective whole into action.<sup>110</sup> The edge of chaos as Joyce proposes may mean the context of being deliberate, or innovative, or it may mean operating within the complex domain as Snowden suggests.<sup>111</sup> It is a way to energize new thinking, which results in novel outcomes. A leader who is extremely familiar with this domain can use story telling and sensemaking to help bring clarity or order those who struggle with an unordered environment.

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<sup>106</sup> International Association of Chiefs of Police, *Training Curriculum: Leadership in Police Organizations*.

<sup>107</sup> Kellerman, *The End of Leadership*, 95.

<sup>108</sup> *Ibid.*

<sup>109</sup> Nola Joyce, "Can You Lead Me Now?" (master's thesis, Naval Postgraduate School, 2007).

<sup>110</sup> *Ibid.*, 9–10.

<sup>111</sup> *Ibid.*; Snowden, *The Cynefin Framework*.



## 2. Does Leadership Ontology Embrace Complexity Science?

The question now, is it possible to learn to improve this nation's ability to lead in environments of emerging complexity and constraint? One would think that Kellerman would have had a magic bullet given her background as founding executive director of the Kennedy's School for Public Leadership and noted author within the very leadership industry she has seemingly forsaken. No, she says no magic bullet exists; rather, the challenge is to acknowledge the speed at which the world is changing; to awaken to the notion that second decade of the 21st century is more networked, interdependent, and transnational with leaders waning and less malleable followers. It is the obligation of leaders now to think bigger and faster than the leadership industry has done so far.<sup>112</sup>

Mary Uhl-Bien et al. would agree with Kellerman in that leadership models of the last century "have been top-down bureaucratic paradigms,"<sup>113</sup> ineffective in today's complex environments. Uhl-Bien and her associates were so disenchanted with contemporary thinking in leadership that they created *Complexity Leadership Theory* stating, "Much of leadership thinking has failed to recognize that leadership is not merely the influential act of an individual or individuals but rather is embedded in a complex interplay of numerous interacting forces."<sup>114</sup> They further comment that these models have served well in economies based on production but are ill suited to deal with knowledge-based environments. The knowledge era is characterized as a new environment, competitive in nature, and distinguished by globalization, technology, deregulation, and democratization. It is in this new atmosphere that organizational success is dependent more upon social assets, corporate IQ, and learning capacity than physical resources.<sup>115</sup>

*Complexity Leadership Theory* encompasses three broader types of leadership: 1) *administrative*, meaning the traditional hierarchical notion of alignment and control, 2)

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<sup>112</sup> Kellerman, *The End of Leadership*, 199.

<sup>113</sup> Uhl-Bien, Russ, and McKelvey, "Complexity Leadership Theory: Shifting Leadership from the Industrial Age to the Knowledge Era," 298–318.

<sup>114</sup> *Ibid.*, 302.

<sup>115</sup> *Ibid.*

leadership that *structures* and *enables* environments that support innovation in complex adaptive systems, referred to as *enabling leadership* by the authors, and 3) leadership viewed as something that engenders emergent change activities, termed by the authors as *adaptive leadership*.<sup>116</sup> In complexity leadership theory, the authors distinguish *leadership* as a creative environment, which enables emergent interaction that results in productive outcomes and the *leader* as an individual who influences the dynamic, as well as the outcomes. These differences are comparable to Oakley's and Krug's distinction between management and leadership, or the hard and soft side of change, respectively.<sup>117</sup> Uhl Bien and her colleagues' *administrative leadership* equates to Oakley's and Krug's concept of *management*, and *adaptive leadership* equates to Oakley's and Krug's concept of *leadership* or the *soft side of change*.<sup>118</sup>

Similarly, Burns writes of the transactional and transformational leader, the former adept at producing exceptional outcomes, the latter known for engendering exceptional producers or followers. In an effort to draw a distinction between power and leadership, Burns discusses charismatic versus non-charismatic styles of leadership. For the complex adaptive system context, the transactional leader seems an ill-fitted option. The transactional leader, while maintaining a positive relationship to the follower, simply relies on the follower to accomplish outcomes as directed. Based in social exchange theory, the leader communicates a desired objective and the follower produces. Each receives an agreed upon promise of reward or outcome. This type of leadership, says Burns would not be effective when the focus is to inspire followers to participate in significant organizational change. As could be imagined, this type of relationship seems anchored in the simple domain wherein the environment is known, and the relationship between cause and effect, predictable.

As has many a leadership theory or hypothesis posited, transactional leadership could be more identified with management than leadership. Transformational leadership,

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<sup>116</sup> Uhl-Bien, Russ, and McKelvey, "Complexity Leadership Theory: Shifting Leadership from the Industrial Age to the Knowledge Era," 305.

<sup>117</sup> Krug and Oakley, *Enlightened Leadership: Getting to the Heart of Change*.

<sup>118</sup> Ibid.

however, provides an environment in which the follower thrives. This type of leadership does more than simply manage; it equips followers to deal with uncertainty.<sup>119</sup> Transformational leadership would be effective in any context but is most effective in the following conditions.

- Crisis, change and instability
- Mediocrity
- Follower disenchantment
- Future opportunity<sup>120</sup>

Bass furthered Burns' work by developing four key components referred to as the four I's.

- *Idealized influence*: the leader acts as an exemplary role model who is perceived by followers as competent and confident.
- *Inspirational motivation*: the leader paints an inspiring vision, focuses on followers' efforts and models appropriate behaviors to galvanize followers.
- *Intellectual stimulation*: the leader encourages innovation through challenging status quo belief systems of a group or organization. In this manner, leaders promote critical thinking and problem solving among followers by helping them re-frame their perspective or relationship to the problem to be more effective.
- *Individualized consideration*: the leader coaches and mentors followers by showing concern for their needs and well-being. The leader helps the follower develop by encouraging innovative thinking and building self-confidence.<sup>121</sup>

The urge to consider transformational leadership the panacea for leading in complex adaptive systems may soften when reminded of the fact that the literature is uncertain as to whether transformational leadership (or leadership at all) emanates from

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<sup>119</sup> James MacGregor Burns, *Leadership* (New York: Harper & Row, 1978).

<sup>120</sup> Ibid.

<sup>121</sup> Bernard Bass, *Transformational Leadership*, 2nd ed. (Mahwah, NJ: Lawrence Erlbaum Associates, Inc., 2006).

innate personality traits or is learned behavior related to self efficacy, self-esteem, and emotional intelligence.<sup>122</sup>

The dominant organizational theories thus far, based on archaic premises, aim to seek stability and avoid uncertainty. This premise is problematic in the unordered domain, in which the information-sharing enterprise is entrenched. It establishes a built-in conflict between the bureaucratic worldview and that of the knowledge era in that the traditional paradigm of leadership theory is centered on the idea that leaders influence workers to meet defined organizational objectives, to produce efficiently and effectively while insisting on alignment and control within an organization. Contemporary leadership theory has not adequately addressed this contradiction, or an incongruity that should not ignore the virtues of bureaucratic organizational structure. Rather, Uhl-Bien et al. invite the possibility of creating leadership theory that leverages the benefits of historical best practices for accomplishing objectives. To better suit the needs of the 21st century, they generated a model of leadership grounded in the precepts of complexity.

While Kellerman is clear in her work that not all leadership theorists have been misguided in terms of their lop-sided relationship of leaders to followers, Uhl-Bien and Marion seem to have had a grasp of this dynamic as early as 2001, some 10 years prior to Kellerman's work, and as mentioned earlier, Krug and Oakley considered the centerpiece of what they believed important in leadership to be the richness found within the ranks of the staff—followers.<sup>123</sup> Uhl-Bien and Marion realized then that complexity theory validates what may instinctively be known but “ignore in practice,”<sup>124</sup> which is that the dynamics of complex environments, randomness, and interplay within the organizational among all components means leaders cannot predict or control outcomes. It was clear then that leadership in complex organizations required a new paradigm oriented more toward creating work environments, enabling followers to be innovative, or a deliberate entrance into the domain of chaos. Advancement would not result as a product of the

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<sup>122</sup> Bass, *Transformational Leadership*.

<sup>123</sup> Krug and Oakley, *Enlightened Leadership: Getting to the Heart of Change*.

<sup>124</sup> Mary Uhl-Bien and Russ Marion, “Leadership in Complex Organizations,” *Leadership Quarterly* 12, no. 4 (2001): 389–418.

conferment of the leader or even the leader's direct intervention with the followers; rather, the enabling atmosphere created by the leader and embraced by employees serves as the genesis for new thinking and resulting innovation.<sup>125</sup> Kellerman may have missed an opportunity to find allies in her quest for the consummate leader.

To understand better whether the authors' later work resulting in *Complexity Leadership Theory* would apply to a given environment, the authors distinguished between complex adaptive systems versus merely complicated systems or organizations. In the former, the individual components and their interaction between each other, as well as the external environment are such that a description of each component is insufficient to understanding the whole. Further, three key principles of a complex adaptive system are, "order is emergent [rather than] predetermined; the system's future is irreversible and; the system's future is often unpredictable." In the latter, understanding a given component (no matter how many exist within a system) brings with it an understanding of the whole system.<sup>126</sup>

Uhl-Bien and her colleagues claimed in 2011 that per the *law of requisite complexity*, "it takes complexity to defeat complexity."<sup>127</sup> Certainly, in this modern age, complexity abounds in everyday life, and most certainly, in modern day government organizational existence. As such, the complexity of the information-sharing environment requires a unique relationship and understanding of complexity to identify and problem-solve in a complex environment.

Kellerman and Uhl-Bien et al. highlight the importance for leaders to develop an understanding of how *context* will affect the ability to create outcomes. Kellerman refers to contextual intelligence as being critical for future leaders to be able to decipher situations before applying resources to solve problems or create solutions.<sup>128</sup> Uhl-Bien and her colleagues describe context as the "interactive ambience within which complex

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<sup>125</sup> Uhl-Bien and Marion, "Leadership in Complex Organizations," 389–418.

<sup>126</sup> Uhl-Bien, Russ, and McKelvey, "Complexity Leadership Theory: Shifting Leadership from the Industrial Age to the Knowledge Era," 302.

<sup>127</sup> Ibid.

<sup>128</sup> Kellerman, *The End of Leadership*.

dynamics occur.”<sup>129</sup> This ever-shifting environment shapes the interaction between the agents or actors in an organizational situation and how ideas are created, how tension is addressed, the use of feedback loops and environmental demands and hierarchical dynamics, etc. Both complex adaptive systems and leadership are social constructs within this context and within which past patterns and history has a place.

Bellavita discusses shaping patterns rather than programs; in essence, he suggests homeland security leaders, when developing strategy should expand their capacity for understanding newly emerging and unpredictable conditions related to and dealt with in a different leadership mindset than a prescribed, linear strategy based on predictably. This scenario is possible when relating to malleable and shifting conditions as something it is possible to influence with broader, less constricting boundaries; those emerging patterns that support the organizational objectives are then focused upon and encouraged, and by contrast, those patterns that do not are disrupted.<sup>130</sup>

Similarly, Bell writes of the complexity of the DHS and how it may seem intuitive to apply formal leadership structure to a complex organization, such as the DHS and expect immediate compliance and continuity.<sup>131</sup> Her observation with regard to the DHS’s complicated and fragmented organizational structure is that the organization does not possess cohesiveness, which should be of no surprise considering that 22 legacy agencies were brought together; each with its own historical cultural environment, much like a colossal corporate merger. She highlights a leadership framework entitled meta-leadership, a phrase coined by Marcus et al., as a form of leadership connecting disparate organizations with similar missions by capitalizing on 10 core competencies. These, say the authors, connect multiagency organizations with a consistent message of mission, vision and values.<sup>132</sup>

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<sup>129</sup> Uhl-Bien, Russ, and McKelvey, “Complexity Leadership Theory: Shifting Leadership from the Industrial Age to the Knowledge Era,” 298–318.

<sup>130</sup> Bellavita, “Changing Homeland Security: Shape Patterns Not Programs,” 1–21.

<sup>131</sup> Christina A. Bell, “The State of Leadership in DHS, Is There a Model for Leading?” (master’s thesis, Naval Postgraduate School, 2008), 1–179.

<sup>132</sup> Leonard J. Marcus, Barry C. Dorn, and Joseph M. Henderson, *Meta-Leadership and National Emergency Preparedness: Strategies to Build Government Connectivity* (Boston, MA: MIT Center for Public Leadership, 2005), <http://dspace.mit.edu/handle/1721.1/55934>.

- *Courage*—is courage enough to have an impact in the information-sharing realm, challenging the entrenched silo, fragmented mindset of SLTTP and IC members including those in leadership positions?
- *Curiosity*—Fellowships, such as the former ITACG and current JCAT, generate curiosity among members of the SLTTP and the IC. How can this be formally leveraged and funneled into new initiatives when emerging ideas are generated from these unique experiences?
- *Imagination*—Once curiosity has begun, are there systems, tools, processes or procedures to support innovation within the homeland security enterprise aimed at improving how information is shared between the IC and SLTTP?
- *Organizational sensibilities*—How to ensure that the meta-leader recognizes the traditional Newtonian linear aspects of organizations and is able to compare and contrast these aspects with the dynamics of complex adaptive systems? Specifically, can the meta-leader grasp how complex adaptive systems create networks within the systems for improved communication and operation? Given that the cultural differences between the SLTTP and IC are vast, lexicon differences, classified vs. unclassified environments, criminal justice vs. national security aspects and so forth, how can leadership doctrine enable homeland security leaders to address these issues?
- *Persuasion*—How important is being vigilant when faced with resistance to new relationships between the IC and SLTTP? A balance does exist, in spending too much time looking in the rear-view mirror at 9/11 as opposed to envisioning the future needs for information sharing. Crime and terrorism are more noticeably intertwined, and therefore, the argument to enhance information sharing across all levels of government begins to make more sense and has more of practical realistic feel to it.
- *Conflict management*—The meta-leader is required to provide conflict management in two ways, first, as related to systemic, organizational conflict, such as budgetary issues, organizational hierarchy, etc., the leader must quell conflict. This type of leadership is characterized by Uhl-Bien et al. as administrative leadership in their *Complex Leadership Theory* model, and second, in a more intangible way, the meta-leader must be attuned to and adept at spotting dispute resolution between competing interests.
- *Crisis management*—Using the military metaphor, the authors allude to reshaping emergency plans while in the heat of a catastrophic response. Public safety first responders are raised on this kind of thinking. The Aurora Police watch commander, who was in charge at the theater shootings in July 2012, with seconds to spare, directed that police officers transport as many as 19 wounded people to local trauma centers due to the

unavailable fire/emergency medical service (EMS) units. In this case, he introduced complexity to defeat complexity through the law of requisite complexity as suggested by Uhl-Bien and her associates.<sup>133</sup>

- *Emotional intelligence*—These attributes are reflected in Uhl-Bien et al. *Complexity Leadership Theory* under the adaptive leadership aspect. Can these attributes help leaders drive new initiatives and support the uncertainty of operating outside normal and customary organizational constructs? Can the use of the five components of emotional intelligence: self-awareness; self-regulation; motivation; empathy and social skill, help to restore stability due to the unorder they have embarked upon?
- *Persistence*—Meta-leadership requires that leaders remain focused and vigilant in their commitment. The introduction of innovative ideas represents chaos until stability is restored as demonstrated in the Cynefin Framework. Aspects of meta-leadership may be perceived as outside the leader’s job description, which can sometimes be perceived as being too slow in producing results, amounting to little or no recognition and abundant failure; meta-leaders must be durable if they are to embrace the innovation that may be needed to engender changes in the information sharing environment.
- *Meta-leadership as a valued effort*—While formal structures linking disparate government and non-government entities exist, they cannot account for the unanticipated and broad range of intricacies that occur during an actual event. The personal relationships and interaction between meta-leaders in these organizations enable a higher degree of resiliency during the randomness of event scenarios. Meta-leaders who have an understanding of the SLTTP and IC environments may play a critical role in leading new initiatives coalescing the two environments.<sup>134</sup>

Could meta-leadership be the antecedent for a joint doctrinal approach addressing complex adaptive systems among all levels of government for information sharing? Along with the 10 core competencies, Bell cites a number of recommendations for potentially improved performance within the leadership ranks of the DHS. The problem, however, may be that too few senior leaders are present for long enough within the DHS

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<sup>133</sup> Uhl-Bien, Russ, and McKelvey, “Complexity Leadership Theory: Shifting Leadership from the Industrial Age to the Knowledge Era,” 301.

<sup>134</sup> Marcus, Dorn, and Henderson, *Meta-Leadership and National Emergency Preparedness: Strategies to Build Government Connectivity*, 41–63.



to establish or maintain continuity, an essential ingredient needed to adapt to the complicated and complex aspects of the DHS.<sup>135</sup>

Organizations are comprised of humans who ostensibly represent ordered systems focused on creating specific outcomes says Margaret Wheatley. Everything on the planet including human beings is derived from sub-atomic particles. The universe contains more empty space than not—the space within an atom for example is 99.99 percent empty. Newtonian physics has viewed this emptiness as a void inside which nothing occurs. In the organizational context, the typical leader/follower relationship has replicated a Newtonian approach to physics wherein to create a result, a cause and effect must occur, or force upon force within the space of what was empty. Without the emptiness or space, something does exist and that something in the organizational context is an action by the leader and a reaction by the follower.<sup>136</sup>

Wheatley, in a perspective on organizational behavior, draws a comparison between organizational behavior and quantum physics. In *Leadership and the New Science*, the empty space is viewed through the lens of the new field theory, which suggests the empty space is simply a field of non-material influence, which cannot be seen but experienced nonetheless. Field theory “was developed...to explain action-at-a distance.”<sup>137</sup> This concept could be analogous to the otherwise intangible effect leaders may have in creating environments that support teamwork and innovation. Other examples of fields exist, such as gravity, and magnetic fields demonstrated when metal shavings are placed near magnets.<sup>138</sup>

Wheatley draws an analogy between the Newtonian approach to organizations and the quantum method. In a commentary on the Newtonian-lead organization, she notes the space referred to above can be viewed as an organizational collection of people, solutions, choices, and problems that travel aimlessly within an organization only to

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<sup>135</sup> Bell, “The State of Leadership in DHS, Is There a Model for Leading?,” 1–179; Davidson, “Homeland Security’s Morale Is at Code Red.”

<sup>136</sup> Wheatley, *Leadership and the New Science: Discovering Order in a Chaotic World*, 197.

<sup>137</sup> *Ibid.*, 50.

<sup>138</sup> *Ibid.*

haphazardly arrive at decisions or solutions. “This is a cynical but real view of life in a Newtonian organization, discreet pieces wandering about, colliding or avoiding collision, veering off in unexpected directions—organizational anarchy relieved by occasional moments of accidental coherence.”<sup>139</sup> The correlation between this thinking and Bell’s observation of the DHS culture helps to understand her interpretation of a lack of central organizational identity or doctrine.

Recalling that Wheatley was writing within the context of 1999, she distinguishes the quantum-oriented organization or leadership style as recognizing the influence of this invisible field, it may be recognized in today’s environments as a familiar focus on organizational culture, vision, values, and purpose. This viewpoint, of course, offers no epiphany for today’s discussion of organizational leadership, but it does emphasize how the space is never empty; rather, it is filled with something, either with organizational harmony or with discord; the former is an attractor, something that is desired and amplified, the latter repels, and is something to be dampened.<sup>140</sup> This idea advances the discussion into the analysis of wicked problems in homeland security.

Bell’s observation of the DHS’s lack of cohesiveness may be indicative of neglecting the importance of a subtle but crucial aspect of current day organizational health particularly in organizations with a multitude of values, interests, goals, and missions, such as the DHS.<sup>141</sup>

As an unanticipated possible companion to the meta-leadership principles in Bell’s thesis, authors and former Gallup Poll administrators, Buckingham and Coffman, created 12 questions synthesized from thousands of interviews in the private sector with effective organizational leaders. These questions as asked of a typical employee give leaders a temperature check of their effectiveness in the organization and are oriented more toward the leader’s relationship with the employee than the working conditions of employees. In an attempt to distill what successful leaders in particularly effective

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<sup>139</sup> Wheatley, *Leadership and the New Science: Discovering Order in a Chaotic World*, 56.

<sup>140</sup> *Ibid.*, 57.

<sup>141</sup> Bell, “The State of Leadership in DHS, Is There a Model for Leading?,” 1–179.

organizations do to achieve success, the authors conducted an analysis of business data with 105,000 employees and 2,500 business units. Through their research, Buckingham and Coffman discovered the simple and unremarkable conclusion that the most effective organizations have highly performing employees. What makes employees high performers is not tied to their work conditions, equipment, or even salary; the biggest single determiner of employees' ability to perform at high-levels, as well as remain in the organization, is the relationship they have with their leader. The following 12 questions to be asked of employees were synthesized from the multitudes of interviews and surveys to provide an understanding for leaders on what their employees are thinking about. These questions are oriented toward how the leader is viewed and provide a first step in shifting more toward the follower's perspective.<sup>142</sup>

- Do I know what is expected of me at work?
- Do I have the materials and equipment I need to do my work right?
- At work, do I have the opportunity to do what I do best everyday?
- In the last seven days, have I received recognition or praise for good work?
- Does my supervisor or someone I know at work seem to care about me as person?
- Is there someone at work who encourages my development?
- At work, do my opinions seem to count?
- Does the purpose of my company make me feel like my work is important?
- Are my coworkers committed to doing quality work?
- Do I have a best friend at work?
- In the last six months, have I talked with someone about my progress?
- At work, have I had opportunities to learn and grow?<sup>143</sup>

Using Kellerman's indictment on modern-day leadership principles as a reference point, Buckingham and Coffman's enlightened follower-centered approach is anchored in

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<sup>142</sup> Marcus Buckingham and Curt Coffman, *First, Break All the Rules: What the World's Greatest Managers Do Differently* (New York, NY: Simon & Schuster, 1999).

<sup>143</sup> Ibid.

research, which ferrets out the salient doctrines successful leaders have relied upon to build and maintain effective workgroups predisposed for success. How did they do this? By understanding that everyone possesses talent; that people are more apt to fill gaps left by lack of experience by ensuring they take responsibility to educate or train themselves if it is within their realm of talent. They are intrinsically motivated to seek higher and better levels of knowledge without further requirement or nudging from any outside impetus knowing it will improve their performance. Leaders who know this concept intuitively or otherwise, see themselves as catalysts rather than controllers. The research seems to validate this viewpoint; they focus more on hiring for talent than experience, as they know that people do not learn talent, while everyone has talent in a given area, not everyone has the same talents. Therefore, leaders as discovered in this research, focus on four key aspects of creating an empowering environment: 1) Select the right person: hire for talent rather than simply experience, intelligence, or determination, 2) Set the expectations: define the outcomes and not the steps for the talented employees to take, let them define this method, 3) Motivate: focus on strengths not weaknesses, and 4) Develop the people: find the right fit for them in the organization rather than sending them to the next rung in the ladder.<sup>144</sup>

By contrast, the problems plaguing DHS morale persist. In a November 2012 *Washington Post* article, Davidson noted that morale problems persevere across many employee groups to include management and non-management groups. The DHS has been criticized for not having an effective metric for determining the root cause(s) of its morale problems but it has instituted a three-prong approach to improving morale. It includes instructing agency heads to prioritize employee engagement, working to improve communication, training, diversity, and employee recognition, and strengthening leadership skills and capacity.<sup>145</sup> Such an environment would be counterproductive to innovative critical thinking if the focus were to transform new ways of sharing

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<sup>144</sup> Buckingham and Coffman, *First, Break All the Rules: What the World's Greatest Managers Do Differently*.

<sup>145</sup> Joe Davidson, "New Report Finds Old Problem: DHS has Morale Issues," *Washington Post*, November 28, 2012, <http://search.proquest.com/docview/1237617796?accountid=12702>.

information constantly in the face of rapidly emerging trends and threats requiring effective information sharing.

Much of the literature dealing with leadership discusses how leaders affect others in typical leadership circumstances, such as a leader-subordinate relationship in an organization. Some approach the subject of leadership from an intrinsic perspective of the leader first. The Arbinger Institute’s message is how leaders often deceive themselves as to the reality of how effective they are or how they are perceived by others. Such self-deception makes the leader ill equipped in creating effective relationships, which would allow for successful outcomes.<sup>146</sup> In a consistent theme with the Arbinger Institute’s *Leadership and Self Deception*, Scott condenses a leader’s effectiveness to the value they bring to situations and organizations through authentic and precise conversations with employees, colleagues, and clients. Scott asks is an individual prepared to stop “dancing around the flower pot”<sup>147</sup> to get to the heart of issues affecting poor performance? In Scott’s eyes, the conversation is not about the relationship between leader and others—the conversation *is* the relationship.<sup>148</sup>

As this inquiry has investigated what leadership principles have been shown to be effective particularly as they relate to complexity, what will the relationship to information sharing reveal? The following section probes how information sharing has evolved in the United States throughout this country’s history both from a SLTTP perspective and from a national perspective.

## **C. AMERICAN INFORMATION SHARING**

### **1. Pre-9/11 Information Sharing**

To answer the question of what is to be learned about the relationship of information sharing, leadership, and complexity, it is helpful to provide a contextual foundation of the thought processes that existed within the IC and SLTTP about sharing

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<sup>146</sup> Arbinger Institute, *Leadership and Self-Deception: Getting Out of the Box*, 1st ed. (San Francisco, CA: Berrett-Koehler, 2000), 181.

<sup>147</sup> Susan Scott, *Fierce Conversations: Achieving Success at Work & in Life, One Conversation at a Time* (New York, NY: Viking, 2002), 266.

<sup>148</sup> *Ibid.*

information prior to 9/11. This foundation provides not only a historic basis for the evolution in information sharing but illustrates the progress made and the gaps that still exist. From this standpoint, envision the potential for the future of information sharing in homeland security.

For a valid review of post-9/11 American Government reform to be conducted, it is appropriate to first examine pre-9/11 information sharing and intelligence practices related to what is now understood as the homeland security project. In an April, 2000 report to Congressional requestors, the General Accounting Office stressed the United States had spent approximately \$10 billion to combat terrorism in FY 1999. With over 40 federal departments, agencies, and bureaus responsible for countering terrorism in America, Congress grew concerned about the apparent lack of clarity over which agency was in charge of a terrorism event due to the numbers of agencies seemingly responsible, as well as the inordinate amounts of money spent on counterterrorism efforts. Key to this report, due to the confusion of congressional reviewers, five foreign countries' counterterrorism procedures were examined. While the report stopped short of presenting a comprehensive comparison to U.S. counterterrorism and intelligence efforts, and offered no recommendations for improvement, it is telling that almost immediately prior to the 9/11 attacks, sufficient anxiety occurred among those in the intelligence oversight environment to ask pertinent questions and investigate how respective foreign countries approached counterterrorism.<sup>149</sup> This situation may have set the tone for the 9/11 Commission's review.

Nolan noted that the 9/11 Commission Report identified the following agencies as those within the IC that failed to share key "...information in a proper and timely manner."<sup>150</sup>

- Central Intelligence Agency (CIA)

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<sup>149</sup> U.S. General Accounting Office, National Security and International Affairs Division, *Combating Terrorism: How Five Foreign Countries Are Organized to Combat Terrorism* (Washington, DC: U.S. General Accounting Office, 2000).

<sup>150</sup> Bridget Rose Nolan, "Information Sharing and Collaboration in the United States Intelligence Community: An Ethnographic Study of the National Counterterrorism Center" (PhD, University of Pennsylvania, 2013), 4.

- Federal Bureau of Investigation (FBI)
- Defense Intelligence Agency (DIA, part of the Department of Defense (DOD))
- National Security Agency (NSA)
- Department of Homeland Security (DHS)
- National Geospatial-Intelligence Agency (NGA)
- Department of the Treasury (DOT)
- Drug Enforcement Administration (DEA)
- Department of Energy
- National Reconnaissance Office (NRO)
- Department of State (INR [Bureau of Intelligence and Research])
- United States Army Intelligence
- United States Navy Intelligence
- United States Air Force Intelligence
- United States Marine Corps Intelligence
- United States Coast Guard Intelligence<sup>151</sup>

Further, prior to 9/11, the intelligence community was presumed to have taken responsibility for sharing appropriately to achieve relevant mission and interagency communication. However, these agencies operated more independently than not, they were often isolated and hostile toward each other in many ways with the CIA and FBI being the most antagonistic.<sup>152</sup>

State and local law enforcement agencies that had intelligence units pre-9/11, were focused primarily on pattern and organized crime, gangs, and narcotics. New York, which had had a terrorist attack in 1993, and Los Angeles, had officers assigned to counterterrorism functions both focused beyond crime reduction and toward terrorism.<sup>153</sup> In Aurora, Colorado, the police department, like many others across the nation, was

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<sup>151</sup> Nolan, "Information Sharing and Collaboration in the United States Intelligence Community: An Ethnographic Study of the National Counterterrorism Center," 4.

<sup>152</sup> Ibid.

<sup>153</sup> Michael Price, *National Security and Local Police* (New York, NY: Brennan Center for Justice at New York University School of Law, 2013).

exploring ways in which to solve crime better. In the late 1980s and early '90s, community oriented policing (COP) was a burgeoning concept sweeping the country and the Aurora Police Department (APD) was one of the leading edge agencies. Then, Aurora Police Division Chief Ron Sloan collaborated with Robert Trojanowics of Michigan State University to conduct research and produce guiding documents on COP.<sup>154</sup> The information-sharing efforts were largely focused on creating more robust relationships between city departments, other law enforcement agencies, and in a more formal approach, community members after creating a stronger rapport within the community.

The essence of COP was a departure from the unintended counterproductive consequence of the professional model of policing, which resulted in a disconnect between police and community based on modern technological advances in radio communication and the mobility of police officers. This scenario inadvertently encouraged officers to remain in their police cars while patrolling the streets of their cities, waiting for the next call for service, which effectively detached officers from the need for or opportunity to interact with citizens in a proactive way. Community policing attempted to change this relationship and placed deliberate focus on officers' nurturing relationships with community members to understand better the environments within a given community, which tended to support criminal activity. The officers were then challenged to collaborate with citizens by delving into the root causes of the problem to provide a long-term solution in decreasing criminal activity while also reducing fear among community members.

While both the IC and SLTTP focused on terrorism in different ways, and to varying degrees, the two virtually never interacted nor did an impetus exist to do so. SLTTP responders were far more oriented toward crime reduction and had little or no consciousness of the IC. Likewise, the IC was focused on Soviet threats and paid little

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<sup>154</sup> See Bonnie Bucqueroux, "Aurora Infuses the Entire Department with the Community Policing Philosophy," *Footprints*, Spring 1990, <http://cj.msu.edu/assets/Outreach-NCCP-FP11.pdf>; Ron Sloan, Robert Trojanowicz, and Bonnie Bucqueroux, "The Community Policing Series, Basic Issues in Training: A Foundation for Community Policing, Making the Transition to Mission-Driven Training," 1987, *Policing.com*, <http://www.policing.com/articles/pdf/cpseries-basictraining.pdf>.



attention to the state and local level. To what degree were these relationships altered post-9/11?

## **2. Post-9/11 Government Reform and Evolution**

In this section, the inquiry expands to show the massive post-9/11 reform accomplished by the United States, the shift in attention to the homeland and the emerging relationships between the IC and SLTTP forged from the immense overhaul of the U.S. government. It illustrates how the post-9/11 effort is focused on the improved information sharing among all levels of government. With this degree of reform accomplished based on the fear of additional attacks, can the necessary transformation be achieved absent the fear of imminent threats?

The degree and speed with which information sharing improvement has evolved in this country since 9/11 is astounding. Since the 9/11 commission's findings were published, much of the government literature has focused on strengthening information sharing within various levels of government, as well as between the government and the private sector. Noticeably, national strategies and guiding documents stem from the state and local level, as well as the federal level. Most call for better cooperation and strengthened relationships.

The 9/11 Commission's infamous comment that the United States had a "failure of imagination" may ring true with respect to the U.S.'s intelligence community's inability to prevent those attacks. The Commission subsequently urged "routinizing, even bureaucratizing the exercise of imagination."<sup>155</sup>

The following initiatives have emanated from a state and local, as well as federal government focus to create more effective interaction between the IC and SLTTP community.

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<sup>155</sup> National Commission on Terrorist Attacks Upon The United States. "9/11 Commission Report," in *Smart, Savvy, Insightful: Analytic Tradecraft to Enable Homeland Security*, ed. Jon Nowick (Washington, DC: The George Washington University: Homeland Security Policy Institute, 2012), 344.

a. ***American Homeland Security Accomplishments Since 9/11: Is the 9/11 Commission Report Still Relevant?***

This section reviews the key examples of post-9/11 government reform at the federal, as well as SLTTP levels. While not an exhaustive review, it does capture the essence of post-9/11 efforts to address the gaps as brought forth by the 9/11 Commission.

It seems no document in the literature referencing the 9/11 attacks failed to mention the accompanying 9/11 Commission Report and this thesis does not disappoint. The attacks do serve as the nonlinear suddenness that catapulted this country, and indeed, the world into a change within the complex adaptive system; in this nation's case, that is the U.S. national security enterprise, or homeland security enterprise in today's language. Subsequent to the 9/11 Commission Report was the *Implementing Recommendations of the 9/11 Commission Act*; or Public Law 110-53 also referred to as the Act, which formalized various recommendations of the 9/11 Commission through legislation. Thirteen years after the attacks, at the time of this writing, 11 years after the formation of the DHS and 10 years after the release of the 9/11 Commission Report, the question can be asked, does the 9/11 Commission Report still have pertinence? According to the most recent progress report of the 9/11 Commission implementations, significant progress has been made in a number of key areas and more still needs to be done. The items highlighted include the following.

- Information sharing
  - The proliferation of fusion centers
  - Nationwide suspicious activity reporting initiative
  - National terrorism advisory system
  - The national *If you see something say something* campaign
  - A strengthened information sharing campaign with international partners
- Enhanced travel security
- Increased cyber security
- Bolstered border security

- Ensuring strong privacy, civil rights and civil liberties protections exists<sup>156</sup>

The report highlights efforts summarized as having made ... “America stronger and more resilient as a result...”<sup>157</sup> However, the 9/11 Commission states, “As presently configured, the national security institutions of the U.S. are still the institutions constructed to win the Cold War.”<sup>158</sup> The theme that the American intelligence community has not graduated from the archaic constructs of the Cold War era pervades throughout the literature. Yet, while it has been discussed in numerous government documents, books, articles, and theses since the release of the 9/11 Commission Report, it lingers in 2014 as a chronic topic associated with the dysfunction of true intelligence reform. In spite of this seemingly limiting aspect, it may be useful to consider what has been delivered consistent with and supporting the 9/11 Commission recommendations and then observe what remains to be done.

(1) *Intelligence Reform and Terrorist Prevention Act of 2004*. This piece of legislation has provided key elements of reform as identified in the 9/11 Commission Report: 1) the creation of the ODNI, 2) the shift within the FBI to an intelligence directorate oriented to address the domestic counterterrorism, 3) the creation of the National Counterterrorism center (NCTC), and 4) the creation of the information sharing environment (ISE).<sup>159</sup>

(2) Executive Order 12333 (2008). This order coupled with the *National Security Act of 1947* and the U.S. Attorney General Guidelines has given the FBI the authority and responsibility for domestic intelligence collection. The order also delineates roles and responsibilities of the agencies within the intelligence community, as well as

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<sup>156</sup> The Department of Homeland Security, *Implementing 9/11 Commission Recommendations: Progress Report 2011*.

<sup>157</sup> Ibid.

<sup>158</sup> Zelikow et al., *The 9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks upon the United States*.

<sup>159</sup> David L. Carter, *Law Enforcement Intelligence: A Guide for State, Local and Tribal Law Enforcement Agencies* (Washington, DC: U.S. Department of Justice, Office of Community Oriented Policing Services, 2009), 46–47.

key entities, such as the DNI and the DHS. Further, in an important tone, the order recognizes the essential role of state and local community in national security.

State, local, and tribal governments are critical partners in securing and defending the United States from terrorism and other threats to the United States and its interests. Our national intelligence effort should take into account the responsibilities and requirements of State, local, and tribal governments and, as appropriate, private sector entities, when undertaking the collection and dissemination of information and intelligence to protect the United States.<sup>160</sup>

(3) Implementing Recommendations of the 9/11 Commission Act, Public Law 110–53. Enacted on August 3, 2007, and considered one of the key pieces of legislation aimed at creating or addressing gaps in the following initiatives, this act has advanced many aspects of the homeland security enterprise.

- Grant funding to secure training and equipment
- First responder communication interoperability, emergency communications interoperability and modernization
- Strengthening the incident command system
- Improving intelligence and information sharing between SLTTP and the federal government
- Congressional oversight of intelligence
- Strengthening efforts to prevent terrorist travel
- Privacy and civil liberties
- Private sector preparedness
- Improving critical infrastructure
- Enhanced defenses against weapons of mass destruction (WMD)
- Numerous titles in transportation security, aviation, maritime
- Preventing WMD proliferation and terrorism
- International cooperation on antiterrorism technologies
- Advancing democratic values<sup>161</sup>

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<sup>160</sup> *Executive Order 12333: United States Intelligence Activities (as Amended by Executive Orders 13284 (2003), 13355 (2004) and 13470 (2008), (2003, 2005, 2008).*

<sup>161</sup> H.R. 1 (110th), *Implementing Recommendations of the 9/11 Commission Act of 2007.*

(4) Interagency Threat Assessment and Coordination Group and Joint Counterterrorism Assessment Team. The creation of the ITACG was one of the hallmark initiatives emanating from the 9/11 Commission's recommendations. Enacted by Public Law 110-53, Title V subtitle C in August of 2007, the ITACG was created under the auspices of the PM-ISE. Located at the NCTC in Washington, DC, this program was designed to build stronger alliances between the IC and SLTTP. The law prescribed that an advisory council represented by one-half federal intelligence community agencies and half state, local, and tribal agencies would guide the detail.

State and local first responders worked within the federal IC to learn the IC's analytical tradecraft and determined where gaps existed in the information-sharing processes. Those assigned as fellows or detailees were encouraged to identify areas in which national initiatives would address perceived flaws in the information-sharing relationship between the IC and SLTTP. In April 2013, as outlined in the law, the ITACG was no longer funded by Congress. The Directorate of Operational Support (DOS) within the NCTC committed to continuing the same effort under the new name: the JCAT. The ITACG in many ways serves as the impetus for this thesis is discussed in more detail in the author's autoethnographic section.

(5) Director of National Intelligence. The creation of the ODNI represents the most significant change in the intelligence community since 1947.<sup>162</sup> In the first attempt at centralizing coordination and authority for the intelligence community, this position was created. Due to this position, advances in information sharing have occurred within the federal IC since the implementation of the IRTPA of 2004. The IRTPA created the DNI, which superseded the DCI as the chief intelligence community official and the principal intelligence advisor to the president and NSC. The main thrust of the act was aimed at improving intelligence sharing between IC agencies particularly within the foreign-domestic intelligence rift.<sup>163</sup>

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<sup>162</sup> Lowenthal, *Intelligence: From Secrets to Policy*, xiii.

<sup>163</sup> *Ibid.*, 31.

The IRTPA generated two shifts. First, it altered the definition of intelligence to that of national intelligence with subsets of foreign, domestic, and homeland security. Second, it broadened the DNI's responsibility beyond that of the DCI's, particularly in the domestic realm. While the DCI specifically represented the CIA, the DNI represents all 17 agencies comprising the IC. Thus, the DNI is not only in a position to have access to all intelligence but to ensure intelligence is shared appropriately across all IC agencies, while safeguarding intelligence sources and methods.<sup>164</sup> Key to the generation of this position was the initial recognition that the SLTTP community has a role in both national security and homeland security.

The ODNI has had four DNIs since its inception. All four have had differing views of how they see their role, as well as their effectiveness within the IC. James Clapper, the current DNI, has recognized the value of the IC having a role in domestic counterterrorism and transnational crime.<sup>165</sup>

In a December 2013 panel interview at the Bi-Partisan Center, former NCTC Director Michael Leiter among others discussed the current state of intelligence reform. Leiter stated it is difficult to determine whether reform is successful in a vacuum. It takes time to determine the impact of a given initiative. He discussed that it would be difficult to speculate on whether creating a secretary of national intelligence early on would have had a particular effect as opposed to retaining the DCI. He has worked for all four DNIs, and all four have taken significantly different approaches to their jobs.<sup>166</sup>

The fact is that an individual (DNI) may be more or less successful not because of the legislative construct but because of the personalities involved, the support or lack thereof from the White House, the congressional oversight or the pressures of the day. No clear answers remain about what good intelligence reform looks like; it is in part driven by the present circumstances largely determined by the personality of the players, the legislation in place, the will for implementation, and political support, etc. As an

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<sup>164</sup> Lowenthal, *Intelligence: From Secrets to Policy*, 31.

<sup>165</sup> Clapper, *The State of Domestic Intelligence Reform Conference*.

<sup>166</sup> Siobahn Gorman, Michael Leiter, Philip Zelilow, and Michael Allen, *The Current State of Intelligence Reform: Bipartisan Policy Center*, panel interview, Washington, DC, 2013.

example, Leiter commented on the personality issues between Leon Panetta vs. Dennis Blair when Blair tried to assert what was documented as his authority over the CIA. Panetta would not yield and they took the fight to the White House where Panetta's leverage won out.<sup>167</sup>

The DNI has done well in some areas; basic information sharing is improving. The DNI has not performed well in the area of the budget authority; each agency stills runs their own budget. The PM-ISE has not done much more than what would have happened naturally. Bush's White House was vigilant on improvement of intelligence reform and the current administration has dropped the "backpack."<sup>168</sup>

(6) National Counterterrorism Center (NCTC). The NCTC serves as the primary organization for integrating and analyzing all intelligence pertaining to terrorism with the exception of purely domestic terrorism. The NCTC also serves as the central knowledge bank on terrorism information and provides all-source intelligence support to government-wide counterterrorism activities. Its mission is essentially "get the right counterterrorism information into the right hands of the right people" in the DHS, the FBI, the IC and, indirectly, the state and local community. The NCTC seeks to bring intelligence from across the federal government into one place to integrate and analyze it then disseminate the integrated intelligence to customers.<sup>169</sup>

Established through statutory charter in 2004, by the IRTPA, the NCTC is comprised of analysts from across the IC with respective agency database access. It prepares a broad range of assessments, briefings, and intelligence products aimed at "establish[ing] and sustain[ing] effective channels for the exchange of counterterrorism-

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<sup>167</sup> Gorman, Leiter, Zeligow, and Allen, *The Current State of Intelligence Reform: Bipartisan Policy Center*.

<sup>168</sup> Ibid.

<sup>169</sup> Carter, *Law Enforcement Intelligence: A Guide for State, Local and Tribal Law Enforcement Agencies*, 1-471.

related information with federal agencies outside the intelligence community as well as with state and local authorities.”<sup>170</sup>

It is further chartered to access, receive, and analyze all encompassing levels of information and intelligence from across all levels of government including law enforcement agencies of the federal government and state and local government agencies (including law enforcement agencies), and private sector entities.<sup>171</sup>

The attempted bombing of an airliner on December 25, 2009, (12/25), the Fort Hood attack and others has perpetuated concerns about post-9/11 laws, regulations, and organizational relationships. An Executive Branch assessment of the 12/25 attempted attacks indicated that while information sharing had been adequate, IC analysts still fell short of “connecting the dots.”<sup>172</sup>

The NCTC is viewed as the mother of all fusion centers. In theory, it is meant to serve as the central clearing house for any terrorism related information received. In the preceding, it is indicated that the NCTC and its analytical cadre is achieving the objectives of accessing and receiving appropriate information, where it seems to fail may emanate from within the culture of the NCTC.

- An ethnographic view of the NCTC from within

In a purported first-ever ethnographic review of the NCTC’s culture, former CIA analyst Nolan documents her experiences within NCTC’s environment in a 2013 PhD dissertation from The University of Pennsylvania. Nolan discusses the mission of an analyst in the NCTC is to research and write intelligence products on terrorism trends tactics, and procedures. The dissertation paints a picture of the cultural challenges of an analyst entering the IC and then trying to navigate while subjected to the pressures of

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<sup>170</sup> Richard A. Best, Jr., *The National Counterterrorism Center (NCTC)—Responsibilities and Potential Congressional Concerns*, CRS Report R41022 (Washington, DC: Congressional Research Service, 2011).

<sup>171</sup> Best, *The National Counterterrorism Center (NCTC)—Responsibilities and Potential Congressional Concerns*.

<sup>172</sup> *Ibid.*, Summary.



producing intelligence products within the complexity of multiple layers of social dynamics between the numerous IC agencies co-located within the NCTC.<sup>173</sup>

Beginning with the difficulty of a new analyst learning the internal IC lexicon, she describes this special language as having unique qualities for each IC agency, and yet, a separate and distinct vocabulary for the NCTC. Most NCTC analysts are not full time NCTC cadre; rather, they are detailees from respective IC agencies for short durations. This tenuous environment she says does not support establishing social or professional networks from which to build stability, as just when an analyst starts to gain confidence in the knowledge gained, everything changes, which creates a dissonance between the expectation of being perfect and the reality of the chaotic environment.<sup>174</sup>

This rapid-fire environment would provide unique challenges for those in leadership positions as well. While Nolan uses the term chaos, chaos as defined in the Cynefin Framework means either innovation through deliberate means or an accidental entry into chaos, which requires immediate stability, or failure, will ensue.

While NCTC houses most of the participating agency databases, they generally are not compatible says Nolan. The term “stove piping” was alluded to regarding pre-9/11 databases both at the federal, as well as the state and local levels of government, and has been one of the key focuses of post-9/11 reform. Analysts detailed to the NCTC for a little as one year could wait for weeks or months to regain access to their own system.<sup>175</sup> One analyst interviewed by Nolan believed the lack of interoperability to be by design as a compartmentalized feature, and cited the billions of dollars it took to build the systems to be impenetrable; to make them interoperable would defeat the purpose said the analyst.<sup>176</sup>

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<sup>173</sup> Nolan, “Information Sharing and Collaboration in the United States Intelligence Community: An Ethnographic Study of the National Counterterrorism Center,” 1–206.

<sup>174</sup> Nolan, “Information Sharing and Collaboration in the United States Intelligence Community: An Ethnographic Study of the National Counterterrorism Center,” 25.

<sup>175</sup> *Ibid.*, 27.

<sup>176</sup> *Ibid.*, 29.

The NCTC's culture was viewed by many as lacking a common understanding of a sense of direction and a lack of knowledge ranging from small matters to larger issues. She attributes the possible cause in that the NCTC simply assimilated the CIA's culture and bureaucratic procedures. This environment was confusing for those who did not come from the CIA's culture but also for CIA employees as they were sometimes confused as to which agency, the NCTC or the CIA, was responsible for certain issues. They also felt that managers would use this lack of clarity as an excuse not to fund training or travel when it was convenient to do so.<sup>177</sup>

A notable parallel to the DHS analogy as observed by Bell may provide context.<sup>178</sup> In the case of the Colorado Information Analysis Center (CIAC), the Colorado State Patrol (CSP) stood the center up in 2005. The CSP's culture and bureaucratic procedures dominate the environment. At times, it has been necessary to deal with personnel issues associated with employees from other agencies working within the CIAC. This issue has the potential of not only disconcerting employees in their day-to-day objectives but also clouding organizational objectives and confusing disciplinary proceedings should they be needed. An effectively written memorandum of understanding (MOU) or intergovernmental agreement (IGA) can provide some relief but may not address the intangible effects of distinct organizational cultures.

Nolan describes a few coping mechanism for IC analysts based on the rigors of their pressure-filled environment. One such coping strategy termed emotion work, describes how analysts manage their feelings to display a public face or bodily expression. She notes that two of the highest compliments that can be paid to an IC analyst are to call them "a machine" or "made of Teflon."<sup>179</sup>

The author writes of the social and professional caste system within the IC but which is amplified within the NCTC. The CIA is deemed a "greedy institution," one in

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<sup>177</sup> Nolan, "Information Sharing and Collaboration in the United States Intelligence Community: An Ethnographic Study of the National Counterterrorism Center," 31.

<sup>178</sup> Bell, "The State of Leadership in DHS, Is There a Model for Leading?," 1-179.

<sup>179</sup> Nolan, "Information Sharing and Collaboration in the United States Intelligence Community: An Ethnographic Study of the National Counterterrorism Center," 1-206.

which exclusivity and undivided loyalty is demanded of a member of the organization. Starting from the CIA, also known as “the CIA mafia,” “the mob,” “the mother ship,” or the “Borg,” (a Star Trek fictional character that forces a mind-meld and repels any resistance), members of the NSA, FBI, DHS, DIA and various other IC agencies descend in the social order, and therefore, credibility and performance as well due to varying degrees of working relationships.<sup>180</sup>

In an intriguing analysis of the dynamics of the CIA’s ability to create such strong affinity amongst its members, Nolan discusses the following characteristics.

- *Domination:* Commonly associated with the military and sports teams, the organization and its leaders claim dominion over the member, stripping away, to a certain extent, individualization and replacing it with organizational values.
- *Identification:* The individual’s identification to the organization is no more intense than in the CIA. This identity quickly overshadows any other components of ‘an individual’s life.
- *Commitment:* The employee signs on as part of the team. In the sports analogy, it may mean a commitment to the strong tradition, or to a scholarship. With the CIA, certainly part of the commitment is the oath to support and defend the Constitution of the United States, and the life-long pledge to non-disclosure.
- *Integration:* A process whereby formerly detached colleagues become socialized, and ultimately, congeal into cohesive groups.
- *Sponsorship:* In this final step of integration, older more seasoned members reach out to the newer members, which is often unexpected by the receiving employee and overwhelmingly welcomed.<sup>181</sup>

While these aspects of organizational control represent power, control, and perhaps manipulation, they do seem to generate intense loyalty. The leadership style most effective in this situation is an autocratic or transactional style as may be recalled in Chapter II, B, 2, prefaced on a quid pro quo or social contract.

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<sup>180</sup> Nolan, “Information Sharing and Collaboration in the United States Intelligence Community: An Ethnographic Study of the National Counterterrorism Center,” 62.

<sup>181</sup> *Ibid.*, 65–70.

Surprisingly, in Nolan's research, NCTC's culture was not distinct, rather an amalgam of the contributing agencies, and still developing. Perhaps similar to Bell's observation of the DHS in which the culture lacks the above criteria, and therefore, the resulting perception of cohesiveness or loyalty.<sup>182</sup> The NCTC and CIA are at odds due to the CIA's perception that NCTC is doing the Counterterrorism Center's (CTC) work.

To create some level of cohesion in such an environment, in which co-location exists between differing organizations and cultures, Nolan cites four key conditions that must exist to ensure success: a) equal status among groups, b) common goals, c) a lack of competition between groups, and d) authority sanction for the contact.

In NCTC's case, no equal status occurs among certain groups and competition can be fierce. The same could be said for DHS components. While not always co-located, many of the DHS legacy agencies resent having lost their identity to "big DHS," and to have to compete for budgetary funding, as well as status among other agencies. The author states that the very characteristics that make individual intelligence agencies strong also interfere with effective information sharing. This author would agree not only on the level of what is discussed unique to IC agencies but for state and local agencies as well. To broaden this viewpoint, 18,000 law enforcement agencies are in existence, most of which are not integrally involved in information sharing at the level that larger agencies are; each enjoys autonomy within its own environment.

Nolan contemplates whether having IC agencies co-located within the NCTC has exacerbated existing squabbles, which may have added another layer to the wicked problem that may not have existed otherwise. This point of view seems consistent with Rittel's assertion in his 8th condition of wicked problems, every wicked problem can be considered to be a symptom of another problem.<sup>183</sup>

Her conclusions are that the NCTC is not meeting its mission, and to some, may be in the wrong mission based on her research because many felt that better information sharing or more integration was not the answer to better intelligence. Many of her

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<sup>182</sup> Bell, "The State of Leadership in DHS, Is There a Model for Leading?," 1-179.

<sup>183</sup> Rittel and Webber, "Dilemmas in a General Theory of Planning," 155-169.

interviewees were with CIA personnel, which can account for some biases (including hers) but almost every opinion was short of favorable of what the NCTC has accomplished. Nolan offered ways in which the current competitive game between analysts could be transformed into a healthier environment. Currently, analysts are plagued by the age-old adage that it is necessary to publish or perish. Pressure on one hand encourages this notion to include joint products between two analysts but the reality is a zero sum atmosphere wherein one analyst beats the other to the punch, and thereby, gains a win for themselves and loss for anyone else not quick enough or aggressive enough to have accomplished the same feat.. She discussed leadership approaches reducing the conflict between publishing and cutting a colleague out of the loop.<sup>184</sup> While the NCTC serves as a central clearinghouse for counterterrorism as defined in the *Intelligence Reform and Terrorism Prevention Act*, the ISE provides oversight for the emerging world of information sharing.

(7) Program Manager for Information Sharing Environment (PM-ISE). The ISE is an overarching term for a very broad-based compilation of personnel, projects, systems, and agencies that enable responsible information sharing for national security. The ISE incorporates a wide variety of communities to include law enforcement, public safety, homeland security, intelligence, defense, and foreign affairs. The people in these communities may work for federal, state, local, tribal, or territorial governments. They may also need to collaborate and share national security information with each other, private sector partners, or U.S. foreign allies. All the partners in the ISE derive from a multitude of agencies, disciplines, and jurisdictions, but all rely on time, actionable information, and intelligence.

Charged with developing and coordinating the overall network of the ISE, the role of the program manager for the ISE (PM-ISE) is to focus on standards and architecture, security and access, associated privacy protections, and best practices. The PM-ISE is relied upon to create an environment supporting innovation and discovery in providing

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<sup>184</sup> Nolan, “Information Sharing and Collaboration in the United States Intelligence Community: An Ethnographic Study of the National Counterterrorism Center,” 1–206.

ideas, tools, and resources to mission partners who then apply them to their own agencies or communities.

Under the auspices of IRTPA, the position of program manager... “[is]responsible for information sharing across the Federal Government.” Consistent with the direction and policies issued by the President, the Director of National Intelligence (DNI), and the Director of the Office of Management and Budget (OMB), the PM-ISE has the authority to release government-wide procedures, guidelines, instructions, and functional standards, as appropriate, for the management, development, and proper operation of the ISE. The PM-ISE has staff with experience in counterterrorism, homeland security, information sharing, technology, and policy at all levels of government.”<sup>185</sup> How has the SLTTP been represented among new information sharing initiatives?

(8) Global Justice Information Sharing Initiative, Global Intelligence Working Group, Criminal Intelligence Coordinating Council. This section demonstrates key initiatives and crucial outcomes emanating from the 9/11 attacks. Today, the GIWG and CICC are powerful entities that have grown, matured, and shaped post-9/11 information sharing in broad and significant ways.

For the SLTTP community, the IACP annual meeting held in Toronto, Ontario, Canada in October 2001, six weeks after the 9/11 attacks, serves as the landmark event in which most efforts aimed at information sharing at the state and local level have been generated. During the IACP annual meeting, an intelligence summit was scheduled for March, 2002. The summit resulted in the intelligence-led policing initiative.<sup>186</sup>

Already in existence to create processes and standards for SLTTP agencies to share criminal information, the Global Justice Information Sharing Initiative (GLOBAL) created a new subgroup, the GIWG. Charged with executing the summit’s recommendations, the GIWG was created. The first GIWG product was the NCISP. The

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<sup>185</sup> Information Sharing Environment, “Program Manager-Information Sharing Environment,” United States Government, accessed February 2, 2013, <http://www.ise.gov>.

<sup>186</sup> Carter, *Law Enforcement Intelligence: A Guide for State, Local and Tribal Law Enforcement Agencies*, 1–471.

NCISP outlined processes, procedures, and standards under which state, local, and tribal law enforcement would share criminal information. This product was the first post-9/11 attempt at providing a national level awareness of the importance for effective information sharing and criminal intelligence coordination among state, local, and tribal law enforcement. It not only attempted to address the issues discussed regarding counterterrorism, but also offered law enforcement agencies guidance for developing multijurisdictional intelligence capabilities.<sup>187</sup>

The NCISP provided the vision in recognizing the importance of state, local, and tribal law enforcement (SLTLE) agencies as a key ingredient in the nation's intelligence process. SLTLE entities were considered part of the national security enterprise. To ensure all these linkages were created, facilitated, and sustained, the CICC was created in May 2004, which was the first significant attempt at connecting all levels of government to improve intelligence and information sharing. Major entities involved in criminal intelligence at all levels of government are represented on this council. These members serve as advocates for state and local law enforcement and support their efforts to develop and share criminal intelligence through the tenets of the NCISP. The CICC serves as the voice for all levels of law enforcement agencies by advising the U.S. Attorney General and the Secretary of Homeland Security on the best use of criminal intelligence, as well as the capabilities and limitations of SLTLE agencies related to information sharing.<sup>188</sup> The NCISP addressed the following criteria.

- Leadership

Beginning in 2004, when the first version of the NCISP was completed, the U.S. Attorney General, as well as top leaders in the law enforcement and homeland security, met and held a signing event as a demonstration of commitment and solidarity. Since that time, the CICC has provided guidance, leadership, and products that have been instrumental to law enforcement agencies across the country in fortifying their policies

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<sup>187</sup> Carter, *Law Enforcement Intelligence: A Guide for State, Local and Tribal Law Enforcement Agencies*, 144.

<sup>188</sup> *Ibid.*, 145.

and strengthening their operational capabilities.<sup>189</sup> As an entity, the CICC has acted in a meta-leadership capacity in that it has assembled essential thought-leaders in the homeland security realm to envision innovative ways for all levels of government to coordinate a broad range of activities.

- Partnerships

One of the first products published and supported by the CICC and GIWG was the *Fusion Center Guidelines*, in 2006. Early in the evolution of fusion centers, this document served as a guide for those states in the process of standing up a center. Later, these guidelines were expanded to include fusion center interaction with public safety and private sector agencies. Next, a focus on improving analytical tradecraft at the state and local level began to gain momentum. In an effort to promote professional development of criminal analysts, the CICC supported the development of *Law Enforcement Analysts Certification Standards*.<sup>190</sup>

- Privacy

Of paramount importance when expanding an intelligence architecture, privacy and civil rights must be adhered to, as well as anticipated and protected in a proactive sense given advancements in technology. Over the years, the CICC, GIWG, as well as GLOBAL, have supported the production of guides, standards, and training videos for first responders in an effort to provide cutting-edge guidance for an evolving dynamic of civil rights/civil liberties and privacy. Elements of privacy issues first appeared in the *Fusion Center Guidelines*. Subsequent publications, such as *Baseline Capabilities for State and Major Urban Area Fusion Centers* and *Fusion Center Privacy Policy Development: Privacy, Civil Rights and Civil Liberties Policy Template*, to name a few, have continued to advance since the inception of these organizations.<sup>191</sup>

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<sup>189</sup> U.S. Department of Justice, Office of Justice Program, “Criminal Intelligence Coordinating Council,” accessed February 23, 2014, <http://it.ojp.gov/default.aspx?area=globalJustice&page=2377>, vi.

<sup>190</sup> U.S. Department of Justice, Office of Justice Program, “Criminal Intelligence Coordinating Council,” vi.

<sup>191</sup> *Ibid.*



- Policies, Plans and Procedures

An essential element in state and local criminal intelligence is the adherence to 28 Code of Federal Regulations Part 23. The initial NCISP heavily emphasized the importance of observing of the standards within 28 CFR Part 23 criminal intelligence collection and storage. The CICC and GIWG have contributed to a model policy created by the IACP, as well as resources for the law enforcement chief executive in building model policy for criminal intelligence collection, analysis, production, distribution, and feedback.<sup>192</sup>

- Intelligence Process

After the release of the NICSP, the CICC produced guiding documents on elements of the SLTTP on how to implement aspects of the NCISP. They collaborated with the Commission on Accreditation for Law Enforcement Agencies (CALEA) to help agencies formalize and standardize aspects of the NCISP. The CICC focused on supporting material for agencies adopting the intelligence-led policing (ILP) framework, as well as the analysis function through suggested standards, training, and tools for analysis.<sup>193</sup>

- Training

The *Minimum Criminal Intelligence Training Standards* was first released in 2004 and then again in 2007 with an updated version to address core criminal intelligence standards as identified in the NCISP. As a companion for criminal analysts, the *Common Competencies for State, Local and Tribal Intelligence Analysts* was released in 2010.<sup>194</sup>

- Security and Safeguarding

The CICC has been active in discussions surrounding security clearance reform, which has been a troubling issue as state and locals become more aware of the existence and benefits of information in the classified realm. The CICC has been actively participating in the Controlled Unclassified Information (CUI) initiative. This project will

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<sup>192</sup> U.S. Department of Justice, Office of Justice Program, “Criminal Intelligence Coordinating Council,” vi.

<sup>193</sup> *Ibid.*, vii.

<sup>194</sup> *Ibid.*

coalesce the various markings currently used by the state, local, and tribal agencies, such as For Official Use Only, Law Enforcement Sensitive and Sensitive But Unclassified.<sup>195</sup>

- Technology and Standards

The CICC has endeavored to provide current and relevant guidance to agencies regarding computer-aided dispatch, records management system, social media as used in criminal intelligence, the National Information Exchange Model, national portals, such as the Homeland Security Information Network, Law Enforcement Online, and other technologies. The CICC has collaborated with the PM-ISE and the DHS to develop standards for such technologies.<sup>196</sup>

- Sustainability

The CICC has partnered with the Global Advisory Committee (GAC), DHS, and DOJ to fund initiatives that will sustain important elements of the NCISP, such as the following.

- Law Enforcement Analytic Standards
- Analyst Toolbox
- Minimum Criminal Intelligence Training Standards
- Baseline Capabilities for State and Major Urban Area Fusion Centers
- Findings and Recommendations of the Suspicious Activity Report (SAR) Support and Implementation Project
- Guidelines for Establishing and Operating Gang Intelligence Units and Task Forces<sup>197</sup>

(9) Criminal Intelligence Enterprise. The CIE is a national initiative led by the Major Cities Chiefs Association (MCCA). It is composed of two key objectives, (1) increase the connectivity among local intelligence units, and (2) institutionalize a standardized assessment process that enables each agency to identify and measure its priority threat groups better, establish actionable information needs, and develop more

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<sup>195</sup> Ibid.

<sup>196</sup> U.S. Department of Justice, Office of Justice Program, “Criminal Intelligence Coordinating Council,” vii.

<sup>197</sup> Ibid., viii.

focused intelligence collection plans.<sup>198</sup> It is an important model from which a bottom-up intelligence method could be developed emanating from local jurisdictions. As no formalized bottom-up intelligence collection architecture exists from which counterterrorism or criminal intelligence can be coalesced on a national level, it would be useful to analyze such a system that has been in existence for a long period of time to ascertain what could be learned and applied in the United States.

***b. How the British Collect Intelligence***

To help understand how a more comprehensive counterterrorism and criminal collection design could be instituted to blend with the existing architecture in the United States, the British system was analyzed for those aspects that may be leveraged or adopted for the American system.

Since the attacks of 9/11 the United States, as well as the rest of the world, has studied and modified its information-sharing methodology to ensure more timely and actionable information is shared with partners who need it. In the United States, information sharing has improved but is still ineffective due in large part to the top-down structure between the national intelligence architecture and the SLTTP first responder community. In addition, evidence is mounting that the lines between crime and terrorism are blurring. This convergence necessarily means that a more robust relationship between the federal IC and the SLTTP communities must be created. Without this relationship, Americans will miss the opportunity to expose future terrorist plots being conducted planned and executed in the United States.

The United Kingdom (U.K.) has drawn powerful lessons and implemented subsequent reform based on their counterterrorism experiences with both the Irish Republican Army (IRA) and Al-Qaeda. An essential component is the direct connectivity between the British Police Service and the counterterrorism intelligence function of the British Security Service. From the U.K.'s example, America can learn to understand better the connection between domestic, transnational and international crime, and terrorism. Addressing this connection requires a stronger relationship between state and

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<sup>198</sup> Ibid., 27.

local first responders and the IC. From a pragmatic approach, many of the guiding documents created both in America, and in this case, the United Kingdom, could be exploited to build a new better-connected and streamlined information-sharing architecture.

An analysis of the U.K.'s intelligence design shows its effective relationship between the British security service and British police, and how the United States could implement a similar mechanism. The United Kingdom has specifically designated counterterrorism "Special Branch"<sup>199</sup> officers within each of its 56 police forces across the country. This design ensures 1) these officers have the expertise to identify terrorism trends, tactics, and techniques, and 2) they have a direct and vigorous connection to the intelligence function.

The al Qaeda attacks on London's subway system on July 7, 2005 resulted in a milestone for Great Britain's response to terrorists' threats. It exposed that the former, more centralized deployment of counterterrorism officers assigned to London based on the response to the IRA threat proved ineffective when investigations led them across the United Kingdom and the world. This situation forced the British to redefine how to engage the local police. First, a more decentralized deployment of police resources was necessary to meet the demands of fast-paced, dynamic investigations. Second, the realization that criminal investigators, previously brought into an investigation well after the intelligence service had begun its work created information gaps. (This structure was done deliberately in the past to avoid concerns of disclosing certain criminal case evidence and exposing intelligence sources). Third, the British learned that not only were terrorism cases being planned in the United Kingdom, but also that British citizens were targets as well for terrorist recruitment and radicalization to violence.<sup>200</sup>

- Leadership Direction and Commitment

The U.K.'s Cross Government Counterterrorism Strategy commonly referred to as CONTEST was published in 2011 and shows clear leadership, direction, and

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<sup>199</sup> *Counterterrorism in the UK*, PowerPoint Presentation, directed by Paul Smith (Monterey, CA: Center for Homeland Defense and Security, 2011).

<sup>200</sup> *Ibid.*

commitment from the government in countering terrorism. Three key components that ensure productive outcomes are defined and met. The first is a well-defined threat. The second is the government's clearly delineated strategy to counter that threat. Finally, the specific direction for implementation is laid squarely on the police and intelligence service.<sup>201</sup> To ensure successful cooperation, a national doctrine at all levels within the government encompasses the four Ps: prevent, protect, prepare, and pursue. The police and MI5, through the CONTEST board, are responsible for executing these four strategic objectives as they investigate acts of terrorism.<sup>202</sup> Recognition of the value local law enforcement brings to the whole of government approach to counterterrorism is unique as compared to the American IC attitude.

As a result, while the United Kingdom has 56 police forces, each has a special branch and clear connection to Britain's domestic intelligence service, MI5, which equates to approximately 600 special branch officers currently in the United Kingdom.<sup>203</sup> This model offers a centralized coordination of counterterrorism cases with recognition and strategy for intelligence and criminal case preparation while combining resources between the police, security, and intelligence services. Further, nationally based structures ensure coordination of the counterterrorism investigative process from the local to the national level. For example, intelligence at the national level is managed through MI5. The Counterterrorism Command of the Metropolitan Police coordinates the national response to counterterrorism intelligence and supervises the evidence collection needs. The Crown Prosecution Service provides specialized prosecutorial resources. A National Coordinator has an office that oversees terrorism investigations. Finally, an Executive Liaison Group (ELG) is responsible for managing all operational aspects of these investigations.<sup>204</sup>

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<sup>201</sup> Secretary of State for the Home Department by Command of Her Majesty, *The United Kingdom's Strategy for Countering Terrorism* (London, England: TSO, 2011).

<sup>202</sup> Secretary of State for the Home Department by Command of Her Majesty, *The United Kingdom's Strategy for Countering Terrorism*, 110.

<sup>203</sup> Smith, *Counterterrorism in the UK*.

<sup>204</sup> *Ibid.*

*c. How DNI Is Supporting Domestic Approach to National Intelligence*

In an intelligence system comprised of colossal organizations most of which were formed between 1940 and 1960, and are still primarily reflective of the institutions of that era, a progressive tenor is coming from the halls at Liberty Crossing in Northern Virginia. DNI James Clapper has embraced the precepts of the emergence of new thinking and operating within the national IC. In the 2010 *State of Domestic Intelligence Reform* panel discussion underwritten by the Bipartisan Policy Center, Clapper conceded the realities of globalization and its attendant properties; the blurring lines between terrorism and transnational crime, foreign, and domestic matters. Based on this situation, he urged holistic thinking concerning intelligence while remaining vigilant in protecting U.S. civil liberties and privacies.<sup>205</sup> Clapper adroitly highlights the efforts of the FBI and its relationships through the 104 Joint Terrorism Task Forces to other federal agencies, as well as SLTTP entities. In addition, he brings to light the information-sharing partnership between the DHS, and at the time, the 72 fusion centers across the country. These relationships he says are essential now more than ever due to the three attempted attacks during the preceding year, two in New York and one on a flight over Detroit.<sup>206</sup>

*d. What Is Missing?*

Carabin noted in 2011 that barriers existed to effective information sharing from the IC to the SLTTP. He acknowledged that fusion center leaders and the IC leadership had yet to accomplish a cooperative relationship that would streamline the process.<sup>207</sup> As of this writing, while more frequent and robust conversations have occurred around this issue, this relationship has not improved to any significant degree. The fragmentation between the IC and SLTTP discussed earlier remains entrenched.

Four categories can cause effective reform for information sharing to fail and also represent current gaps.

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<sup>205</sup> Clapper, *The State of Domestic Intelligence Reform Conference*.

<sup>206</sup> Ibid.

<sup>207</sup> David Carabin, "An Intelligence-Sharing Continuum: Next Generation Requirements for U.S. Counterterrorism Efforts" (master's thesis, Naval Postgraduate School, 2011), 1–153.

First, no central guiding doctrine exists for how information sharing will be prioritized, collected, analyzed, or acted upon. Numerous strategies, policies, Executive Orders, programs, and entities address intelligence and information sharing but no single central doctrine exists to provide guidance for all of these.

Second, information and intelligence sharing is a top-down construct largely driven by personality rather than structure. Whether discussing the federal environment or state, local, or tribal relationships, being effective means having a positive and constructive relationship. If a chief or sheriff does not trust the other, their departments do not operate in a way conducive to producing any positive results. Likewise, if a chief or sheriff has a positive relationship with the special agent in charge of their FBI field office, positive results are more likely.

Third, the fire service struggles with the notion of being considered collectors of intelligence for fear of alienating their constituency. The fire service is a crucial component of the emerging information-sharing system as it represents 1.2 million first responders summoned to American homes everyday. While its mission is not to collect intelligence, it is accustomed to reporting indicators of criminal conduct when it inadvertently encounters such activity. It must reconcile within its discipline the role for it to play as the information-sharing enterprise evolves.

Fourth, a disparate understanding exists among state, local, and tribal law enforcement of what intelligence is. ILP has been adopted into the lexicon post-9/11 but it is not universally understood. Likewise, some in the federal law enforcement realm are challenged with truly understanding state, local, and tribal law enforcement's relationship to intelligence. The excerpts from Gomez provides an example.

The primary question of this thesis—whether or not state, local and tribal law enforcement should be involved in the collection and sharing of classified national security intelligence in support of national counterterrorism efforts—is difficult to answer in an empirically valid

sense...the implicit objective of this thesis was, however, to answer the abstract question—whether or not cops should be spies.<sup>208</sup>

Gomez acknowledges that his question is more argumentative than practical but that it is at the center of American democratic policing. While the most logical entity for a comprehensive oversight of all initiatives across all levels of government would be the ISE, no indication appears in the literature that oversight or management of these simultaneous initiatives exists to ensure they are leveraged and coordinated for optimum impact and continuity.

This situation invites the question, have these efforts at reform truly resulted in transformation to the degree that homeland security, and in particular, homeland security information sharing is as durable as it needs to be? Hailes says no; in fact, the entire national security architecture is still reflective of the genesis upon which it was built, a World War II era world; a world that simply does not exist anymore. While the breadth and depth of massive change in American national security since 9/11 cannot be argued, Hailes purports that these changes have not fully addressed salient issues and stated, “the entire national security system of the United States is out of date.”<sup>209</sup> It has not addressed how international terrorism has become a major concern not only for the United States, but the world, the fact that the United States has engaged in a decade-long intervention in the Middle East and West Asia to confront it, not the explosive growth of the World Wide Web and all its attendant issues, such as smart phone technology or “ubiquitous precision [of]...Google Earth,”<sup>210</sup> used to empower the masses, the same power used by dissidents focused on government-toppling strategies across the globe, or the shifting economies and the ascent of China’s power.<sup>211</sup>

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<sup>208</sup> David C. Gomez, “Should Cops Be Spies? Evaluating the Collection and Sharing of National Security Intelligence by State, Local and Tribal Law Enforcement” (master’s thesis, Naval Postgraduate School, 2013), 93.

<sup>209</sup> Davies, Hailes and Wells, ed., *Changing Mindsets to Transform Security: Leader Development for an Unpredictable and Complex World*, 215.

<sup>210</sup> Ibid.

<sup>211</sup> Ibid.



Dougherty and Erwin extol the virtues of interagency cooperation through the whole of government doctrine.<sup>212</sup> While it is understood that the book in which their paper is included is oriented toward the military (which must be recognized as representing legitimate limitations, such as the Posse Comitatus Act<sup>213</sup>), still 13 pages are devoted to discussing the need for futuristic thinking, addressing *Changing Mindsets to Transform Security: Leader Development for an Unpredictable and Complex World*. The authors discuss leveraging newly created, as well as established legislation, to ensure effective relationships exist for U.S. national security. Heavy emphasis is appropriately placed on interagency education; real-world training and acculturation dominate the paper. They draw upon an informative historical American background coupled with a reference to the British example of effective interagency relationships to feature the possibility of what could be accomplished, which they say includes not only the military, but also their federal partners; however, state, local, tribal, territorial, or private entities are not mentioned. Not to be construed as an indictment of Dougherty and Erwin, it does illustrate the degree to which this nation is still very much fragmented concerning the perspective of not only what national security and homeland security is but what the solutions to its limitations are.<sup>214</sup>

If it is claimed that the future of homeland security in America is a complex, wicked, unordered, or even chaotic, problem, before any progress can be made in persuading others, this nation must be willing to disrupt its own thinking first. This disruption requires a unique level of 1) awareness of differing perspectives based on uncommon introspection, 2) willingness to take action in the face of obscurity of what lies ahead and obstinacy of those who fear the same, and 3) a commitment to take action when expanded levels of knowledge or awareness are achieved that will advance the homeland security project. The following section endeavors to bring about this

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<sup>212</sup> Ibid., 256.

<sup>213</sup> *Title 18—Crimes and Criminal Procedure Part I - Crimes Chapter 67—Military and Navy*, Public Law 18 USC § 1385, *Posse Comitatus* (June 18, 1878, ch.263, § 15, 20 Stat. 152; March 3, 1899, ch.429, § 363 (proviso); added June 6, 1900, ch. 786, § 29 (less last proviso), 31 Stat. 330.); March 3, 1899, ch. 429, § 363 (proviso); added June 6, 1900, ch. 786, § 29 (less last proviso), 31 Stat. 330.~f.

<sup>214</sup> Davies, Hailes and Wells, ed., *Changing Mindsets to Transform Security: Leader Development for an Unpredictable and Complex World*, 249–262.

disruption. The author has had the unique combined experience of a 34-year law enforcement career spanning from the line level functions of an officer to the executive position in one of America's more mature fusion centers. This experience has not only brought him a new and expanded perspective of the IC and its relationship with the state, local, tribal, and private sector first responders, but it has awakened him to the obligation he has in leveraging his experience to help advance information sharing in America.

The next segment chronicles this experience with the invitation for readers to relate their unique experiences to how they might contribute to the advancement of the homeland security enterprise.

#### **D. THE AUTHOR'S EXPERIENCE**

##### **1. What Draws People to This Kind of Work? Lesson Learned.**

Part of the method for this thesis includes the autoethnographic approach to research and writing, which is a combination of autobiographic and ethnographic styles. In an autobiographic account, a retrospective description of an individual's experiences focused on new learning is provided, or in some cases epiphanies, that may have been gained from an experience. An ethnographic form of research is more an analysis from a cultural perspective that provides insight into a particular culture for both the "cultural members" and "cultural strangers."<sup>215</sup> The cultures to be considered in this evaluation include the first responder community comprised of law enforcement, emergency management, fire and public health, with an obvious bias toward law enforcement and the IC. In addition, the IC is examined from the autoethnographic perspective. All these methods are viewed through the contextual lens of leadership and complexity science.

As a 34-year law enforcement veteran, I have been indelibly marked by the culture of law enforcement. While I my career spans multiple generations of policing, I have been influenced, which may result in my unavoidable biases related to the law enforcement ethos of confronting inefficiencies, and aggressively implementing solutions. While my biases will undoubtedly reveal themselves, I strive to set them aside

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<sup>215</sup> Ellis, Adams, and Bochner, "Autoethnography: An Overview," 3.

as I realize it is the unique opportunity I have had to understand both worlds, the IC and SLTTP that inspires and qualifies me to write about the gaps I see and the possibilities for creating ways in which the gaps can be closed or modified to suit future information-sharing needs. Few exist who have had the exclusive opportunity to experience both the IC and SLTTP domain to the degree that current complexity becomes evident, and emerging and complex solutions, apparent. Given the historic evolutionary trend and the approaching emergence of the two environments, it almost becomes incumbent upon one who possesses this outlook to contribute to the literature in a way that offers new ways to approach the American information-sharing enterprise. As such, given the obligation I feel toward the homeland security enterprise my background has suggested, coupled with the research in this thesis, it is from this standpoint that I will approach the next section. It is in this domain of the unknown, how the SLTTP and federal services, including the IC can better co-operate, that provides a platform for the possibility of future relationships of these two realms.

A paradox seems to exist between the thought process arriving at what the U.S. government has accomplished since 9/11 in terms of restructuring government agencies, creating new legislation, beginning to shift the national paradigm from silo thinking to shared resources compared with the expectation that problems are definitively described and solutions equally conclusively arrived at. The former serves as an example of recognizing the emergent quality of the problems and moving decisively (in the government context) to improve them. The latter seems an abandonment of the recognition of complex adaptive system dynamics and a return to a linear, Newtonian, archaic relationships to problems.

I have had the good fortune of serving as a police officer since 1980, for nearly 35 years, plus the experience of working within the IC, which provides a unique *context*, by now a concept that has been emphasized throughout the literature as being essential for an increased ability to lead in complex environments. Both Kellerman and Uhl-Bien et al. highlight the importance for leaders to develop an understanding of how *context* will affect the ability to create outcomes. Kellerman refers to contextual intelligence as being critical for future leaders to be able to decipher situations before applying resources to

solve problems or create solutions.<sup>216</sup> Uhl-Bien and her colleagues describe context as the “interactive ambience within which complex dynamics occur.”<sup>217</sup> This context is the ever-shifting environment that shapes the interaction between the agents or actors in an organizational situation and how ideas are created, how tension is addressed, the use of feedback loops and environmental demands, hierarchical dynamics, etc. Both complex adaptive systems and leadership are social constructs within this context and within which past patterns and history have a place. For me, upon reflection, the contextual aspects of my collective experiences within the SLTTP and IC worlds have awakened me to the vastness of not only what chasms exist but also what possibilities exist to address them.

The motivation that serves as the genesis for many in the public safety realm may be fairly consistent and predictable. To be of service, to arrest criminals, to protect those who cannot protect themselves all resonate as guiding principles inspiring me to have entered the law enforcement field in 1980 at an early age. Having come from a tumultuous childhood, I became familiar with the local police who, on occasion would visit my home to quell arguments between my parents. As a ten-year-old boy, I could have been exposed to more heavy-handed techniques of the day, which may have given me another experience and sent me on an alternative life path. Instead I was struck, on one particular occasion by the ability of a responding officer to create an environment of control and still make me feel safe. While innocuous to the officer, this encounter appears to be the breakthrough moment that anchored in my desire to be of the same ilk as he was. Oakley and Krug emphasized the subtle but powerful concept of focusing more on what an individual wants to create than what a person wants to avoid.<sup>218</sup> While I was not aware of, until much later, how powerful these principles are, I realize in retrospect how the choice I made no matter how subtle it seemed at the time, transformed my experience from one of being a victim to focusing on how I could contribute to others in the way that

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<sup>216</sup> Kellerman, *The End of Leadership*.

<sup>217</sup> Uhl-Bien, Russ, and McKelvey, “Complexity Leadership Theory: Shifting Leadership from the Industrial Age to the Knowledge Era,” 298–318.

<sup>218</sup> Krug and Oakley, *Enlightened Leadership: Getting to the Heart of Change*, 78–79.

young officer did for me. As Oakley and Krug claim, this ability to focus on results can radically transform the outcomes produced in a given situation.<sup>219</sup>

Throughout my early career, I have been particularly drawn to assignments requiring innovation and creativity. Comparing this to the various domains within the Cynefin Framework, has made me aware that I prefer to operate within the unordered domains, with a desire to take complex environments, analyze problems and shift from complexity to one of the ordered domains while producing results.<sup>220</sup> As I became a supervisor and later a command officer, I gained experience in leading progressively larger or more complicated initiatives. In 2007, the chief of police appointed me to conjoin disparate emergency management and homeland security functions within the police department under one command. At the time, I had no background in this field, which concerned me. While many of the functions, to be referred to as homeland security functions, had been historically assigned to different command officers, the duties were ancillary to their primary duties, which made it difficult for any of these functions to receive the attention they deserved. This situation occurred at a time in Colorado, and indeed, across the country, when post-9/11 initiatives began to develop, which represented emerging patterns that resulted in new relationships between levels of government, as well as agencies both within the government and non-governmental agencies.

A new emphasis on creating relationships with the private sector materialized as it related to critical infrastructure, a term new to me and most law enforcement officers. The urban area security initiatives (UASI) and various homeland security regions within states were being constructed to help funnel homeland security grant funding for training and equipment to respective state and local agencies based on grant requests to meet newly mandated initiatives. Major urban area and state fusion centers were in their infancy; the CIAC was two years old at the time.

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<sup>219</sup> Ibid.

<sup>220</sup> Snowden, *The Cynefin Framework*.

The chief recognized these emerging patterns and wanted to ensure the department was prepared to plan and coordinate properly with the agencies by merging all prior related functions, as well as newly created ones under one command, which had never been done in our organization. My task was to create new relationships between the Aurora Police Department and other organizations within the city, as well as external relationships with numerous state, local, and federal agency partners to generate better coordination with all partner agencies, and therefore, service to the citizens.

As I became immersed in the new relationships between the Aurora Police Department and the emerging homeland security entities, I saw how eager many agency representatives were to contribute but I also saw a fierceness among these people to ensure their discipline or agency received its share of the impending homeland security grant dollars. A particular rift occurred between the law enforcement and fire disciplines as they competed for precious grant funding; the fire service viewed as having been entrenched in the process from the inception of homeland security grants being available, and law enforcement viewed as inserting its presence so as to ensure its share of the pot.

In Colorado, an urgency to prepare for the budget cycle every year arose based on grant guidance from the DHS that defined types of target capabilities and planning scenarios that would be viewed more favorably, rather than relying on a guiding doctrine to determine strategic priorities. In retrospect, Conklin's concept of fragmentation between the competing elements became evident. As time progressed, efforts to defragment these competing interests manifested in constant evolution in the grant review process; efforts to bring what Conklin calls coherence or common understanding and alignment for regional objectives began to gain support.<sup>221</sup>

Every experience I had provided a new context for me, which resulted in a different understanding of how public safety as a whole, and the city of Aurora specifically, was interacting with numerous levels of federal, state, and local levels of government. Whether it was to function as the department's first respiratory protection administrator and developing a departmental respiratory protection policy, or serving on

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<sup>221</sup> Conklin, *Dialogue Mapping: Building Shared Understanding of Wicked Problems*, 4.

Colorado's North Central Homeland Security Region's Board of Directors, the realization of blended relationships and focused coordination between jurisdictions and disciplines materialized for the first time in my career. The North Central Region of Colorado represents a 10 county region comprising the bulk of the Denver-metro area. Standing committees reflect target capability categories, such as planning, training and exercising, interoperable communication, and information sharing. A need existed to stand up the first Information Sharing Committee and I was asked to chair it. Thus, began my plunging into the post-9/11 information sharing world and my concurrent experience of learning the lexicon, and emergence of information sharing technologies while focusing on coordinating information sharing initiatives across the region, state and nation. As I reflected on my experience as compared to the research, it has occurred to me that the bulk of the efforts to solve homeland security problems have been from the misdiagnosed context that this nation's problems are "tame" or linear.<sup>222</sup> Americans tend to see each problem as a unique problem that must be solved to its conclusion. They then see additional problems as separate and distinct; they attempt to apply formerly successful remedies, which may or may not be successful. This situation differs from the wicked problem in that the problem itself morphs while the individual is immersed in it; it does not have an ending point and people tend to learn more about the problem while interacting directly with it.

As an example, when the homeland security grant funding began to flow, each agency advocated for its urgent equipment and training needs. This urgency represents a linear, myopic view of the problem; once funds were received and the training or equipment was purchased, the problem was solved until the next grant cycle; no broader awareness or concern arose about how their particular piece of equipment or training would support the region as a whole or beyond. After a few years of fierce competition for these dollars, the North Central Region of Colorado evolved into a more coherent approach that all grant awards had to solve a regional problem for the bulk of the stakeholders. For example, incident command system training became a priority and homeland security grant funding was used to fund overtime and back-fill to ensure first

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<sup>222</sup> Conklin, *Dialogue Mapping: Building Shared Understanding of Wicked Problems*, 17.

responders were adequately trained. It seemed initially that law enforcement, fire, EMS, and emergency management would be the most appropriate disciplines for the training. However, other disciplines emerged claiming they also needed the training. As board members of the North Central Region, we struggled to determine whether emerging disciplines truly needed the training due to emerging relationships within the region or whether they were only attracted to the overtime funding.

At times, emotions ran deep; some groups became resigned and cynical when they were determined to not to be eligible for the training. As patterns such as these emerged, the board attempted to stabilize them by establishing boundaries. While it would be nice to say it was done deliberately knowing the dynamics of complexity, the reality is that they did so intuitively, and reached successful outcomes sometimes and unsuccessful outcomes on other occasions. I now can view “retrospective coherence as an organic property of complexity [rather than] an anomaly or flaw to be corrected.”<sup>223</sup> Conklin asserts that these fragmenting dynamics, the social and technical complexity that surround these kinds of projects and their potential failed outcomes are more a function of the “physics” of projects rather than “incompetence, poor management or any human failing.”<sup>224</sup>

This is not to say that leadership cannot improve results when dealing with the complexity of wicked problems. Rather, it is the understanding of the fragmenting conditions of the wicked problem that will enable leaders and followers alike to unlock the mystery of such problems that will inspire a renewed commitment for the broader objectives allowing for compassion and new energy.<sup>225</sup>

## **2. Life As Learning Leader**

As discussed earlier, much of the literature discusses soft skills related to transformational leadership theory and others, which are difficult to measure, and yet, can provide the most effective environment for employee productivity. As an example,

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<sup>223</sup> Bellavita, “Changing Homeland Security: Shape Patterns Not Programs,” 15.

<sup>224</sup> Conklin, *Dialogue Mapping: Building Shared Understanding of Wicked Problems*, 15.

<sup>225</sup> *Ibid.*, 17.



transformational leadership provides an environment for the follower to thrive in. This type of leadership does more than simply manage; it equips followers to deal with uncertainty.<sup>226</sup> Throughout my career, I have sought out opportunities to confront status quo thinking and to challenge myself and those around me to learn and grow while practicing leadership tools and principles. Each of these experiences has provided an irreversible and immeasurable increase in my capacity to lead; I was more successful in some circumstances than others, but I learned from them all. In almost every experience, I came away with a new level of understanding and ability for the next challenge. Over time, I became more comfortable with being uncomfortable; I allowed myself to shift my thinking and acting to meet the context of a given situation. Snowden and Boone say adept leaders who lead in complexity will not only recognize the context within which they are operating, they will be able to adapt their behavior to meet the demands within the context.<sup>227</sup> The research in this thesis has demonstrated that complexity is much more predominant in the business world than most leaders realize; as such, it requires leaders to provide different and sometimes counterintuitive responses.<sup>228</sup> The following accounts provide illustration of my experiences within the complex domain and associated lessons learned.

### **3. The Democratic National Convention, 2008**

Complexity or wicked problems require more of a new way of thinking than a mechanized strategy. It involves large numbers of interacting elements. These interactions are non-linear and the outcomes cannot be predicted to illustrate a few of the characteristics.<sup>229</sup> The Democratic National Convention (DNC) required the assistance of virtually every law enforcement agency in the state of Colorado, as well as many from neighboring states. It involved hundreds of agencies at the federal, state, and local level, and multitudes of disciplines. The host agency, the Denver Police Department (DPD),

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<sup>226</sup> Burns, *Leadership*.

<sup>227</sup> Snowden and Boone, "Wise Executives Tailor their Approach to Fit the Complexity of the Circumstances They Face: A Leader's Framework for Decision Making," 8.

<sup>228</sup> *Ibid.*, 2.

<sup>229</sup> *Ibid.*, 3.

was forced from the comfort of the ordered domains within its customary self-sufficient status, into the complex domain of interacting with innumerable other agencies (some unknown to the DPD with no prior relationship).

In 2007, the 2008 Democratic National Convention was awarded to the City of Denver, Colorado and with it came \$50 million to fund the event. Designated a national special security event (NSSE), coordinated by the U.S. Secret Service, an intensive planning project was begun, the magnitude of which the Denver-metro area had not seen in terms of the sheer numbers of government and non-government agencies involved. The Aurora Police Department contributed 50 percent of its staff. I was assigned as a planner by virtue of my position as the Police Emergency Services Coordinator. The magnitude of this event for the Aurora Police Department was beyond the experience of most of his colleagues, including the author.

My co-planner was an effective logistician who easily produced personnel rosters, salary charts and scheduled training events. Since my strengths lay elsewhere, I watched and listened as he produced schedules, graphs and charts with an ease and confidence. I coordinated the department's interaction with the U.S. Secret Service, and other agencies to define our roles, costs, agreements, etc. I diffused disagreements, misunderstandings or philosophical conflicts between our agency and others. I wrote the operational plan and after-action report for APD's deployment. I tracked all expenditures in the planning process so that our agency would be properly reimbursed. In this capacity my skills were tested in a number of areas. The planning took over a year during which it was necessary to negotiate and execute an intergovernmental agreement, secure uniforms and equipment for 300 officers who were to be predominantly utilized for crowd management, schedule training for crowd management tactical issues, first amendment issues and other training needs, secure air purifying respirators (gas masks) for affected officers, ensure they were medically screened to wear these masks and that they were fit-tested so that their masks were certified to function and filter out toxins.

An important facet of this experience was the extreme pressure placed upon the chief of police based on his commitment to the DPD for assigning 300 officers, half of the authorized strength for Aurora Police. The DNC was hosted by the City of Denver.

The APD was the biggest contributor to the event outside of the DPD. Aurora's chief faced public scrutiny and intense political pressure at the time from those who did not support the expenditure of Aurora resources for the Denver event. He persevered as he felt it very important that APD officers be afforded this once in a lifetime opportunity.

As a planner, the enormous pressure on the chief to provide public safety to the citizens of Aurora while also supporting Denver felt tangible. While the massive responsibility of training, equipping, and motivating 300 officers assigned to the DNC was critical, so too was planning the at-home deployment and keeping those officers focused. The public pressure affected the attitudes of some regarding training and relationships with other contributing agencies. To ensure unity, supervisory officers with strong leadership skills and positive attitudes were identified to lead certain aspects of preparation. Heavy emphasis was placed on the importance of cohesion and teamwork in the face of the obstinate position of some city leaders. In doing so, the selected leaders instilled credibility in the process, as well as the proper level of discipline to accomplish the necessary tasks. It also broadened their skill level as none had faced this kind of internal conflict with an important mission to complete.

To complicate matters, while we understood that Denver wanted to use us primarily for crowd management, their planning process took longer than anticipated to solidify what their needs were, as well as other agencies identified to meet those needs, which amplified the pressure within the APD as it felt as though the planning was in limbo. Department members looked to those on the planning team for answers to their legitimate questions. Concern and confusion among Aurora personnel increased as time progressed and the clarity that would alleviate those concerns simply was not available. Issues, such as proper training for crowd management, unlawful assembly, first amendment expression, receiving effective equipment, overtime funding, and scheduling weighed heavily on the minds of not only the officers but also the chief and command staff. As the event drew nearer with no clear mission, the pressure mounted, as essential training and equipment needs remained unaddressed.

The APD also was used as the first agency to negotiate the intergovernmental agreement, the model of which would be used for all other contributing agencies, in

outlining indemnification, as well as the issues mentioned above. The indispensable item to be negotiated was for Aurora officers to be indemnified for any legal ramifications resulting from their deployment in another city. It became contentious and played out in the media, appearing to the community that the government “could not get its act together.”<sup>230</sup>

One of the aspects of leading in complexity is that it is unpredictable and while some or all the problem may seem familiar; applying past practices fail due to the emergence of unforeseen properties.<sup>231</sup> For example, while we were told unofficially that the Aurora Police Department was to provide crowd management duties, we were not officially notified until closer to the event than we were comfortable with as Aurora was the first to negotiate the intergovernmental agreement and nothing could go forward until the legal aspects of the event were solidified. Given that we would be sending officers to perform this kind of assignment we knew we needed to train them, equip them and indemnify them. Most of these conditions were out of our control and yet we knew what needed to be done to meet anticipated demands associated with these assignments.

In an ordered system, the system constrains the agents within the system. In complexity as in this case, the agents and the system constrain each other. In this case, we began to train officers in crowd management tactics for fear that we would run out of time. Other departments would contribute officers to the crowd management role and they should have all trained together to ensure continuity among all the forces during the event. We applied best practices by beginning our training premature to the other agencies’ involvement. Eventually the official relationships were established through intergovernmental agreements and the metro-wide training was conducted. As the agents within this system, our actions may have caused some confusion and overlap before it was eventually coordinated (stabilized).

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<sup>230</sup> Daniel Chacon and April Washington, “No DNC Liability, No Aurora Cops: Officials Accuse Denver of Dragging Feet on Security Tab,” *Rocky Mountain News*, 2008.

<sup>231</sup> Snowden and Boone, “Wise Executives Tailor their Approach to Fit the Complexity of the Circumstances They Face: A Leader’s Framework for Decision Making,” 3.

In retrospect, it essentially meant that we as planners moved from the simple quadrant of the Cynefin Framework<sup>232</sup> (Figure 1) where we knew exactly what the relationship of cause (proper and consistent training among all crowd management officers) and effect (continuity, unity of command, uniformity) was, to chaos, where we were delayed and uninformed to the point we felt an extreme urgency that taking any action was best even though we were out of sync with all the other agencies. We then shifted to complexity as we began to understand our relationship to the rest of the metro area; that once the intergovernmental agreements were signed, all agencies would be involved in common training and that we would receive equipment to support the mission. The speed in which these developments occurred, the gaps in communication, and the impulse for leaders to act, created these conditions.

Each experience within the planning phase seemed on one hand to be somewhat predictable based on committees organized around 17 capability areas, and on the other hand, emergent due to the novelty of virtually every aspect of the event planning, which is consistent with the notion that hindsight does not equate to foresight due to the constant changing of external conditions and systems. Even though members of the Denver planning team consulted with planners of the prior DNC in Boston, it only served to a limited degree; relevant to the prior event. In other words, best practices mean past practices and given the constant emergence of new aspects of a problem, past practices may not serve future needs.<sup>233</sup> It is when the leader is challenged to be decisive when facing an emerging problem that this person is required to think differently than in the past; not an easy task but essential for the complex environment.<sup>234</sup>

- The Threat Against Candidate Obama

On the early morning hours of Sunday, August 24, 2008, at approximately 1:30 am, an Aurora Police sergeant noticed and stopped a vehicle driving erratically. The driver was arrested for traffic violations. Incident to that arrest, officers discovered two

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<sup>232</sup> Snowden, *The Cynefin Framework*.

<sup>233</sup> Snowden and Boone, "Wise Executives Tailor their Approach to Fit the Complexity of the Circumstances They Face: A Leader's Framework for Decision Making," 3.

<sup>234</sup> Ibid.

high-powered rifles, one of which was later determined as stolen, camouflage gear, ballistic vests, walkie-talkies, and methamphetamine. The driver's arrest led to the arrests of two additional parties, one of whom jumped from a 6th story window in a Glendale Colorado Motel to avoid capture. Investigators re-contacted the person who disclosed that two others were planning to shoot Barack Obama on Thursday, August 28, at INVESCO Field during his nomination acceptance speech.

On Monday, August 25, the investigation was in full swing and was assigned to the Joint Operations Center (JOC) at the Intelligence Operations Center (IOC). The Joint Terrorism Task Force, (JTTF) was assigned as the lead investigative body.

- Chaos—Resiliency—Stability

The incident command system, another 9/11 Commission byproduct, was utilized in the DNC planning to the extent that a Joint Information Center (JIC) was included. All media inquiries were to be coordinated through the JIC, which would ensure that a unified message was delivered regarding all operations of the DNC. The onslaught of world media attention caused the handling of the media regarding this arrest to be a high priority. Vigorous discussions occurred surrounding the best approach in response to endless and forceful media inquiries. Some simply had strong opinions that no response should be made to the media's inquires. After much debate, it was determined that the APD would disclose, at a minimum, the official record of action for the arrestee, as per Colorado state law. Eventually, it was decided that the APD would conduct a press release disclosing the basic information for all three arrestees.

Approximately 15,000 members of the world's media were in the Denver metro area for the convention. Some members of the media were in the same hotel as the fugitive who jumped from his window. Exercising their abilities to uncover information by exploiting endless resources, the media soon began to learn more about the arrests and plot to shoot Obama.

Senior U.S. government leaders in Denver and Washington, DC, were informed that per Colorado law, if someone is arrested, the arresting agency must provide the official record of action, which amounts to basic biographic information, such as name, address, age, photo, and charges. If the charges were all going to be handled in the federal

courts, the state obligation to disclose the arrestees could be avoided. However, not all the charges could be filed in federal court, and therefore, the conundrum persisted. It was necessary to educate some of the government partners not accustomed to dealing with the media at the local level so that they realized the media was doing its own investigation, talking to neighbors, hotel staff, witnesses, etc. The story was going to be broadcast whether we cooperated or not, much like Keene's assertion that "complexity theory tells us that the desired order we seek through control is in fact the very outcome of change and uncertainty and will come to pass irrespective of our efforts to control and direct."<sup>235</sup>

It would be much better if we had a voice in the story. After much debate, the plan resulted in Aurora doing a preliminary press conference on the evening of Monday, August 25 to discuss only the local arrests and portion of the case relevant only to the state case while informing the media that the U.S. Attorney would be commenting then next day on Tuesday to discuss the federal charges and conspiracy. In this way, the pressure from the media was dampened and re-directed for the next day's press conference.

In that press conference, the U.S. Attorney in Denver stated, "The alleged threats, hateful and bigoted though they were, involved a group of... methamphetamine abusers, all of whom were impaired at the time," he said. "The evidence involving the alleged threats does not warrant federal charges now. I must tell you though that the investigation is still ongoing and we are all keeping an open mind," he added. "From a legal standpoint, the law recognizes a difference between what we call a 'true threat'—that's one that can actually be carried out—and the recorded racist ranting's of drug abusers." The suspects were referred to as "meth heads" who, because of their drug addiction, were likely not capable of executing a plan to hurt Obama. Their alleged plot to harm Obama was apparently fueled by racism and was more "aspirational than operational."<sup>236</sup>

This experience illustrates the fragmenting elements of a massive project. While specific plans were enacted that carefully spelled out roles and responsibilities within the

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<sup>235</sup> Keene, "Complexity Theory: The Changing Role of Leadership," 15–18.

<sup>236</sup> Sam McGhee, *Mass-Media Account In: Aurora, CO Police After-Action Report for the Democratic National Convention*, City of Aurora, CO, 2008.

JIC, the arrest of these potential assassins and the resulting, rapid development of the circumstances, could not have been predicted. It was clear; for example, that the JIC outlined that the U.S. Secret Service was in charge of any media release to ensure a unified message was conveyed. The plan accounted for emerging threat information but it did not anticipate the impact of public pressure that emerged during this incident. When the enormous external pressure from the world media caused the existing plans to be reconsidered, the morphing problem was addressed by conducting a press conference in Aurora, and setting up a more comprehensive press conference for the Attorney General the next day. In retrospect, the stakeholders reached a new level of coherence by re-aligning the goals and objectives to address the threat against Obama, while maintaining the overall mission of the DNC.<sup>237</sup>

The transition in this case from a simple domain in which the plan fit the predictable scenarios, to an unanticipated event, back to an ordered domain, demonstrates the usefulness of Snowden and Boone's Cynefin Framework in the following way. First, the DNC represents a complex adaptive system as it involved "neural-like networks of interactive, interdependent agents" bonded together by a common goal with "changeable structures [and]multiple, overlapping hierarchies...linked through a dynamic interactive network."<sup>238</sup> Next, the existing plans provided for identifying threats and ensuring information was disseminated appropriately to address the needs associated. If it involved public information, the JIC was designated as having that responsibility. Those involved felt comfortable in relating cause and effect of threats to information sharing within the ordered domain as defined by the plan. Once the unanticipated dynamics of the threat emerged, the plan relying on the JIC was insufficient to meet the emerging external pressures of the media. This situation placed the operation in the unordered domain of chaos for a short period, complexity, and then back to the ordered domain, where the newly created media strategy addressed the problem.<sup>239</sup>

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<sup>237</sup> Conklin, *Dialogue Mapping: Building Shared Understanding of Wicked Problems*, 18.

<sup>238</sup> Uhl-Bien, Russ, and McKelvey, "Complexity Leadership Theory: Shifting Leadership from the Industrial Age to the Knowledge Era," 298–318.

<sup>239</sup> Snowden, *The Cynefin Framework*.



The next section draws an analogy of how complexity becomes apparent and is interwoven in planning a large full-scale exercise.

#### **4. Planning Full-Scale Exercises**

The planning of full-scale exercises has provided me irrevocable experience in learning how to apply complexity leadership theory without realizing so consciously at the time. As I have conducted research for this thesis and compared what I am learning at the academic level to my experiences throughout my career, I have realized that we in America are much more prepared and adaptive than I had understood. As I entered the new realm of homeland security with its attendant categories of emergency management and information sharing, capable people who had been practicing in the field shared their wisdom with me. It is not until now that I have come to fully appreciate how much they knew cognitively and how many of the principles of resiliency and what we now call complex science have been embraced. While my experience with the DNC was not an exercise by definition, it brought forward the combination of training, education and real-world application that has better prepared me for operating more effectively in complexity. The following case studies regarding the planning of full-scale exercises provide another dimension of learning for me coupled with an introspective of the factors discussed in this thesis: leadership, information sharing and complexity.

- **Vigilant Front Range Full-Scale Exercise**

The chief's sharp and pointed retort in his infamous New York accent sparked a familiar response for me: "Uh oh here comes another big project!" I thought to myself. During a monthly North Central Region (Colorado Homeland Security) Board of Directors meeting in 2008, the coordinator for the region gave his financial report on the status of the homeland security grant expenditures that included active fiscal periods for which funds had been awarded; some of which had not been fully spent or which were eligible for reallocation.

The coordinator reported a significant amount of training money was available, which had a relatively short period of performance remaining (time frame in which the funds had to be expended). My boss, the chief of police, quickly declared that the city of

Aurora would host a full-scale exercise and that Lt. McGhee would cheerfully coordinate the planning and execution.

My head spun and my heart raced; my impulse was to pretend as though I miraculously had not heard the conversation or perhaps to sneak out of the room quietly without being noticed. Instead, I grinned and nodded; surrendering to what I knew in the end would be an epiphany for me. Instantly I felt calm and confident; the blood must have drained from my face because people approached me with sympathetic but relieved (that they were not volunteered) expressions during a break and began to offer their support and assistance.<sup>240</sup> The opportunity to be a chief planner for what would be one of the most significant exercises in Colorado made me realize I had an obligation to build an exercise that would make an important difference for all first responders. Instantly I was driven to succeed in the face of overwhelm and potential failure.<sup>241</sup>

Our first job was to establish an executive planning team representing the major institutions that would lead the event. It was important that while some of these appointments were politically driven by respective agencies, those of us on the executive planning team began to communicate with each other immediately about the vision of the results we were to create. We then selected key people for team leadership positions below the executive planning level based on their talent. Those chosen for each position had specific abilities in vital areas. Since talent is innate, it is a predictor of commitment, high energy, and performance.<sup>242</sup> By doing so, we established a common understanding of what our vision for the outcomes of the exercise would be, an otherwise ambiguous goal initially when considering the vastness and intricacy of the project.<sup>243</sup> It was apparent that a few agencies applied undue pressure through their assignees in an effort to

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<sup>240</sup> Joseph Campbell, *A Hero's Journey, Mythos Occurs When One Allows the Inner and Outer World to Come Together. When You Follow Your Bliss, Doors Will Open Where There Wouldn't Be Doors for Anyone Else*, directed by Janelle Balnicke and David Kennard, 1987, Movie.

<sup>241</sup> Christopher Bellavita, Larry D. Terry, and Larry Hubbell, "The Public Administrator As Hero," *Administration and Society* 23, no. 2 (August 1991): 155–185.

<sup>242</sup> Buckingham and Coffman, *First, Break All the Rules: What the World's Greatest Managers Do Differently*.

<sup>243</sup> Sir Brian Burridge, "The Roller-Coaster Ride of Strategic Leadership," *Centre for Leadership Studies, University of Exeter*, 2006, [http://business-school.exeter.ac.uk/documents/discussion\\_papers/cls/BBstrategy.pdf](http://business-school.exeter.ac.uk/documents/discussion_papers/cls/BBstrategy.pdf).

accomplish specific agendas inconsistent with the overall objective. We were successful in allaying these attempts through constant, open, and frank dialogue.<sup>244</sup> As we refined the exercise setting, the planning team agreed to run the exercise as a real-time scenario for 24 hours to test as many capabilities, agencies, and jurisdictions as possible, which established the primary incident as a terrorist attack on a military base.

In a bold move to take the exercise to new heights, the planning group decided the exercise would imitate a terrorist attack on a nearby National Guard base and that it would also include a military installation in Colorado Springs 60 miles away. As the planning evolved with every passing, creative minute, the exercise grew eventually to be one of the largest in Colorado's history.

The scenario simulated an initial and secondary terrorist bombing attack on base housing at Buckley Air National Guard Base during a wedding party. The Aurora Police Department and military police shared joint jurisdiction at the time on this segmented part of the base. The initial response and entry onto the base would be tested for the first time and would undoubtedly be complicated due to the obvious security concerns on a military installation whether in real world or exercise situations.

As the exercise scenario planning advanced throughout the ensuing year, many dynamics emerged that revealed the enormity and complexity of what we had embarked upon. Over 200 volunteers would be used to portray dead and wounded victims among the wedding party. Both military and civilian helicopters would be used to transport casualties to participating local hospitals to simulate mass casualty surge. We created an intelligence pre-inject trail introduced 30 days prior to the start of the exercise. The intelligence injects continued throughout the exercise to test the fusion center's ability to receive, synthesize, and disseminate information effectively to those who needed it. We carefully and meticulously created investigative leads including live volunteer suspects so that investigators could follow up on the criminal investigation in cooperation with the FBI's JTTF once the exercise was set in motion. In addition to the Aurora scenario, a military transport carrying high-ranking military personnel was shot down by a surface to

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<sup>244</sup> Bellavita, Terry, and Hubbell, "The Public Administrator As Hero," 155–185.

air missile near Colorado Springs. Ultimately, 40 agencies and 500 participants (in addition to the 200 volunteers) would be involved, which required the painstaking coordination of numerous organizational operating plans, policies, and procedures.

At times, I grew frustrated when team members failed to complete assigned deadlines; planning leaders allowed conflicts to interfere with the progress of the project or when motivation among colleagues waned. It seemed as though the exercise involved too many organizations, and the objectives to be accomplished were too broad. In such moments, I bolstered my courage and curiosity about how effective this exercise could be if we pulled it off. I imagined a far more resilient and effective collective ability to deal with a massive terrorist attack; it also dawned on me that it would make us more efficient and effective in everyday operations.<sup>245</sup> I often shared these thoughts with my colleagues on the planning team and found they had many of the same concerns but were not willing to say anything for fear of being criticized. I learned that if I had done nothing else when facing these trials, by my modeling of being open and honest, they felt they had been given permission to raise important concerns, thus creating a collaborative environment from which we shaped a powerful synergy.<sup>246</sup>

As the operations chief, I found myself organizing and directing processes and resources from the majority of agencies to ensure the overall vision of the exercise was carried out. This situation was new ground for everyone involved and it showed at times when individual and agency agendas interfered with the broader mission. Being involved at this level was clearly beyond the purview of my prior experience and very uncomfortable for me but necessary nonetheless.<sup>247</sup>

Finally, after nearly a year in the planning stages, we began the exercise. Law enforcement and fire department first responders arrived at the scene of the first bombing

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<sup>245</sup> Leonard J. Marcus, Barry C. Dorn, and Joseph M. Hendersen, *Meta-Leadership and National Emergency Preparedness, Strategies to Build Government Connectivity* (Boston, MA: MIT Center for Public Leadership, 2005), 48.

<sup>246</sup> Burrige, "The Roller-Coaster Ride of Strategic Leadership," *Centre for Leadership Studies, University of Exeter*, 4.

<sup>247</sup> Marcus, Dorn, and Hendersen, "Meta-Leadership and National Emergency Preparedness, Strategies to Build Government Connectivity," 45.

on the base with some difficulty at the entry gate; however, in an unanticipated outcome and to our horror, the responders refused to enter the inner perimeter to contact the victims. I felt the gripping pressure of failure and embarrassment rising in my chest. “Why aren’t they going to the victims”? I asked. “They are begging for help”! From the planning perspective, we had felt it important to test the responders’ entry onto the base but did not imagine testing what we thought would be well within their skill sets, the tactical approach to an explosion with hundreds of injured victims. After two frustrating hours, we injected updates to move the scenario forward. Our first reaction was that the responders had performed poorly. We realized, however, that even though our first responders had traditionally been trained to suspect a secondary device whenever an explosion occurred, they had not trained on mass casualty scenarios where a secondary device was suspected. In this exercise, a secondary device in fact did exist and it was detonated and killed numerous first responders after we artificially escalated the scenario...redemption!

In the days and weeks following the exercise in May 2009, we identified numerous opportunities for improvement in the after action report to include the need to train on specific development areas, such as mass casualties in an active and unstable environment. Since then, I have noticed a shift in the way in which police and fire responders talk about active environments that indicate a better awareness of how unpredictable events can be and how we should be more willing to think dynamically in such situations. The Aurora Police Department now routinely includes active shooter situation training scenarios in our annual in-service training for officers.

Someone once told me theory without application is simply theory.<sup>248</sup> In a perfect display of applied theory, three years later, the way in which officers chose to respond to the Aurora Theater shooting in July 2012, demonstrated an anecdotal illustration of an adaptation during a chaotic event. Officers who responded displayed a combination of individual unilateral decision making initially and a more top-down organized coordinated response later in the event exemplified by officers who self-directed when

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<sup>248</sup> A private conversation; I am unable to remember who this was. A Google search failed to reveal a better source.

they encountered critically wounded victims and then transported them immediately (within eight minutes) to local hospitals when it became apparent that emergency medical services could not do so as quickly. They tailored their operations later by coordinating a more organized and deliberate response effort when additional resources began to arrive, which stabilized the scene somewhat.

As noted earlier by Uhl-Bien et al., per the *law of requisite complexity*, “it takes complexity to defeat complexity.”<sup>249</sup> While empirical evidence may not [yet] be available that those who responded consciously thought and acted in a more complex adaptive manner, the outcome is difficult to ignore and tends to validate the merits of the exercise in 2009, as well as other exercises since then which have introduced dynamic complex situations. Perhaps even more powerful is the notion that the organization, by virtue of its various agent relationships within the system, simply acted as necessary in the emerging situation(s); as a result, many lives were saved.<sup>250</sup>

For me, the reward is in the shift (albeit three years later) in the officers’ willingness to act decisively when faced with a new (and dire) experience as compared to the paralysis by analysis exhibited during the exercise in 2009.<sup>251</sup> This situation brought forward what I now recognize as the shortcoming of Newtonian (linear) thinking in leadership, and particularly within me. I found throughout this experience, I altered from, at times, linear thinking to a more strategic or Meta-Leadership model focused on building the capacity of the organization as a whole, which encompassed numerous differing organizational cultures.<sup>252</sup>

An example of the more Newtonian thought would be when the responders did not react as predicted during the exercise, I (and others) believed it to be a “sign of trouble,” then, and upon reflection, it simply exposed a need for a straightforward

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<sup>249</sup> Uhl-Bien, Marion, and McCelvey, “Complexity Leadership Theory: Shifting Leadership from the Industrial Age to the Knowledge Era,” 301.

<sup>250</sup> Ibid.

<sup>251</sup> David J. Snowden and Mary E. Boone, “A Leader’s Framework for Decision Making.” *Harvard Business Review*, October 27, 2007, 1–9.

<sup>252</sup> Marcus, Dorn, and Hendersen, “Meta-Leadership and National Emergency Preparedness, Strategies to Build Government Connectivity.”

conversation and subsequent training.<sup>253</sup> Further, I realized and appreciated that the weakness in how we respond to these events was exposed during an exercise rather than a real world event, which of course, is the preferred method of learning when lives are at stake. Moreover, it is a leader's job to "inject tension" (as in exercises) within organizations to produce emergence.<sup>254</sup> It also illustrated the importance of recognizing that our world is comprised of a series of relationships, interconnected rather than disparate.<sup>255</sup> In other words, when I am or am not open to the possibilities that complexity invites in terms of growth and learning, the approach I choose will define my experience, which in turn, will affect my ability to lead others. Similarly, others will observe me as a leader, and because of the interrelationship between all of us, an ineffective choice on my part may have an adverse or limiting effect on their resilience or openness to learn.

## **5. Global Justice Information Sharing Initiative Global Intelligence Working Group Criminal Intelligence Coordination Council**

The genesis of the GIWG and CICC are described in Chapter II, C, a. In this section, I describe further the importance of these bodies and my good fortune to have been involved since 2007. As a reminder, these bodies are national level policy advisory groups to the DHS Secretary and the U.S. Attorney General's office for post-9/11 criminal intelligence and information sharing efforts.

In 2007, I began serving the CICC as the chief's proxy. The CICC and GIWG have produced innumerable products since 9/11 to provide guidance and expertise on subjects as they have emerged in the American information-sharing realm. These groups have embraced the notion of complexity from its inception by embracing budding issues and anticipating future considerations for emerging trends. They have produced a long list of guiding products ranging from fusion center guidelines and associated issues, to addressing privacy, civil rights/civil liberties in association with emerging information

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<sup>253</sup> Keene, "Complexity Theory: The Changing Role of Leadership," 15–18.

<sup>254</sup> Uhl-Bien, Marion, and McCelvey, "Complexity Leadership Theory: Shifting Leadership from the Industrial Age to the Knowledge Era," 298–318.

<sup>255</sup> Wheatley, *Leadership and the New Science: Discovering Order in a Chaotic World*.

sharing technologies and initiatives. Since that time, I have had the opportunity to contribute to such national products as the National Criminal Intelligence Sharing Plan version 2.0, Minimum Standards for Intermediate-Level Analytical Training Courses and the Guidelines for Establishing and Operating Gang Intelligence Units and Task Forces.<sup>256</sup> The GIWG and CICC have emerged as a guiding body comprised of a broad-based representation of key stakeholders at all levels of government in a complex environment in which each stakeholder has viewed the overall mission of improving information sharing as the highest priority. Few governmental bodies in my experience have accomplished the collaborative efficiency that these organizations have.

## **6. The Interagency Threat Assessment and Coordination Group**

In the view of this sub-committee, we need to make state; local and tribal sector information needs the driver of federal information sharing efforts, not the other way around.<sup>257</sup>

—Congresswoman Jane Harmon, 2007

The 9/11 Commission Report undertook a number of issues throughout the U.S. government deemed to have added to the failure in how information was shared prior to the attacks. A key observation and resulting recommendation was the groundbreaking effort to enhance the awareness and communication between the SLTTP and IC.

The ITACG was born from the 2007, 9/11 Commission Recommendations, and became a congressionally mandated detail resulting from Public Law 110–53.<sup>258</sup> Located within the National Counterterrorism Center (NCTC), ITACG members were imbedded within the intelligence community (IC) with the expectation that they review both classified and unclassified federal level intelligence information and finished products to ensure the information has value for SLTTP first responders. Their mission entailed four primary aspects: 1) The expectation that they review classified federal level intelligence

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<sup>256</sup> Criminal Intelligence Coordinating Council.

<sup>257</sup> *Building a Partnership Strategy: Improving Information Sharing with State and Local Law Enforcement and the Private Sector, Sub-Committee on Intelligence, Information Sharing and Terrorism Risk Assessment of the Committee on Homeland Security House of Representatives*, 110th Cong. (Washington, DC: Government Printing Office, 2007).

<sup>258</sup> H.R. 1 (110th), *Implementing Recommendations of the 9/11 Commission Act of 2007*.



information and finished products to ensure the information had value for state, local, tribal, territorial and private sector (SLTTP) first responders, 2) provide SLTTP context for IC analysts who had no awareness of SLTTP resources, needs, concerns, or the nexus between SLTTP and the IC to terrorism and transnational crime, 3) attend national conferences and provide the same advocacy for the IC to SLTTP audiences, 4) through this emerging perspective, recognize opportunities for improvement in the interaction between the IC and SLTTP through recommended national programs, policies, and projects. The ITACG was comprised of police officers, fire fighters, and public health professionals from the three primary disciplines represented at the ITACG. Each member was required to obtain a top secret sensitive compartmentalized information (TS/SCI) clearance and undergo the same employment process to which any intelligence community employee would be subjected. In February 2011, I began a yearlong fellowship in Washington, DC, with the ITACG.

While the mission may sound simple, the reality is that a steep learning curve exists for first responders who, by their nature, are operationally oriented. To provide the necessary value, an ITACG member needed to become adept at accessing the numerous intelligence portals and reading intelligence cables with an eye toward pieces of information exposing a new or otherwise unnoticed trend, tactic, or procedure used by terrorists overseas that would be useful and practical for first responders in this country. Additionally, members of this detail provided training and outreach to federal IC members on the importance of meeting the intelligence needs of SLTTP partners.

The typical day started with a secured video teleconference (SVTC) that interconnects IC agencies reporting on the overnight activity across the world. Next, upon returning to the office, a read-book would be completed by an analyst within the group. These summaries encapsulated reporting from the prior day from which an ITACG member would key in on certain item(s) that may be of interest to the state, local tribal or territorial SLTT community. If an item was of interest, often the group would come together to discuss the potential of introducing it into an intelligence product to be disseminated to SLTT agencies. On-board analysts from the NCTC and FBI were crucial for those of us who came from the SLTT world. If we found a piece of intelligence

worthy of attention, we then had to convince our analyst that it could be downgraded preferably to unclassified level.

The analyst researched the intelligence to determine who the author was, as well as which agency they represented. They would also evaluate it to see if it could be downgraded to the point that sources and methods were removed and were still relevant to our needs. It is important to understand that the access we had to the classified systems, or the “high side” information, was vast. A typical Internet surfing session with an endless array of websites and articles provides a sense of what is available on the high side with sites, articles, and other reporting to an IC analyst.

The group was also responsible for reviewing finished intelligence produced by DHS Intelligence and Analysis (I&A) and FBI joint intelligence bulletins (JIBS). Referred to as the gang of six, the ITACG was part of a group of six workgroups responsible for the review of content. As an example, it was crucial to ensure each product was reviewed for aspects related to privacy, civil rights, and civil liberties (CRCL), one group was responsible for completing this task. The ITACG’s responsibility was to provide context, which would make sense for first responders, as well as to decode the IC lexicon so that the information was understood.

Part of our jobs included guest speaking at various intelligence training venues to new young analysts, which was particularly rewarding as these analysts had no consciousness of what law enforcement, fire, or public health first responders do for a living, and more importantly what resources we offer and how important it is to disseminate key information to them. This part of the job was a key experience for me as it became clear how crucial it would be for SLTT and IC analysts to become much more familiar with each other and to cross-train, to the degree possible, as the IC works primarily within the classified environment, and of course, SLTT responders do not.

Conversely, we worked to provide education for the SLTTP community about the IC environment by attending national conferences and sitting on discussion panels.

Central to the mission is the ability of ITACG members to serve as change agents in the unfamiliar monolith that is the IC. With the responsibility of identifying processes

within the intelligence-sharing environment that are ineffective for the state and local first responder community, ITACG members must learn to navigate through autocratic pitfalls while accomplishing real reform.

Upon my arrival in February 2011, I became aware of a particular daily classified product produced by the staff in the operations center in the NCTC. The repeated message to me and other colleagues was that the intelligence product was designed for daily distribution for intelligence analysts including the state and local first responder community, and further, that it was well distributed and had received high praise. These assertions remained with me as I traveled to various conferences and training venues to discuss the nuances between the state and local vs. intelligence communities. I often asked first responders about the value they saw in this particular intelligence product and typically received one of two responses: a) they were not aware of the product's existence or b) they knew of the product and appreciated its value but commented on the difficulty of a classified product effectively informing the first responder community due to limited access.

The latter group also suggested the addition of an unclassified version of the product. It is understandable that certain segments of the first responder community are not exposed to this product due to issues of classification. I was subsequently astonished upon hearing the feedback during two guest presentations at the Fusion Center Leaders Program in Monterey, CA at the Center for Homeland Defense and Security, when discussing the ITACG's mission. In classes of nearly 30 fusion center directors and deputy directors, the reaction was surprisingly consistent with those polled in other homeland security conference environments or other informal queries, most were not aware of the product's existence, or were aware but urged that an unclassified version be produced.

It should not be a surprise that intelligence products produced for state and local consumption, which are classified, would narrow the available audience. Even for those few SLTT, who are granted security clearances, it would be required to respond to a secure room, usually at a local fusion center, to gain access to the product. Thus, the challenge became clear, work to create a companion intelligence product similar to the

classified version so that state and local first responders are adequately informed at the same vital level of intelligence from which the classified product originates.

*a. Holding the Line*

With each trip to a conference or guest lecture where I received comments regarding this particular product, I completed obligatory trip reports outlining the predicament, as well as the prescribed solution. While the mission seemed clear, the path to success was fraught with entrenched resistance to the notion of creating a new unclassified product. What seemed to be a predictable outcome of acceptance by all stakeholders based on a clearly explained problem and equally reasonable solution, turned wicked. I had not anticipated the complexity of the varying structures and hierarchies within DHS and NCTC and how these intricacies might play out.<sup>259</sup> The more I brought up the concept, the more perceptible I felt the resistance became. I learned that similar suggestions had been made in the past three years wherein the reticence from select officials effectively thwarted any effort to move an unclassified version forward. Since the hesitancy in this case constricted effective and sometimes-critical information sharing, it required a strong commitment to confront this intimidating environment ultimately to move the initiative forward.

Given that the product is produced by the NCTC, it seemed natural that if anyone would resist new thinking, it would be NCTC, which was not the case; the stonewall came from the DHS. In discussing this situation further, I discovered that the NCTC authors of the classified product had a more altruistic view; to produce a product focused on the client's needs, particularly when the client has a keen vision of the needs.

In late 2011 and early 2012, the issue was again raised at a key meeting at the DHS explaining the rationale for the new product. This time it resulted with the invitation to create a mock-up version of an unclassified product to then circulate for review throughout the NCTC and DHS senior leaders for critical buy-in to move the initiative forward. Members of ITACG and NCTC pooled resources to conceptualize the new

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<sup>259</sup> Uhl-Bien, Russ, and McKelvey, "Complexity Leadership Theory: Shifting Leadership from the Industrial Age to the Knowledge Era," 298–318.

product with the following agreed upon criteria: a) it must not be repetitive to or overlapping of other products adding to the perception of “spam” to state and locals, b) it must be a combined product containing downgraded classified counterterrorism information and corroborating open source information. When a counterterrorism vs. criminal nexus exists, it should be exploited as well, c) it must be new and innovative, and d) contributions from our nation’s fusion centers’ local products should be drawn upon to connect disparate local current events with national trends.

***b. Light at the End of the Tunnel***

Throughout 2012, a substantive draft of an unclassified companion version was developed. It was circulated through key senior leadership at the NCTC with very stringent but positive scrutiny. It was distributed on a tour of review among DHS counterparts after which it was distributed among selected fusion centers, (Colorado’s among them), across the country representing distinct regions. In this key phase, specific and pertinent questions were asked of fusion center personnel to ensure that appropriate qualities were present in the document. The ultimate goal would be that the unclassified version be circulated through key partners, such as the Criminal Intelligence Coordinating Council, the International Association of Chiefs of Police, the Major City Chiefs and the International Association of Fire Chiefs and others.

In February 2012, I completed my detail and returned to Colorado. One of my colleagues in ITACG continued to work on the project to maintain the pressure in producing the companion product, the *Terrorism Wrap Up*. It is unknown now if this initiative will survive but it does serve as an example of what is possible when a will exists to bring good ideas to fruition in the face of resistance. In today’s homeland security environment, it is more critical now than ever that effective and powerful leadership from the state and local levels have an impact to provide broader and more diverse ideas within the federal culture. Each degree of success can serve as permission to those reluctant about being at the forefront. Further, it is essential that future fellowships (JCAT and others) create a mechanism for ensuring continuity in seeing such projects to their conclusion when the originator leaves the leadership role.

While there, I faced a challenging learning curve to become familiar with the intricacies of the IC while focusing on the relationship between the national level intelligence and information-sharing efforts, and the state and local environment. This opportunity has provided me with unique insights that few people in this country have; the in-depth experience at the state and local level coupled with practical application in the federal IC. Along with this experience, I have broadened my awareness of areas in information sharing where products, processes, or practices are still limiting effective information sharing at the national level.

While working at the NCTC, I experienced the “drinking from the fire hose” effect and attributed it to the fact that I was a law enforcement operator (as opposed to analyst) from the local level of government and simply did not understand the unique IC culture. One analyst as described in Nolan’s dissertation characterized the experience as “like falling down the March Hare’s hole.”<sup>260</sup> The following quote from a 10-year IC veteran is subsequent to her description of struggling to decipher which of the 3,000 cables should she prioritize? Her comment provides context.

I think we set up unrealistic expectations between us and the public. We have to be right all the time, but they only have to be right once. It’s a pressure cooker.

And no one wants to be the analyst that went home and tried to have a normal life, or have a normal weekend, and then come in on Monday and find out it was your account that literally blew up.<sup>261</sup>

Central to the mission was the ability of ITACG members to serve as change agents in the unfamiliar IC. With the responsibility of identifying ineffective processes within the intelligence-sharing environment for the state and local first responder community, ITACG members must learn to navigate through autocratic pitfalls while accomplishing real reform.

As an example, ITACG members faced subtle but clear underlying defiance at times when offering new ideas or suggestions for improvement. Considering the

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<sup>260</sup> Nolan, “Information Sharing and Collaboration in the United States Intelligence Community: An Ethnographic Study of the National Counterterrorism Center,” 25.

<sup>261</sup> *Ibid.*, 26.

dysfunctional dynamics between the agencies within the IC as outlined by Nolan,<sup>262</sup> it is not difficult to imagine the attitude of some IC members toward those of us from the state and local community. After returning from the NCTC and becoming the deputy director for the CIAC, I attended meetings with key officials about an innovative project to regionalize federal intelligence across the country. The Joint Regional Intelligence Group (JRIG) was an initiative aimed at shifting from a more centralized (and clinical) method of producing intelligence to a more localized and connected, and therefore, effective and timely approach to be deployed as a pilot in a number of FBI field offices across the country and Denver was to be one of them.

Notwithstanding the sensitivities of intelligence collection based on current events with NSA leaks that would have to be addressed, intelligence collected at a regional level should involve state and local entities through fusion center interaction to add the essential element of the bottom-up fed intelligence property to the top-down aspect. It was clear to me in more than one meeting that if a state or local official were in the room during meetings with IC officials, some would simply get up and leave the room. This situation illustrates the existence and challenge of status quo thinking; combined with the *mêlées* the IC is experiencing within its own ranks, it also invites the need for a national information-sharing doctrine that discusses and addresses strong leadership in moving key initiatives forward and the impacts such deficits produce. Realizing Nolan's dissertation was focused on her experience as a CIA analyst within the NCTC, it was a notable characteristic of her work that no mention was made of the emerging relationships between the IC and SLTTP.

In conducting the literature review for this thesis, ample material was available from which to gain insight into this program. While it does not appear that actual ITACG fellows wrote a first-hand account of their experience of the ITACG program, Carrabin's thesis in particular referenced an active member's perception of aspects of the fellowship. One of the areas of emphasis for those assigned as ITACG fellows was to, through their

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<sup>262</sup> Ibid.

new perspective of the IC, identify opportunities to address gaps in information sharing and recommend or create national initiatives that would minimize these gap(s).

The following summarizes key elements brought forward by Carabin as many shortfalls have still not been addressed. He includes eight recommendations in his thesis, all of which this author supports and finds plausible and applicable.<sup>263</sup> A few of these are discussed later in the conclusions.

*c. UBL Doc-Ex Workgroup; Evidence of What Is Possible in the Future*

On May 1, 2011, Usama bin-Laden was killed in Abbottabad Pakistan by U.S. operatives. Subsequent to the raid, volumes of material were seized to be translated and analyzed for intelligence value. The ITACG was staffed with seven local law enforcement, fire, and public health first responders at the time. When the material in the compound was translated into English, those of us in the ITACG were immediately assigned as part of the Usama bin Laden Document Exploitation (UBL Doc-ex) task team. Consistent with our overall mission to review classified material and find the relevancy for SLTTP, we were tasked with reviewing the material from bin Laden's compound and looking for those items that indicated a high level of threat and which could be downgraded to an unclassified level to be included in bulletins or other intelligence products for first responders. After reviewing hundreds documents, some key threat information was, in fact, reduced to lower levels of classification or non-classification and distributed as intelligence products.

This kind of interaction between the IC and state and local first responders was the first of its kind at this level with this degree of intimate interaction of which I am aware. The NCTC director at the time, Michael Leiter, paved the way for this collaboration to occur seamlessly and this kind of advanced meta-leadership thinking should remain in the collective consciousness of all who are and will be working for future reform in the national security realm. It not only served as a symbolic advancement in these relationships and what can be created in the future, but its practical

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<sup>263</sup> Carabin, "An Intelligence-Sharing Continuum: Next Generation Requirements for U.S. Counterterrorism Efforts," 1-153.



outcome would never have occurred without the direct interaction of state, local, and tribal officials, which provided our context so that the most important information would be disseminated to those who most needed it.

## **7. Colorado Information Analysis Center Deputy Director**

“Why do we need a fusion center? Fusion centers embody the core function of collaboration, and as demands increase and resources decrease, fusion centers serve as an effective tool to maximize available resources and build trusted relationships. What distinguishes fusion centers from intelligence units within local law enforcement agencies is that fusion centers synthesize data gathered from multiple sources and disciplines.”<sup>264</sup> In other words, they become the central clearinghouse for these levels of multi-discipline, multi-jurisdictional synthesis of information.

At the conclusion of my yearlong assignment at the NCTC, I returned to Colorado and was appointed as the Deputy Executive Director of Colorado’s Fusion Center, the CIAC. Capitalizing on unique opportunities based on my career progression and extended fellowship in Washington, DC, serves as no better transition to fulfill what I consider an obligation to my local, state and federal community.

My strategic objective was to help create a stronger relevancy from which the CIAC could offer the local first responder community a central clearinghouse environment for pattern crimes plaguing multiple jurisdictions, or specialized analytical support for struggling law enforcement agencies. Local relevancy is a concept many fusion centers across the country strain to create or maintain. This achievement came to fruition during the summer of 2012 as the CIAC became, for the first time in its history, significantly involved in supporting agencies tasked with response to Colorado’s most destructive fire season. Deploying a mobile analytical team, the CIAC supported a rural county in investigating numerous wildland arsons. Further, the CIAC has supported criminal investigations, such as the Aurora, CO, theater shooting, the assassination of

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<sup>264</sup> Carter, *Law Enforcement Intelligence: A Guide for State, Local and Tribal Law Enforcement Agencies*, 178.

Colorado's corrections chief, Tom Clements, as well as other high profile critical incidents.

**a. *Colorado's Record-Setting Wildfires–2012***

Beginning in March 2012, one of most costly and deadly wildland fire seasons in Colorado left its mark in many ways. Key shifts in Colorado's government, structure, and the consequential responsibility that fell to the CIAC, were among the outcomes of this fire season. The Lower North Fork wild fire grew out of control on March 26, 2012, from embers in a prescribed burn by the Colorado State Forest Service. Three people were killed and nearly two dozen homes were destroyed.<sup>265</sup> The governor proposed shifting all wildland fire fighting and emergency management functions under the Department of Public Safety. The CIAC resides within the Division of Homeland Security and Emergency Management, both of which are housed within the Department of Public Safety.

As the fire season progressed, the CIAC's responsibilities shifted and evolved. The CIAC was relied upon to assign personnel to the state emergency operations center in a function beyond the law enforcement emergency support function (ESF) 13 function. The CIAC was responsible for creating and disseminating key updated information of fire status, resource allocation, damage, injuries, and fire prognostication. This function served as a precursor to an intelligence branch within the state EOC. While CIAC personnel were not fire fighters, they were well informed by firefighting personnel so that they could be accurate and timely with updates to state executive personnel.

**b. *CIAC Evolution Continues***

In June 2012, a rural sheriff's department located within the foothills near Colorado Springs was experiencing small but repetitive arson cases within a localized area within their jurisdiction. The environment was heavily forested but the fires were reported before they grew out of control. The CIAC was asked to assist in their investigation. Members of the analytical and leadership teams contacted members of the

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<sup>265</sup> Nic Turiciano, "Lower North Fork Fire Victims Build Case Against Colorado: Residents Claim Pattern of Negligence in Prescribed Burns," *The Denver Post*, 2013.

sheriff's department well versed in the cases. The CIAC analysts were briefed and then offered support based on potential analyses if provided the pertinent information. Ultimately, CIAC analysts produced geo-spatial mapping showing activity trends based on times of day, days of the week, and locations as associated with over 6,000 license plate reader entries. The product was given to the investigators who successfully followed up on the arson case. This case took the CIAC to a level of involvement with a client agency never reached before and demonstrated the possibility of overcoming typical trust issues between agencies or the concern for who would receive credit for a given outcome. The CIAC's philosophy was simply to provide support, share results, and step away as the host agency conducted the necessary follow-up that resulted in positive outcomes.

*c. Aurora Theater Shooting*

Comment: at the time of this writing, a court order prohibits those involved in this case from disclosing pre-trial publicity. This account is limited to ancillary support to the Aurora Police Department from the CIAC describing information sharing support methods. It does not discuss any information of evidentiary value.

On the early morning hours of Friday, July 20, 2012, I received a call that a mass casualty shooting had occurred at an Aurora theater. While in the midst of one of the worst fire seasons in Colorado's history, and just after assisting in a number of them, the CIAC had adapted to providing an emergency management framework in delivering its services for information sharing. At approximately 2 am on July 20, the CIAC stood up a department operations center (DOC). Various CIAC analysts responded to the CIAC and were assigned to collect and analyze leads in coordination with the JTTF and APD.

The CIAC maintained a 24-hour presence with Aurora PD, the JTTF, and other fusion centers across the country until Monday, July 23, which was a new relationship for the CIAC in that it actively coordinated types of data collection as requested, conducted analyses, produced intelligence products, or coordinated sharing between various entities. As an example, the CIAC assigned sergeants from the center to shadow Aurora Police Department operational sergeants to coordinate follow-up leads and assigned tasks on the

Law Enforcement On-Line (LEO). In this manner, all leads were accounted for, overlap between the agencies involved was avoided, and no gaps in essential tasks remained. Further, a key member of the terrorism liaison officer (TLO) program who represented a national association of shopping malls and theaters across the country assisted in the production of a national bulletin addressing situational awareness considerations and countermeasures as known at the time regarding the theater shooting.

During the first few days, an intense level of inquiries came from law enforcement and fusion centers from across the country. These inquiries were coordinated with the PD and the JTTF, but were also somewhat unwieldy for CIAC staff to handle given their mission of serving the needs of this particular event. Of note post-event, was the degree to which CIAC staff was requested to respond to a large number of repetitive situational awareness type questions from partner agencies, which distracted from their ability to concentrate on assignments, to analyze data, or produce intelligence products or bulletins.

*d. Order Emerges from Chaos: The HSIN CONNECT Solution*

Something positive emerged from this tragic event combined with similar challenges in subsequent events, such as the Sikh Temple in Wisconsin, the Clackamas Mall in Oregon, and the Sandy Hook Elementary School in Connecticut. The national network of fusion centers produced a national situational awareness communication discussion board on the Homeland Security Information Sharing Network (HSIN). Residing on a secure portal, fusion center representatives are now able to post key information based on predictable requests for updates, connections to other parts of the country, or requests for information (RFIs) from the host fusion center during a critical event that has affected the country to reduce the need for responding to individual requests for information. In addition, each fusion center has adopted a sister fusion center, typically one located in close enough proximity that regional relationships exist, on which they rely for producing joint intelligence bulletins (JIBs). This adoption has proven to be very productive by creating a more effective and simplified way for fusion centers to coordinate information and activities during national level critical events. This

effort will continue to evolve to better coalesce physical support between fusion centers should it be necessary for them to share analysts during an event.

*e. Tom Cements Assassination*

As suggested by Bellavita, the national network of fusion centers represent an emerging pattern,<sup>266</sup> one in which the center itself, the respective community it serves, and the national security enterprise endeavor to describe first, what its purpose is, second, how it is meeting that expectation, and third, what does it offer in the future given emerging trends in threats. Newly created fusion centers in the mid-2000s and since have struggled and continue to struggle with these criteria. Upon considering the Cynefin Framework, fusion centers are often residing in the unordered domains of complexity and chaos. Reflective of any discipline in the public safety, fusion centers are responders to events and creators of emergence, not responders in the sense of physically responding but in the sense of providing information sharing in response to an event. However, fusion centers are also creators in emergent ways in which information can be shared. The term information sharing can seem undervalued or clinical at times.

The following case study illustrates how fully embracing emergent ways of thinking and acting can produce extraordinary results.

On the evening of March 19, 2013, State of Colorado Department of Corrections Chief, Tom Clements, was shot and killed as he opened the door of his home. Two days prior, Nathan Leon, a Domino's® Pizza delivery employee, was murdered. On March 21, 2013, Evan Ebel was stopped by a Montague County Texas Sheriff's Deputy wherein Ebel shot the deputy three times and fled. Ebel was killed in the ensuing vehicle pursuit and subsequent gunfight.

For the succeeding 15 days, the CIAC was immersed in an exercise in leading the navigation of chaos, complexity, and stability. The homicides of Leon and Clements occurred in different jurisdictions, Denver, and El Paso County Colorado, respectively.

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<sup>266</sup> Bellavita, "Changing Homeland Security: Shape Patterns Not Programs," 1–21.

Clements was a member of the governor's cabinet and his murder sent shock waves throughout the state system of government.

The media began to speculate on the involvement of Homaidan al-Turki who was serving a 28-years-to-life prison term after being convicted of unlawful sexual contact by use of force, theft, and extortion based on a 2006 Aurora, Colorado case.<sup>267</sup> The CIAC was directed by the governor's office to produce a comprehensive threat assessment to determine if a broader threat existed, as well as any additional potential targets.

The link between Leon, Clements, and Ebel began to emerge.<sup>268</sup> To accomplish this task of conducting a comprehensive threat assessment required intimate knowledge of both homicide cases. To gain that kind of access into the most sensitive kind of police investigation without alienating the lead agencies would be daunting. Even Ebel had ties to the 211 Crew prison gang and it was crucial to learn more about the dynamics of this group, and what, if any ties existed to the other players known so far. To achieve this task, it was necessary that the CIAC fashion itself as the central clearinghouse for the various entities that would be able to provide expertise or investigative resources.

Teams of investigators segmented into four groups focused on money flow, phone activity, 211 Crew, and al-Turki. With each advancing day, the CIAC fostered confidence in those who participated in the massive investigation without violating trust or giving the impression of imposing upon the lead agencies or other government agencies that assisted, which only happened due to the willingness of CIAC members to be open and receptive to advice from the agencies involved in the criminal aspect. The Colorado Bureau of Investigation took the lead criminal role for any charges that might result on the state level. The FBI, Colorado Department of Corrections, and many local agencies with gang investigators all played a key role in bringing this investigation to its fruition. In the end, 24 agencies and 60 investigators responded to the CIAC to contribute to the effort. Investigators, CBI, and CIAC analysts spent hundreds of man-hours poring over

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<sup>267</sup> Matt Ferner, "Tom Clements Murder: Link to Homaidan Al-Turki, Saudi National Clements Refused to Transfer, to Be Investigated," *Huff Post Denver*, 2013.

<sup>268</sup> Nicholas Riccardi, "Evan Ebel, Suspect in Tom Clements, Nathan Leon Slayings, Released 4 Years Early Due to Clerical Error," *Huff Post Denver*, 2013.

volumes of material to produce what amounted to an exhaustive threat assessment that provided a clear picture of not only what occurred leading up to the murders but an overall ethnographic analysis of the 211 Crew prison gang. In this case, the CIAC and its staff readily adapted to the dynamics of complexity. While all stakeholders were committed to the commonly agreed upon goal of producing a comprehensive threat assessment and the required in depth understanding the facts, numerous interdependent agencies were involved. While each agency had its respective organizational structure, the combined and complex structures among the agencies was changeable due to the developments as the investigation progressed and the need for a given agency's expertise. This introduction of overlapping hierarchies presented the dynamic of a complex adaptive system.<sup>269</sup>

The outcome of this produced new relationships with many agencies, improved strained relationships with others, and placed the CIAC in a new, favorable light in the minds of those who participated. While this result may not have been as momentous at more mature fusion centers in the country—it was a victory for the CIAC. As is the challenge for all fusion centers, the CIAC struggles to provide value to its partner agencies. No opportunity can be lost in the fusion center world of pending chaos. As Keene has noted, one of the deep-rooted aspects of leadership has been the need to be in control and to predict and direct the nature of change. Moreover, a paradox exists wherein the very control we seek will come to pass regardless of our intervention, and yet, the act of controlling stifles innovation, and reduces or eliminates the breadth and depth of available options.<sup>270</sup>

The CIAC's leadership team knew intuitively from the outset that we needed to become the central point of coordination for the investigation, that we did not want to push too hard for agencies to come in and participate, and yet, create a sense of urgency so that key agencies would buy in to the goal and feel their participation would make a difference. Some agencies needed to see the progress before they joined. Each day, we

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<sup>269</sup> Uhl-Bien, Russ, and McKelvey, "Complexity Leadership Theory: Shifting Leadership from the Industrial Age to the Knowledge Era," 298–318.

<sup>270</sup> Keene, "Complexity Theory: The Changing Role of Leadership," 15–18.

concluded with a debrief from the four team leads in what had been learned and what was the next set of objectives to be learned or accomplished. At the conclusion, the next day's objectives were determined, much like an operational period's objectives in the incident command vernacular. We conducted two to three daily update secured telephone conference briefs for agency heads and state executives. This environment provided an opportunity for brainstorming and advice from experts. A very conscious effort was made to communicate incessantly with leaders not on site but who had assigned investigator or other resources. CIAC analysts assigned to write the assessment were apprised of the totality of progress several times per day of all investigative teams to ensure they had a holistic vision of the investigation, as well as a running narrative for the assessment. In retrospect, the discomfort of being in an ever-evolving and dynamic environment proved to provide powerful results. As leaders of the CIAC, we often bounced ideas off of each other certainly in the briefings but also as we passed in the hallway. Great ideas were born by engaging the followership, the people who knew these gangs well, or the subtle cultural dynamics involved. They were encouraged to follow the evidence but also to provide expert opinions, which sometimes lead to fruitful offshoots where a valuable investigative aspect would emerge.

The threat assessment is not included in this thesis due to the sensitivity of the investigation.

In the preceding sections, it has been demonstrated that the evolution of information sharing in the United States has shifted from a pre-9/11 relationship between the IC and SLTTP for which the IC has been predominantly focused on the Cold War concerns related to the former Soviet Union. The SLTTP by contrast was primarily focused on reducing crime and the fear of crime. Both produced supporting structures, procedures, laws, and policies to support their missions. Each segment (IC and SLTTP) of the current-day homeland security project was virtually unconscious of the other's presence, and certainly, each other's equities.

Post-9/11 reform has forced a shift from the pre-9/11 relationship to one in which the two massive disciplines not only must become aware of each other but to form new relationships and resulting government structures to support the newly emerging



relationship. While innumerable strategies, policies, executive orders, laws, and guiding documents have called for improved collaboration across all segments of government, no central doctrine exists from which the information-sharing stakeholders, deemed critical to each other in post-9/11 lexicon, can use as a central guidance for information sharing while meeting the unique demands of local jurisdictions. The research has explored how leadership doctrine and complexity science interact and how they might play a role in the future of information sharing in the United States.

In the following chapter, the information gleaned in this research is analyzed and synthesized. Options are raised to help meet the gaps that still exist and to augment the efforts in place or underway.

### **III. FINDINGS, CONCLUSIONS AND RECOMMENDATIONS**

#### **A. LEADING AND COMPLEXITY IN THE 21ST CENTURY: SHIFTING THE MINDSET**

The term leadership means many things to many people who have their own image of what the word signifies. It is an intangible concept, and yet, if thought about, very tangible results either by the presence of leadership or by its absence ostensibly occur. The very contemplation of individuals' leadership abilities implores people to look within themselves and ascertain what impact they have on the world. This thesis has provided an opportunity for introspection for the author and proposes the same for the reader. Based on the literature and autoethnographic analysis, it discusses the many faces of what today's homeland security leader must consider to be effective in producing powerful outcomes in the contemporary global economy of emerging threats, evolving intergovernmental relationships, and unpredictable challenges.

21st century leaders in all disciplines and industries are faced with uncommon levels of complexity, and leaders in homeland security are no exception. This time in history could well be construed as a renaissance period for those in the business of protecting this country because state and local first responders, national intelligence community members, and private security professionals, are feeling the push toward creating new, never-before-experienced relationships between jurisdictions, disciplines, and organizations in an effort to share information and better coordinate resources. These arising relationships, coupled with the emergence of new technology and the use of big data, has catapulted the world and those responsible to lead into the realm of identifying, assessing, and addressing problems while in the midst of discovering them; all the while being mindful of the pace at which technology offers solutions, as well as dangers in potentially abridged liberties.

Today's leaders are being challenged not only by everyday workplace issues but their very credibility rests in being able to navigate today's environments. Kellerman has claimed that leaders across the globe represent the façade of leadership in the training industry over the past 40 years. Her criticism includes the irrefutable evidence of the

leadership failures both in business and government. She cites many examples that illustrate the dismal performance of some who previously were held out to be shining examples of effective leadership. She purports three central themes: first, the anecdotal failure of the leadership of the leadership industry, second, the lack of empirical evidence to show that leadership training is effective, and third, followers have been gaining momentum resulting in a phase shift between leader power and follower power.

Her claims continue as she carefully stops short of impeaching every leadership guru or theory as being fraudulent. It is certain that failing to recognize the essential component in leadership, the follower, employee or subordinate, is to ensure a breakdown. Kellerman lays out a well constructed argument for ensuring followers are not left in the dust as they not only are essential for organizational outcomes but they increasingly wield enough power to, in the case of the Arab Spring, topple governments, or in a more routine sense, in the United States, embarrass or humiliate a boss, and perhaps, get that person fired.

One of Kellerman's conclusions is that due to the celebrated failures of leaders from government and business, it can be concluded that the leadership "industry" has therefore failed largely due to the lack of empirical evidence to support or show a link that training equals better leadership. However, would not the same lack of empirical evidence also demonstrate that no link exists at all whether good or bad?

It may be that certain leaders simply were unethical, unwilling to adapt to emerging conditions or unaware of the speed at which complexity and chaos occurs. If such a conclusion can be drawn, it seems just as plausible that no direct link of the failures implicates the leadership industry. If not investigated further, the reader may be left with the impression that no one realizes the follower is truly the linchpin of any organization. As Kellerman claims, over 40 leadership theories and 1,500 leadership definitions exist. This thesis did not locate or explore all of these in the research but did produce evidence that other theories and authors have recognized the importance of the follower as far back as the 1990s. Others have explored complexity science in its relationship to leadership.

Kellerman poses the following question. Since the old justifications for leaders having power are no longer convincing, and followers are bolstered in their own capabilities, what then motivates a follower in the second decade of the 21st century to follow leaders? Only two, go along because they believe it is required, or because the followers want to. The former says Kellerman is more related to the workplace due to the fear individuals have of losing their jobs; the latter is more oriented to governance as a social contract based on the leader's merit from the follower's perspective.<sup>271</sup>

It is the author's view that in both examples, followers have the prerogative to follow or not (whether they realize it or not); however, both settings require that the leader provide, and the follower, in turn, acknowledge the leader's merit for the leader to achieve credibility.

The threat to Americans as known today lies somewhere between a post-9/11 lexicon of hysteria steeped in an "existential threat"<sup>272</sup> based on this nation's collective memory—and the disgruntled high school student who open fires on classmates or teachers. As noted by Bellavita, people are constantly confronted by the evolution between what is known, knowable, or intended as a homeland security strategy and what is emergent, or unpredictable;<sup>273</sup> emergence being defined as "nonlinear suddenness that characterizes change in complex systems."<sup>274</sup> Hailes claims that by 2035, those he refers to as super empowered individuals will have access to technology and weapons that would truly pose an existential threat to nation-states. They will be virtually impossible to identify or isolate. While Mueller and Stewart raise concerns over how the United States may be exaggerating the danger it faces, questioning whether a truly existential threat exists (including the ultimate damage caused by the 9/11 attacks),<sup>275</sup> Hailes proposes the

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<sup>271</sup> Kellerman, *The End of Leadership*.

<sup>272</sup> Mueller and Stewart, *Terror, Security, and Money: Balancing the Risks, Benefits, and Costs of Homeland Security*, 267.

<sup>273</sup> Bellavita, "Changing Homeland Security: Shape Patterns Not Programs," 1–21.

<sup>274</sup> Uhl-Bien, Russ, and McKelvey, "Complexity Leadership Theory: Shifting Leadership from the Industrial Age to the Knowledge Era," 298–318.

<sup>275</sup> Mueller and Stewart, *Terror, Security, and Money: Balancing the Risks, Benefits, and Costs of Homeland Security*, 267.

approaching possibility of such a threat reaching existential proportions. The challenge for the homeland security community including the military will be to leverage yet to be imagined technological systems to do so.<sup>276</sup> Further, it will become increasingly important that SLTTP responders become aware of and equipped for reporting on or intervening in such activity, which will require resilient systems adept at meeting emerging information-sharing demands as new threats emerge.

How does the homeland security leader adapt to these conditions in such a way as to provide meaningful leadership not only on the scene of an event but in the preceding period when planning, training and exercising would provide effective preparation? How does this nation balance the urge to think about the worse case scenario even though its eventuation is unlikely or improbable when compared to more common risks, such as slipping in the bathtub or being hurled through a windshield in an automobile accident as suggested by Mueller and Stewart?<sup>277</sup> It may be necessary to be willing to replace belief systems regarding leadership, built to address predictable environments, with those that may be better served to address the budding circumstances in homeland security yet to be revealed.

The Arbinger Institute, Margaret Wheatley, Krug and Oakley, Uhl-Bien et al., Marcus et al., Snowden and Boone, Conklin, and many others, have highlighted the importance of the leader/follower relationship to effective organizational performance. All also relate leadership to complexity science whether explicitly or otherwise. Some of the theses included in the research have tackled the thorny issue of leadership in homeland security. While all the literature produced in this research dealing with homeland security have approached the unique challenges of leadership in homeland security admirably, none has arrived at a panacea. One of the conclusions the author has reached is that all the literature had salient thoughts to be recognized, and many had recommendations that could revolutionize facets of homeland security. While these works have added to the literature as will this piece, at some point, action must be taken

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<sup>276</sup> Davies, Hailes and Wells, ed., *Changing Mindsets to Transform Security: Leader Development for an Unpredictable and Complex World*, 396.

<sup>277</sup> Mueller and Stewart, *Terror, Security, and Money: Balancing the Risks, Benefits, and Costs of Homeland Security*, 267.

to implement ideas resulting from the research, analysis, and synthesis of thought involved.

Bell highlighted meta-leadership as a way to help coalesce multiple and disparate organizational cultures so that a common sense of purpose could be created that would strengthen the lacking cohesiveness in the DHS.<sup>278</sup> Joyce explored complexity and leadership illuminating emerging thought for homeland security leaders. Advocating an almost fierce quality of introducing new ideas, being action-oriented and forward focused; Joyce welcomes the notion of embracing emergence in inclusive and enlightening ways through story telling and sensemaking.<sup>279</sup> Uhl-Bien and her colleagues clearly deciphered elements of complexity science, organizational leadership, and feeling as though no theory or doctrine was addressing the gaps, and created *Complexity Leadership Theory*.<sup>280</sup>

### **1. What Has Emerged as the Leadership Doctrine for Homeland Security?**

Notwithstanding Kellerman's denunciation of the leadership industry, two distinct doctrines emerge as possessing qualities aimed at bringing out the best in followers while formally addressing the complexity of the 21st century, complexity leadership theory and meta-leadership. Combined they represent the strongest arguments for not only individual leadership skills for the 21st century but for acknowledging emerging organizational patterns. Homeland security information sharing is in a transformational stage; strong remnants of the Cold War Era are hanging on for life while emerging thought is recognizing the characteristics of a renaissance period, 1) new relationships forged out of the thrust for innovation, creativity, adaptability, and necessity, and 2) emerging technology at lightning speeds.

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<sup>278</sup> Bell, "The State of Leadership in DHS, Is There a Model for Leading?," 1-179.

<sup>279</sup> Joyce, "Can You Lead Me Now?"

<sup>280</sup> Uhl-Bien, Russ, and McKelvey, "Complexity Leadership Theory: Shifting Leadership from the Industrial Age to the Knowledge Era," 298-318.

**a. Complexity Leadership Theory**

Uhl-Bien et al. have claimed that everyone resides in the knowledge era, that the predominant leadership theories, doctrines, and frameworks at play today still service the top-down hierarchical, bureaucratic organizational structures. They urge the development of three types of leadership together referred to as complexity leadership theory, adoptive, enabling, and administrative. These types of leadership differ within an organization determined by where they occur. This theory is attractive as a model for homeland security in that it is custom-framed based on complex adaptive systems. It includes the nomenclature of complexity and challenges the shift in thinking from a top-down bureaucratic oriented mindset to a more adaptive and receptive approach that recognizes complexity in the process. The beauty of this model is that it recognizes the reality of the bureaucratic organizational aspects of every organization and yet provides for a leadership buffer of enabling leadership between the bureaucracy and the adaptive properties of an organization, termed the administrative—adaptive interface.<sup>281</sup>

**b. Meta-Leadership Framework**

Introduced circa 2005, the authors couch the concept as a “newly identified practice and a freshly introduced concept...”<sup>282</sup> The 10 core competencies of the meta-leadership framework provide an inspiring paradigm for recognizing the need for multiple organizational cultures, jurisdictions, and disciplines to work in tandem not only for planning but during responses. In fact, since this piece was written, numerous incidents, natural and man-made, have occurred requiring multi-jurisdictional responses. To a large degree, much has improved; however, the silo worldview is very much alive whether at the federal or SLTTP level. The author has been intimately involved in the homeland security enterprise at the federal, state, and local level since 2007. The bulk of the interests and focus today is cooperating within these silos but not to challenge individual domains.

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<sup>281</sup> Uhl-Bien, Russ, and McKelvey, “Complexity Leadership Theory: Shifting Leadership from the Industrial Age to the Knowledge Era,” 298–318.

<sup>282</sup> Marcus, Dorn, and Henderson, *Meta-Leadership and National Emergency Preparedness: Strategies to Build Government Connectivity*, 56.

Much is centered in funding; state homeland security funding is still a competitive process whereby disciplines and jurisdictions compete for the grant dollar based on the DHS grant guidelines for that application year. In Colorado, for example, signs of improvement are appearing in the effort to regionalize grant requests based on a state-level homeland security regional need. Assets are requested, funded, and deployed based on an overarching regional need with the resources, while maintained by a local jurisdiction, being available to any jurisdiction within the respective region. The Colorado Information Sharing Consortium (CISC) is another example in which aspects of meta-leadership emerged to address the gaps left by disparate records management systems in law enforcement agencies across the state. Seven core partners agreed to fund nearly \$2 million enterprise software license collectively for a product that provided interconnectivity between partner agencies to share criminal justice data. The license was purchased with, at the time, yet to be identified future partners in mind. Today, over 100 Colorado agencies participate in this consortium. Crimes that may have taken officers hours or days to solve are now being solved in minutes due to the instantaneous and mass access to partner agency criminal justice files. If not for the willingness of leaders to think and act beyond their traditional jurisdictional interests, this savings in time never would have happened.

## **2. What Is to Be Learned from the National Strategic Narrative?**

If the reader accepts the invitation, the National Strategic Narrative summons leaders to explore the possibility of how the world can be starting with an internal shift within American collective mindset.

Readers are reminded by the authors of the core principles and values upon which this country was predicated and how it is essential to shift from a worldview of containment to a sustainment perspective.<sup>283</sup> The rift between the SLTTP and IC may replicate this situation. Does it follow that cooperating with each other internally will be seen as a weakness? It may be that pre-9/11, this nation did not have enough of an impetus to know that sharing should occur more effectively between SLTTP and the

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<sup>283</sup> Porter and Mykleby, *A National Strategic Narrative*.



federal services, and perhaps until the attacks, it was not really necessary. As wicked problems (complexity) demonstrate, being in the heart of a problem may not be realized until individuals are in the midst of it. Only those who have enough expertise truly recognize it for what it is. Now, in retrospect, the problem is known. Also, now that is known, is it necessary to still look at the silos of information sharing as containment? Is this nation willing to shift to a worldview of sustainment?

What would happen if Americans collectively looked into the mirror? Porter and Mykleby have suggested that this nation is still wedged in the Cold War era mindset, which was based largely on a myopically American posture of power and control within the world.<sup>284</sup> The research in this thesis validates the notion that, in the case of information sharing, Americans are stuck in the Cold War temperament. This kind of thinking views the world through the lens of a closed system; one in which America was responsible for managing its interests at home and abroad to achieve security and prosperity. Anything counter to that objective has been considered a threat to the United States to be managed or neutralized.<sup>285</sup>

America has occupied a position as an anchor to the global economy since 1944. However, in the past 15 years, globalization has provided for the convergence of cultural, intellectual, and social aspects of peoples from all continents and walks of life.<sup>286</sup> It could certainly be argued that Americans view many other countries, cultures, and peoples with a jaundiced eye as evidenced by the cultural rifts surrounding ethnic communities, and certainly, the Muslim society, as this nation grapples with its fear of other cultures. By contrast, U.S. foreign policy regarding Iraq post-9/11, as well as recent developments with intelligence intrusions of allied nations, to name a few examples, has raised the ire of the world. It is not a conducive global environment for security or prosperity.

America's relationship to the global economy has been one based on a zero sum game with only one winner and many losers. This relationship, the authors say, cannot be

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<sup>284</sup> Porter and Mykleby, *A National Strategic Narrative*.

<sup>285</sup> Ibid.

<sup>286</sup> Ibid.

sustained and America will lose its credibility. Some would say that has already occurred. This nation somehow has confused fair trade, open competition, collaboration, and interdependence with weakness.

How can it be related to the U.S. internal struggle with sharing information among the many levels of government within this country? The author once heard the saying that if an orange is squeezed, orange juice comes out, not apple juice or pear juice. It does not matter in what context the orange is squeezed, it still produces orange juice because it is the internal basis upon which an orange is formed. As well, if the U.S. worldview toward the global community is as the authors say, it must first emanate from deep within. It is not necessary to look further than to see the dysfunction Kellerman discusses in leaders across the spectrum of business, as well as government to observe objectively that this nation is self absorbed and without direction. By extension, while numerous post-9/11 documents have called for a more coordinated information-sharing architecture across all levels of government, this country still suffers from remnants of pre-9/11 silo mentality.

The narrative, as it will be called, implores the reader to embrace the notion that Americans have a huge stake, and as importantly, an influence on how the world is impacted. However, it must start at home. While this nation has improved many aspects of how information is shared at all levels of government, Americans sometimes replicate the arrogance displayed to the world in that they still operate within silos of containment. Is this country willing to challenge its way of thinking in terms of breaking down archaic business models in collecting and sharing information while redefining relationships between the SLTTP and federal government? Is it open to adapting models used by foreign partners, such as Great Britain?

### **3. The Challenge for Leaders Right Now**

As the literature has suggested dating back to the 1990s, leadership doctrine steeped in industrial-age, linear, Newtonian precepts is ill equipped to deal with

complexity. Termed the Knowledge Era,<sup>287</sup> this current period in history is enmeshed in social systems with interrelated agents and organizations. Leaders who view the world through the Newtonian perspective see fluctuations and disturbances as signs of trouble; their antidote is to exert control to replace what is perceived as something harmful.<sup>288</sup>

While it has been shown that the United States has attempted to bridge the gaps identified by the 9/11 Commission, the research has also shown how problems exist in assimilating to new environments within the new cultures designed especially to bridge the 9/11 gaps. Nolan has demonstrated how fissures occur between agencies within the IC, which are amplified within the culture of the NCTC. The resistance the author and others have experienced from within the DHS, and other IC members while attempting to provide the feedback from the state and local perspective as designed in the ITACG, represents the difficulty some leaders have had in understanding emerging relationships within complex environments.

While the homeland security leader of today is receiving encouraging news in that academia is recognizing the value of exploring aspects of leading in complexity and creating theories to support new thought, in the author's professional experience, few practitioners are among those in academia. Attention must be drawn to connecting homeland security practitioners who know and understand complexity science to those who are actively leading in homeland security environments; much like the model at the Center for Homeland Defense and Security. As an example, until recently, no universal training regime is available for law enforcement addressing a comprehensive behavioral science-based curriculum. Today, LPO is a nationally adopted curriculum based on a West Point model and is being delivered across the country by active officers who are practicing leaders in law enforcement organizations.

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<sup>287</sup> Uhl-Bien, Russ, and McKelvey, "Complexity Leadership Theory: Shifting Leadership from the Industrial Age to the Knowledge Era," 300.

<sup>288</sup> Keene, "Complexity Theory: The Changing Role of Leadership."

## **B. HOW DOES THE WICKED PROBLEM RELATE TO HOMELAND SECURITY?**

Does the homeland security project or enterprise represent a wicked problem? For this question to be answered effectively, at least an attempt must be made to define the homeland security project. What entities comprise this enterprise? In any post-9/11 document regarding homeland security or information sharing, it would be recognized that commonly referenced responsible entities or partnerships include the federal law enforcement agencies (DOJ), federal IC, all agencies encompassed by the DHS, Congress, SLTTP first responders including police, fire, emergency management and public health professionals, and perhaps, state and local legislatures.

Using the definition of a complex adaptive system versus a purely complicated system as outlined earlier in Chapter II, B, 2, no argument would be made that thousands of agencies at all levels of government are comprised within this enterprise. Next, if the whole homeland security project could be adequately defined based on the understanding of any one or two of the constituent components, a merely complicated system would result. If not, this country may be enmeshed in a complex adaptive system.<sup>289</sup> Change in complex adaptive systems occurs in non-linear and unexpected paces, in which ideas and events seem to bump in to each other in unpredictable fashion; when this change occurs, it cannot be reversed.<sup>290</sup>

When the United States was attacked on 9/11, the inertia emanating from the explosions felt across the planet served as the genesis of an emergent and nonlinear blistering pace of change not only in U.S. governmental structure and many other governments' structures and approaches to terrorism, but in U.S. national identity as well. The fear from terrorism is amplified as compared to the fear of other threats because it emanates from human effort with deliberate purpose of hurting innocent people. This fear is usually associated with ethnic groups that then are vilified as evil both possibly prior to but unquestionably after the attacks. This fear has manifested across U.S. culture in a few

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<sup>289</sup> Rittel and Webber, "Dilemmas in a General Theory of Planning," 155–169.

<sup>290</sup> Uhl-Bien, Russ, and McKelvey, "Complexity Leadership Theory: Shifting Leadership from the Industrial Age to the Knowledge Era," 298–318.

ways, some of which have affected the way in which law enforcement has conducted contacts with suspicious people. Some police departments, such as the New York Police Department (NYPD), have been criticized for conducting stop and frisk operations amounting to what critics believe to be racial profiling.<sup>291</sup> Some Americans have overlooked the basic tenets upon which this country was built over two 200 years ago, as a sharp rise in hate crimes against Arabs and Muslims (or those thought to be Arabs or Muslims) occurred in the months following September 2001.<sup>292</sup> While this new identity and structure continues to morph and evolve, it may be that it can never be reversed.

To declare categorically that the United States has not advanced far enough or quickly enough may be more enigmatic than certain given the discussion so far in this thesis. As Americans, this nation jests about its insistence on immediate gratification but is not amused when things do not progress quickly enough. If this country is to take to heart the notion that wicked problems have unique characteristics, the 10 principles of a wicked problem could be revisited and compared to the progress of information sharing in homeland security. In the following review of these principles, as developed by Rittel and expounded upon by Conklin, providing an analysis may help in understanding the homeland security project as a complex problem, and in that light, the thinking applied, as well as the outcomes, produced.

### **1. There Is No Definitive Formulation of a Wicked Problem**

Simply put, it is not possible to understand the problem fully until immersed in the problem and a solution has been applied. As the problem is engaged, it reveals further aspects of the problem, which then must be addressed, which sounds counterintuitive.<sup>293</sup>

Since 9/11, the United States has been involved in massive change in how Americans think; what and who it is afraid of and how to protect against not only al-

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<sup>291</sup> See Joseph Goldstein, "Court Blocks Stop-and-Frisk Changes for New York Police," October 31, 2013, [http://www.nytimes.com/2013/11/01/nyregion/court-blocks-stop-and-frisk-changes-for-new-york-police.html?hp&\\_r=1&](http://www.nytimes.com/2013/11/01/nyregion/court-blocks-stop-and-frisk-changes-for-new-york-police.html?hp&_r=1&).

<sup>292</sup> Adrienne S. Butler, Allison M. Panzer, and Lewis R. Goldfrank, "Understanding the Psychological Consequences of Traumatic Events, Disasters and Terrorism," *National Academy of Sciences*, 2003, 1–64.

<sup>293</sup> Conklin, *Dialogue Mapping: Building Shared Understanding of Wicked Problems*.

Qaida but enumerable other terrorist enemies and threats. Once people think they have figured out how to solve what is believed to be the problem, it morphs and this nation is then faced with what has emerged.

Two notable and recent examples can be cited. The first is the case of the NSA, which instituted its data collection programs to aid in identifying foreign or U.S. persons who may be associated with known or suspected terrorists (KSTs). In a predictably unpredictable event, the program was exposed to the world through a leak resulting in a torrent of released information and far-reaching impacts, such as massive public outcry, calls for ceasing the programs, lawsuits, and a growing mistrust of the government, both within the United States and other countries. Technological advances in big data and other areas have raced forward; terrorists and national security programs have recognized this advancement, and both seek to leverage the advantages new technology offers. The U.S. government sought to improve its ability to identify KSTs in an obscure data pool. The issue was raised in 2006 with little or no public outcry. However, after a classified leak in 2012, the NSA's program has come under intense scrutiny, which has spilled over into foreign relations with allied countries. In this case, the solution applied has now morphed and the NSA will be forced to be innovative in meeting the challenges of exposing KSTs while meeting the demands of the U.S. citizenry.

Second, as of this writing, 13 years after the 9/11 attacks, Americans still fear Muslims but the problem has mutated from a fear of Islamic terrorists to Muslim neighbors. Recent unrest related to the suggested establishment of an Islamic Mosque near the 9/11 ground zero suggests the lingering resentment of Muslims years after the attacks. The NYPD instituted a stop and frisk program that has been criticized as a racially based opportunity to identify and unlawfully detain those thought to be of Middle Eastern descent. This issue may run deeper in American cultural history than being narrowly linked to the 9/11 attacks.

In each of these cases, the problem may have appeared in such a way as to offer a prescribed solution, but after the solution was put into motion, the problem morphed and became another problem, which required another solution. It is not until interaction with the problem has begun and resolutions produced that the problem is comprehended.

For the information-sharing realm, much has been done to modify the way in which various levels of government communicate or share information. The SLTTP community has developed strong alliances with new and merging technologies that connect disparate criminal justice systems. Some visionary thinkers see the evolving trends in relationships between crime and terrorism, and the need to better coalesce the federal levels of government with SLTTP, but doubters still remain who distrust, and therefore, resist novel thinking.

## **2. Wicked Problems Have No Stopping Rule**

Since no traditional definition for the problem is available, a definitive solution cannot logically be derived. The problem solving effort ends when resources, such as time, money and energy are diminished, rather than an end-game conclusion.<sup>294</sup>

It could be said that the information sharing “problem” is a malleable problem, defined differently depending upon who is asked to describe it. As mentioned earlier, fragmentation also plays a role; those representing respective levels of government, disciplines, or agencies, will have distinct perceptions of the problem; they may not even be aware of certain aspects of the problem that others from different perspectives have.

As an example, a fusion center director would say that fusion centers represent a model to be nurtured and matured, and which serves as the central clearinghouse for information important to its state-level constituency, as well as national security missions. Others would say fusion centers have mission-crept into JTTF mission space, and therefore, are redundant and wasteful.

The author has worked in the IC and was exposed to how robust information sharing in America could be if certain aspects of the homeland security enterprise were coordinated better. While working at the National Counterterrorism Center, part of his job was to help educate members of the IC who had no awareness of what SLTTP first responders do or what resources they could provide to the IC’s mission. While many in the IC were enamored with the prospect of what would be possible if SLTTP and the IC

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<sup>294</sup> Conklin, *Dialogue Mapping: Building Shared Understanding of Wicked Problems*, 7.

worked more closely, others either had no consciousness of SLTTP's missions while others felt IC members and SLTTP first responders had no business interacting with each other, which is reminiscent of the Cold War mentality.

When adding the complexity of how big data is being used and current concerns regarding the NSA's information collection controversy, the diversity of the problem identification loses any constraints that can be imagined. As a result, any solution would be difficult at best to apply much less determine when or if the problem were to be solved.

A touchstone concept for today's homeland security official is privacy, civil rights, and civil liberties. Yet, no absolute is given in this regard. While attempting to place definitive, objective standards for such protections, this nation is reliant on Congress to enact laws that protect U.S. privacy while balancing the obligation of law enforcement and intelligence officials to create policy consistent with gaining the proper information that exposes criminals and terrorists, courts to interpret these laws so that emerging trends and conditions are addressed through case law, and finally, the practitioners who must operate within these confines. All these domains rely on subjectively determining if the problem is stopped or not, and if not, applying the next level of solution. This subjectivity, of course, is unending as evidenced by current public debates over government intrusion and security versus privacy. Constitutionlists would have to acknowledge that various amendments over U.S. history have been efforts at addressing the emerging cultural shifts and challenges to the original document and concepts.

### **3. Solutions to Wicked Problems Are Not Right or Wrong**

Rather, they are "better," "worse," "good enough" or "not good enough."<sup>295</sup> In the homeland security information-sharing context, certain aspects, such a privacy (P), civil rights (CR), and civil liberties (CL), P and CRCL are essential elements, and therefore, "better" or "good enough," would not be well received as good enough. However, if this topic is analyzed further, it becomes evident that as much as Americans

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<sup>295</sup> Conklin, *Dialogue Mapping: Building Shared Understanding of Wicked Problems*, 7.



strive for excellence in objective standards in this area, it is still relegated to subjective evaluation by reviewing authorities, such as the “gang of six” in the IC who represents aspects of legal principal, CRCL standards, and peer review or privacy officers in fusion centers. Standards by which these reviewing authorities use as a reference will shift and change due to case law precedent, social contexts, and legislation. Consequently, “better” or “good enough” appears in a different context.

Law enforcement officials would cringe at the prospect of telling members of their community that the efforts made were good enough. Although it might be said that everyone did as well as possible. The point is that when faced with emerging or pattern crime trends, people are largely reacting only after the crime or patterns are committed or exposed. Individuals sometimes are faster at identifying the patterns to the point that the offenders can be identified before they cause more harm, but the pattern must still be allowed to develop to a sufficient degree that it is possible to identify it and intervene. This scenario applies to not only the identity of the criminal but also the legal standard of probable cause necessary for an arrest to be made.

The information-sharing context might appear similarly if the objective is to share that which others will find essential or useful to take action. The colloquial term applied over time has been to produce “timely and actionable” intelligence. Still, Americans are reactionary to the emerging patterns of crime or terrorism. Until these patterns emerge, they do not know what to share or who to share it with or why. To be predictive in policing or counterterrorism is the desired goal, and anything less may have to be good enough. The post-9/11 recognition that SLTTP represents 3 million practitioners, who patrol America’s streets, and are more likely to discover and intervene in a terrorist plot, has been written about ad nauseam. The Intelligence Reform and Terrorist Prevention Act, as well as the 9/11 Recommendations Act, have called for reform and spawned numerous guiding documents addressing the need for more and better coordination between the federal and SLTTP information-sharing domains. Yet, as the world evolves into a more globalized society, and technology advances, information sharing is improved; whether it is good enough is subject to interpretation.

#### **4. No Immediate or Ultimate Test of a Solution to a Wicked Problem Is Available**

Recalling that as the problem is understood and solutions applied, the problem shifts and changes into yet another problem. It makes sense then that it would be unreasonable to expect to know whether the solution has an immediate or ultimate effect. This viewpoint brings into perspective the notion that a given approach might simply be “better.” As mentioned in the law enforcement context, it is difficult to accept “better” or “good enough;” however, given the nature of crime and criminal trends, it begins to resonate. Pattern crimes emerge with a single offender or a group of criminals, and when they are arrested, their particular regime is stopped. However, in society, another criminal trend will fill the void, and it will be slightly different in how it emerges.

If systems theory is applied to this scenario, it is then understood that information sharing within the social network context represents a scale-free network, one in which no immediate or directly noticeable impact would occur when one node or aspect of the network is affected. A similar analysis could be applied to community policing. If a tactic or response to a problem is applied, it may be never be clear, or a delay may result in knowing what the outcome is.

For example, if an intelligence bulletin released after the arrest of Najubullah Zazi warning local law enforcement of the potential of hydrogen peroxide and acetone used as precursors for triacetone triperoxide (TATP)—the same kind of explosive used in the 7/7 attacks in London and attempted by shoe bomber Richard Reid—extra vigilance by beauty supply shop owners may be apparent and discourage a would-be terrorist or lone offender from attempting to obtain such materials. It would be a measureable outcome if an attempted attack were thwarted but it would not be possible to know if an attack were discouraged prior to the attacker taking overt action.

Similarly, community oriented policing encourages officers to perform crime prevention through environmental design, or CPTED, a diagnosis of environmental aspects that attract criminal behavior. In this example, officers would consult with a local 7–Eleven storeowner to help them reconfigure storefront advertisements to allow for easy visibility from a passing patrol car into the store to discourage robberies. If a certain

robbery rate existed prior to the redesign, an objective measurement for outcome would be the reduction in robbery rates. However, it is not possible to know whatsoever if a robber were to arrive at the 7-Eleven and be dissuaded from robbing the clerk due to the higher probability of being detected.

**5. Every Solution to a Wicked Problem Is a One-Shot Operation; Because No Opportunity Exists to Learn by Trial and Error, Every Attempt Counts Significantly**

In each case, a relationship exists between the solution and outcome, but the result may be impossible or difficult to detect. Finally, the determination of whether the solution is effective is only observable by those familiar with the problem space.<sup>296</sup>

Herein lies the task; in the homeland security world, many solutions are expensive, tied to new policy, legislation, or subject to intense public scrutiny, and every attempt at a novel solution has consequences.<sup>297</sup> Balancing these factors against the realities of emergence in information sharing and other aspects of homeland security is and will continue to put leaders in the industry on notice to resolve these issues. As is being discovered in this thesis, leadership theory does recognize these dynamics but still struggles to provide stability. It is evident through this analysis that due to the inexhaustible numbers of agencies, levels of government and disparate missions, a commensurate number of solutions are being implemented to address the vortex created by the gaps in information sharing.

In 2007, seven core partner agencies in Colorado embraced the notion that a combined effort to research, purchase, and install a software platform bridging these disparate systems would be ground breaking in crime reduction. The product known as COPLINK became the focus for a solution. COPLINK was known for its ability to connect separate law enforcement records management systems seamlessly so that detectives can obtain a key piece of information in an afternoon instead of weeks of research. As a result, the CISC was born. The formation of such a consortium may be

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<sup>296</sup> Rittel and Webber, "Dilemmas in a General Theory of Planning," 155–169.

<sup>297</sup> Conklin, *Dialogue Mapping: Building Shared Understanding of Wicked Problems*.

unique in and of itself, but when adding the fact that the partners agreed to contribute nearly \$2 million combined not only to license the core partner agencies but to provide licensing for future and as yet unidentified partner agencies, was beyond doubt, quite visionary. While sustainability is a high priority especially when investing as these agencies have, the realization that newer and more disruptive technology looms at very turn makes these kinds of efforts look impressive and imposing at the same time. Impressive, because of the risks and expenditure; imposing because the next best thing may require the next one-time shot.

At the national level, as Bellavita observes, fusion centers have become an emerging pattern.<sup>298</sup> In other words, they act and adapt given the situation that appears, or some other external stimulus, such as criticism. A given solution may be well received until a piece of information is missed or improperly disseminated, or the fusion center is perceived as having encroached on another discipline's or agency's mission as indicated in the Coburn Report.<sup>299</sup> The expectations of the fusion center changes the solution worked in that period of time or perhaps it did not. If effective feedback is received, it may help to reassess and apply another approach getting closer to the expectation, and yet, if the expectation continues to morph, the one-time shot becomes archaic. Recent reports by the Senate and House illustrate how an analysis of the same group of fusion centers within a year of each other provides two diametrically opposing views. Notwithstanding the partisan aspects of these reports, one provides the recognition of the importance of fusion centers with constructive criticism, and the other takes the view that fusion centers are severely flawed in their methodology and performance. The following excerpts illustrate the dichotomy between the two.

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<sup>298</sup> Bellavita, "Changing Homeland Security: Shape Patterns Not Programs," 1–21.

<sup>299</sup> Tom Coburn and Carl Levine, *Permanent Subcommittee on Investigations: Committee on Homeland Security and Governmental Affairs* (Washington, DC: United States Senate, 2012).

Two Federal Assessments Found Fusion Centers Lack Basic Counterterrorism Capabilities...Reporting from Fusion Centers was Often Flawed, Unrelated to Terrorism...Terrorism-Related Reporting was Often Outdated, Duplicative, and Uninformative...<sup>300</sup>

A top down, wholly Federal approach simply does not and cannot suffice. Fully integrating State and local law enforcement and emergency response providers as National mission partners requires a grassroots intelligence and analytic capability. Stakeholders rely upon fusion centers to provide that capability...<sup>301</sup>

To apply solutions to meet such opposing expectations places an interesting burden on those in leadership positions responsible for such outcomes. The orientation the leader has to the problem provides a given context in which to frame it, which begins the process of creativity and resilience.<sup>302</sup>

## **6. Wicked Problems Have No Given Alternative Solutions**

A number of viable solutions to a given problem from which to choose may or may not be available; the leader must create solutions that appear feasible, and discern through judgment, which are best. Conklin urges against spending too much time in trying to determine whether the problem is a wicked problem, rather than the wickedness of it.<sup>303</sup> Recall that the dynamic of the relationship of cause and effect in complexity or wicked problems is that the cause and effect between problem and solution is not known until being immersed in the problem or until emerging and looking retrospectively at it. In homeland security, this proposes daunting challenges. These kinds of problems are based in social contexts as opposed to a math problem or chess move, both of which have finite options.

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<sup>300</sup> Coburn and Levine, *Permanent Subcommittee on Investigations: Committee on Homeland Security and Governmental Affairs*.

<sup>301</sup> Peter T. King and Michael T. McCaul, *Majority Staff Report on the National Network of Fusion Centers* (Washington, DC: United States House of Representatives Committee on Homeland Security, 2013).

<sup>302</sup> Uhl-Bien, Russ, and McKelvey, "Complexity Leadership Theory: Shifting Leadership from the Industrial Age to the Knowledge Era," 298–318.

<sup>303</sup> Conklin, *Dialogue Mapping: Building Shared Understanding of Wicked Problems*.

In 2002, during the contemplative process of creating the DHS, former director of central intelligence George Tenet testified before the Government Affairs Subcommittee that while the United States had an intelligence community and a law enforcement function, “we don’t have a cohesive body responsible for homeland security.”<sup>304</sup> He committed that the newly created DHS would not simply duplicate the capabilities of the IC and law enforcement; rather, it would create a unified department to assess, map, and take action against threats. A further pledge was made that the IC/CIA would not simply change but expand its mission and treat the DHS not only as a customer but also as a partner. This statement would later prove to be prophetic in what would become a sticking point between the DHS and the IC.<sup>305</sup>

The *Homeland Security Act of 2002* established the DHS. One of the first measures was to create the Directorate of Intelligence, Analysis and Infrastructure Protection (IAIP), which became the 16th member of the IC. This body, authorized by Congress, was charged with a full spectrum of intelligence/analytical functions aimed chiefly at domestic counterterrorism.<sup>306</sup> Once formed, the DHS faced formidable challenges in executing its mission.

- A lack of respect within the IC. Early complaints from those inside the IAIP was that they were ill equipped, understaffed, disorganized, and unprepared for the challenging bureaucratic environment involving other governmental agencies.
- Congressional restriction of DHS’s ability to receive raw intelligence. Consistent with the lack of respect, the DHS was initially considered the “B” team within the IC. Congress felt that rather than IAIP receiving raw intelligence, it would be relegated to the review of finished product created by the FBI or CIA to determine what relevance would result for SLTP agencies.

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<sup>304</sup> Stephanie C. Blum, “The Department of Homeland Security and Intelligence: Past, Present and Future,” in *The Department of Homeland Security and Intelligence*, ed. Keith G. Logan (Westport CT: Praeger Security International, 2010), 78.

<sup>305</sup> Ibid.

<sup>306</sup> Ibid., 79.

- Confusion and competition between the functions of the DHS's congressionally mandated IAIP and the non-DHS Terrorist Threat Integration Center (TTIC) designed a year later.<sup>307</sup>

Blum claims that the DHS has overcome these limitations. The IRTPA, enacted in 2004, called for further restructure of the IC by establishing the ODNI and the NCTC, which replaced the TTIC.<sup>308</sup>

Secretary Chertoff, based on a 2005 WMD Report, as well as other input, called for an internal DHS study, which resulted in a number of measures improving efficiency and effectiveness. An example was the creation of the Office of I&A, which replaced the embroiled IAIP. I&A reports directly to the secretary; its mission is to run the IC component of the DHS and to ensure intelligence from a multitude of sources is effectively collected, analyzed, and disseminated to relevant consumers within the homeland. Then, intelligence chief Charles Allen testified that the DHS was building an intelligence agency from scratch, and that while it had faced enumerable obstacles, it had achieved standards commonly recognized by the IC. Blum concluded, "DHS has made obvious and substantial progress since its inception in 2002."<sup>309</sup> Put forward as two of many key DHS information-sharing initiatives, Blum highlighted state and local fusion centers and the ITACG as having vast potential.<sup>310</sup>

Born of the 9/11 [Commission] [A]ct, state and local fusion centers are state-level owned facilities that bring together multiple jurisdictions and disciplines effectively to share information regarding terrorism, crime, and other hazards. The Bush and Obama Administrations, Secretary Napolitano and the *National Strategy for Information Sharing* have supported these centers and touted them as critical components to information sharing. However, since their inception in 2006, they have come under fire from state and local officials for missing the mark in terms of effective information sharing, citing when

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<sup>307</sup> Blum, "The Department of Homeland Security and Intelligence: Past, Present and Future," 79.

<sup>308</sup> Ibid.

<sup>309</sup> Ibid., 85.

<sup>310</sup> Ibid.

information is shared with the DHS, it does not necessarily result in adequate reporting back to the customers.<sup>311</sup>

In an effort to address this situation, fusion centers developed baseline capabilities for all fusion centers to provide consistent treatment of collection, analysis, and dissemination of important information. In addition, Napolitano emphasized the use of technology to improve information sharing. The introduction of the Homeland Security Data Network (HSDN), a classified information-sharing network, was extended to 29 fusion centers by 2009. Finally, Napolitano encouraged fusion centers to broaden their contribution to state and locals by including all crimes and other hazards to better serve their partners.

The former ITACG, and current JCAT, also in existence due to the 9/11 [Commission] [A]ct, are programs housed at the NCTC in Washington, DC, designed to embed state and local police, fire and public health officials, in the IC for one year. The purpose is to provide a two-way educational environment between IC members and the broader SLTP community. In addition, ITACG members help to shape intelligence product content and format to meet the needs of the state and local audience.<sup>312</sup>

The ITACG had a rough start when it appeared that the DHS I&A was not supporting the initiative. During the early stages of the implementation, key partners, such as the FBI, NCTC and the ISE, signed an essential memorandum MOU, then waited two additional months for I&A to sign it. I&A reportedly controlled what information would be disseminated to state and locals without the input of ITACG detailees. This restriction troubled Intelligence Subcommittee Chair Jane Harman, who, with the support of other members of Congress, authored a letter to then I&A intelligence chief Charlie Allen, firmly directing him to "... get the ITACG done right and get it done right now...."<sup>313</sup> Allen finally implemented measures to support fully sustaining those who traveled to Washington, DC, to participate in the program, as well as to broaden the

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<sup>311</sup> Blum, "The Department of Homeland Security and Intelligence: Past, Present and Future," 86.

<sup>312</sup> *Ibid.*, 87.

<sup>313</sup> *Ibid.*, 88.



disciplines invited to participate in the ITACG to include the fire service, as well as public health.<sup>314</sup>

Blum cites comments by Jennifer Sims and Burton Gerber in *Transforming U.S. Intelligence* who say that while organizational restructuring and technology will be effective to a degree, strong leadership and protection of civil rights and liberties will provide a strategic advantage for the United States. In his 2005 testimony, Lee H. Hamilton, former vice chair of the 9/11 Commission, stated that while laws and technology may be effective, individuals and institutions must be willing to shift the culture for effective information sharing to occur. A 2009 report by the Markle Foundation called for the reaffirmation of the President and Congress in making information sharing more of a priority among policy makers; indicating information sharing is considered unfinished business.<sup>315</sup>

Secretary Napolitano committed to making fusion centers and information sharing a high priority. In 2009, she promised to create a Joint Fusion Center Management Office (JFC-PMO) within I&A.<sup>316</sup> Blum concludes with the sentiment that while the DHS has had its share of struggles since its creation, it has overcome much criticism of its initiatives, and information sharing is one of its highest priorities. DHS and its faithful workers should not be underrated.

For example, the challenges of how the DHS was not afforded respect within the IC, the reluctance to share raw intelligence even though statutorily they were authorized to perform as an IC agency, and the competitive, confusing relationship between the TTIC and IAIP, all result from an unwillingness to allow for or effectively manage change. Blum's observation of DHS I&A's subversive mindset is somewhat accurate, and still exists, to some extent, today.

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<sup>314</sup> Blum, "The Department of Homeland Security and Intelligence: Past, Present and Future," 88.

<sup>315</sup> *Ibid.*, 89.

<sup>316</sup> U.S. Government Accountability Office, *Report to Chairman, Committee on Homeland Security, House of Representatives. Information-Sharing: DHS Could Better Define How It Plans to Meet Its State and Local Mission and Improve Performance Accountability*, (2010).

This historical perspective helps to illustrate the solutions applied to perceived problems, assessing effectiveness, re-attempting solutions, and reassessing. Today, the DHS still struggles with its credibility within the IC but it continues to probe and try new solutions. What is missing is continuity in leadership. While new thinkers in leadership may surface and implement innovation (to the degree the federal government's culture withstands), they are soon whisked off to another assignment or leave to join the private sector.

## **7. Every Wicked Problem Is Essentially Unique**

Rittel distinguishes between the trivial similarities in the traditional sense between one problem and another and “*essentially unique*” properties.<sup>317</sup> In traditional problems, distinct properties may be identified between any two problems. In the wicked problem, a long list of similarities may exist between one problem and the next, but an overriding characteristic sets them apart.

In tame problems that may be classified as similar enough, a prescribed technique or framework may work for all problems deemed to have such similarity or continuity of properties. In this case, a chess game may be analogous to a tame problem in that it has a finite set of rules for every situation that could occur.

To illustrate the wickedness of an information-sharing problem, in 2009, the Missouri Information Analysis Center (MIAC), Missouri's fusion center, produced and distributed an eight-page document aimed at bringing awareness to an extremist element of the militia movement. The bulletin was considered constricted to law enforcement personnel but its dissemination went beyond the law enforcement community (by a law enforcement member) to those who found it very concerning.

Entitled “The Modern Militia Movement,” the document linked presidential candidates and associated bumper stickers to the militia movement and domestic terrorism. While the document may have had a noble agenda to communicate potential threats to law enforcement personnel, it may have encroached upon the civil rights and

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<sup>317</sup> Rittel and Webber, “Dilemmas in a General Theory of Planning,” 155–169.

civil liberties of law-abiding citizens. The report was misinterpreted claimed the State of Missouri. A Missouri State Highway Patrol Lt. and MIAC representative argued the source of the data used to create the bulletin was from widely accessible information indicating patterns regarding militias.<sup>318</sup> “All this is an educational thing,” [the Lt.] said of the report. “Troopers have been shot by members of groups, so it’s our job to let law enforcement officers know what the trends are in the modern militia movement.”<sup>319</sup>

Three key issues emerged from this experience. First, the MIAC put into motion a solution to the problem that seemed well defined, that of ensuring it disseminated key officer safety information to law enforcement officers. Second, opponents claimed the government was unfairly (some would say illegally) categorizing differing political views as those indicating domestic terrorism tendencies. The MIAC may have overlooked the potential impact of its document as it prioritized the need to distribute what was viewed as key officer safety intelligence. Third, setting aside for the moment the controversy over the content, the MIAC learned that simply trusting recipients may not be adequate for security of sensitive information and that sending sensitive documents in a mass email distribution method (no matter how secure it seems) might not be the best approach for dissemination of sensitive material. Other considerations, such as posting such a document to a secure web portal, may become a preferred technique in the future. In this fashion, clients who have been vetted and have signed non-disclosure agreements may attain the documentation; thereby, reducing the possibility of an unintentional disclosure. All solutions considered are based on the problem as it emerges and none will be predictably successful.

While this case study may exemplify what would now be considered an obvious misstep by the MIAC, the seemingly urgent sense of obligation to send out officer safety information may have obfuscated well-meaning fusion center personnel from considering the overarching constitutional implications. Their problem morphed as they attempted to deliver what they believed were the expectations by recipients. Other fusion center

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<sup>318</sup> T. J. Greaney, “Fusion Center Data Draws Fire Over Assertions: Politics, Banners Seen As Suspect,” *Columbia Daily Tribune*, March 14, 2009, [http://www.columbiatribune.com/news/local/fusion-center-data-draws-fire-over-assertions/article\\_b929741f-2302-5c1e-bcbd-1bc154375a8f.html](http://www.columbiatribune.com/news/local/fusion-center-data-draws-fire-over-assertions/article_b929741f-2302-5c1e-bcbd-1bc154375a8f.html).

<sup>319</sup> *Ibid.*

directors and personnel are well informed of this incident and while it may provide similarities to the next problem for the next fusion center, it will also stand alone and be essentially unique in its properties due to the uniqueness of the social context in Missouri at that time, with that context, and that group of actors.

## **8. Every Wicked Problem Can Be Considered To Be a Symptom of Another Problem**

The nature of a problem can be described as the discrepancy between the current state and the desired state of affairs. To solve the problem, the root cause must be discovered. If the cause is removed, it reveals an underlying problem from which the original problem is derived. The original problem could also be viewed as a symptom of the originally detected problem. The criticisms of information sharing in American homeland security today could be a symptom of poor system interoperability, silo mentality, apathy, mistrust, fragmentation between levels of government, jurisdictional conflicts; the list could go on. The degree to which the problem can be identified and addressed is determined by the “self-confidence of the [one who is assessing] and cannot be decided on logical grounds.”<sup>320</sup> Further, an interesting dichotomy occurs; the higher the problem is formulated, the broader, more general, and more difficult, it becomes. Conversely, if the problem is attacked at too low a level and incremental methods are relied upon, the solution will be ineffective, “marginal improvement does not guarantee overall improvement.”<sup>321</sup>

As an example, the national network of fusion centers is at the time of this writing, creating a national strategy for the network. Many have called for such a strategy or even a national doctrine in the past. This new development could be attributed to timing and acceptance given the voices of the past, which may have been heard but not embraced. It could be credited to the recommendation of the Majority Staff Report on the National Network of Fusion Centers.<sup>322</sup> However, it could also be related to the fact that other problems have been segmented over time from the larger issue of “no national

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<sup>320</sup> Rittel and Webber, “Dilemmas in a General Theory of Planning,” 165.

<sup>321</sup> Ibid.

<sup>322</sup> King and McCaul, *Majority Staff Report on the National Network of Fusion Centers*, 1–98.

fusion center strategy.” These problems have been addressed incrementally, and the larger or higher problem is now more visible, and therefore, more attractive as something, which will provide more stability in the complex domain of a lack of continuity or common mission, vision, or values.

**9. The Existence of Discrepancy in Describing a Wicked Problem Can Be Explained in Numerous Ways. The Choice of Explanation Determines the Nature of the Problem’s Resolution**

The idea parallels Krug, Oakley, Barrett and Fry’s precepts that the quality of an inquiry will determine the quality of the outcome produced. Shifting the focus toward the solvability of a problem, while in the midst of the problem unfolding, presents a broader range of choices from which the potential best choice can be made.<sup>323</sup>

“Crime in the streets can be explained by not enough police, too many criminals, by inadequate laws... cultural deprivation, deficient opportunity, too many guns...”<sup>324</sup> Which of these is correct and how would a strategy be built for overcoming crime in the streets? It would depend upon the causal factor determined to be at the root of the problem. As a wicked problem, the choice is distinct from a scientific model in that when conflicting evidence exists, science would call for the following resolution: crime in the streets (C) is caused by too many guns (G) (assuming this hypothesis is accurate); applying a measure to reduce guns should have an impact on crime in the streets resulting in (I). If (I) does not occur, (G) is refuted as a valid hypothesis per the scientific approach.<sup>325</sup>

Wicked problem interaction allows for more permissive explanations: it can be stated that with (I), other forces intervened or that the appearance of (I) not occurring is inaccurate. Due to the essential uniqueness of the problem, and the lack of opportunity

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<sup>323</sup> Barrett and Fry, *Appreciative Inquiry: A Positive Approach to Building Cooperative Capacity*, 121; Krug and Oakley, *Enlightened Leadership: Getting to the Heart of Change*.

<sup>324</sup> Rittel and Webber, “Dilemmas in a General Theory of Planning,” 166.

<sup>325</sup> Ibid.

for rigorous experimentation, the choices in wicked problems become arbitrary based on the leader's best intentions and available actions.<sup>326</sup>

### **10. The Planner Has No Right to Be Wrong**

It is a principal of science that solutions to problems are only hypotheses offered for refutation.

–Rittel and Webber, “Dilemmas in a General Theory of Planning”

In traditional or tame problem solving, hypotheses are not proven; rather, they are refuted repeatedly until corroboration or credible quality to them exists. Wicked problems, because they are based in social context, come with a criticality, as consequences to people and their qualities of life occur. Therefore, for homeland security leaders, solving such problems brings with it a dichotomy; to ensure the best choice is made in an unclear situation until they are well immersed in the problem. In addition, since the homeland security leaders best informed in the problem set are the best suited for assessing the parameters of the problem, they have very limited resource pool from which to draw upon for collaboration, support, concurrence, or validation.

This approach can take a deceptive turn as well. For example, being so focused on creating the appearance of safety that a security theater is produced whether due to deliberate innovation or to stabilize a chaotic (threatening) environment, can be deceiving and expensive. By reviewing some post-9/11 measures, such as airport security, or building target hardening, a better set of questions that could be posed may be the following. Is this nation willing to recognize that it responded to the attacks of 9/11 in such a way as to recover from the event but also to protect, in the best way possible for the time, from future attacks? In addition, is this country willing to diagnose and fully assess the systems put into place throughout the past 10 years with an (honest) eye toward being safe, more cost effective, and efficient?

Mueller and Stewart not only ask the questions but offer plausible responses backed with statistical and acute if cynical observations about how this nation as a culture

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<sup>326</sup> Rittel and Webber, “Dilemmas in a General Theory of Planning,” 166.

pay more attention (and money) to virtual non-existent threats than the \$360 billion spent on homeland security since 2001; with no apparent established rate of return by the DHS according to the Congressional Research Service.<sup>327</sup>

The authors, however, are careful not to marginalize the terrible losses Americans have faced not only with 9/11 but other attacks. The precarious obligation they have taken on acknowledging the source of U.S. collective fears while offering the data that can free Americans to concentrate on more productive and sensible safety measures is admirable.

Their work puts forth the notion that this nation has invested more in a perpetual hysterical mindset around terrorism, born out of 9/11 attacks, and carried through by government officials' carefully chosen phrases, such as "existential" risks or threats, "critical infrastructure" and "key resources."<sup>328</sup> As the authors adeptly illustrate point after point, when the risk is assessed, whether past documented atrocities or the potential for future attacks, the prospective worse case does not support an "significant existential [struggle]" to this country.<sup>329</sup>

In addition, some of the most "critical" of "infrastructures" if destroyed would not stop Americans from traveling, attending events, or entering business or government buildings.<sup>330</sup> The numbers simply do not prove out what the rhetoric seems to suggest. As an example, the authors analyze the seemingly more popular aspects of terrorism to fear, such as al-Qaeda in general, atomic terrorism, other WMD, and airline safety. They are effective in countering the baseless but powerfully fear-centered beliefs that this nation is in grave danger. By illustrating more Americans die each year in bathtubs (320) than in the world from non-war zone Muslim extremists (200 to 300) since 2001, it offers

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<sup>327</sup> Mueller and Stewart, *Terror, Security, and Money: Balancing the Risks, Benefits, and Costs of Homeland Security*.

<sup>328</sup> *Ibid.*, 18–19.

<sup>329</sup> *Ibid.*, 20

<sup>330</sup> *Ibid.*, 18–19.

the reader an opportunity to focus on those things that may actually have an impact on “an individual’s life.”<sup>331</sup>

As summarized by Jeffery Rosen, “We have come to believe that life is risk-free and that, if something bad happens, there must be a governmental official to blame.”<sup>332</sup> This country has many critics in of many things not the least of which is the U.S. government. In the final analysis, perhaps it is possible to consider ways, after careful research, to re-purpose money to life-saving measures supported by careful evaluation. As an example, if a small percentage of the \$10 billion spent on airline security was diverted for items, such as seat belts, bicycle helmets, front airbags, tornado shelters, and smoke alarms, the authors say more lives would be saved at a fraction of the cost.<sup>333</sup>

These examples serve as reminders of the legitimacy of the wickedness of the homeland security project. In each case, leaders have recognized the problem or a problem and employed one or more solutions. The willingness to act or address what is perceived to be the problem is apparent. The desire to provide continuity to the 9/11 Commission’s recommendations is also apparent.

However, as systems, environments, and new relationships between the federal government and state, local, and tribal agencies become more complex and more integrated, the likelihood that the players representing these organizations will understand each other’s equities becomes weakened. Today, the stakeholders have only begun to understand the value each offers the other. While clear signals of what is to come are available, in terms of how the IC and SLTTP will interact in the future, it is still viewed by many (on both sides) as something to be avoided or ignored.

In retrospect, as suggested in the complex domain of the Cynefin Framework, the events of 9/11 serve not only as this nation’s awakening to what is conceivable in terms of the threats that possibly be faced, it illustrates the very ideas discussed in this thesis; met with an overwhelming menace, and an uncertain future of what the danger

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<sup>331</sup> Ibid., 42.

<sup>332</sup> Mueller and Stewart, *Terror, Security, and Money: Balancing the Risks, Benefits, and Costs of Homeland Security*, 174.

<sup>333</sup> Ibid., 182–183.



represented, the United States moved from the domain of what was known or knowable to an unordered realm. Suddenly, this country was attacked in a way that most could not have imagined. In fact, the 9/11 Commission specifically commented on this nation's inability to anticipate such a threat for lack of imagination.<sup>334</sup> Today, it is struggling with applying a methodology and thinking appropriate for preemptively identifying threats not yet conceived.

### **C. ABOUT INFORMATION SHARING**

The homeland security project has existed since the attacks of 9/11. Changes in American government after the attacks represent the most complex and significant since the creation of the DOD in 1947. Much of the homeland security project has been focused on streamlining information and intelligence sharing at all levels of government, as well as with the private sector.<sup>335</sup>

Advances in information sharing have occurred within the federal IC. For example, the IIRTPA of 2004 created the, DNI, which superseded the DCI as the chief intelligence community official. The DNI is now the principal intelligence advisor to the president and NSC. Formerly, the focus of the IC has been on foreign and domestic intelligence as distinct realms. The DCI's responsibility centered on foreign intelligence. The IIRTPA generated two shifts. First, it altered the definition of intelligence to that of national intelligence with subsets of foreign, domestic, and homeland security. Second, it has broadened the DNI's responsibility beyond that of the DCI's, particularly in the domestic realm. While the DCI represented a specific agency, the CIA, the DNI does not. Thus, the DNI is not only in a position to have access to all intelligence but to ensure intelligence is shared appropriately across all IC agencies. The position is also responsible for safeguarding intelligence sources and methods. The main thrust of the act was aimed at improving intelligence sharing between IC agencies, particularly within the

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<sup>334</sup> Zelikow et al., *The 9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks upon the United States*.

<sup>335</sup> Ibid.

foreign-domestic intelligence rift.<sup>336</sup> The research has shown that this rift is not unique to the differences between the IC and SLTTP.

The most recent progress report of the 9/11 Recommendations highlights efforts summarized as having made ... “America stronger and more resilient as a result...”<sup>337</sup> However, the 9/11 Commission states, “As presently configured, the national security institutions of the U.S. are still the institutions constructed to win the Cold War.”<sup>338</sup> The theme that the American IC has not graduated from the archaic constructs of the Cold War era pervades throughout the literature. Yet, while it has been discussed in numerous government documents, books, articles, and theses since the release of the 9/11 Commission Report, it lingers in 2014 as a chronic topic associated with the dysfunction of true intelligence reform. In spite of this seemingly limiting aspect, it may be useful to consider what has been delivered consistent with and supporting the 9/11 Commission recommendations and then observe what remains to be done.

As the literature has demonstrated, deep cultural divides exist within the subcultures of the IC. Nolan described her first-hand experience working within the NCTC. Beginning with the difficulty of a new analyst learning the internal IC lexicon, she describes this special language as having unique qualities for each IC agency and yet a separate and distinct vocabulary for the NCTC. Most NCTC analysts are not full-time NCTC cadre; rather, they are detailees from respective IC agencies for short durations. This tenuous environment she says does not support establishing social or professional networks from which to build stability, as just when analysts start to gain confidence in their knowledge, everything changes, which creates a dissonance between the expectation of being perfect and the reality of the chaotic environment.<sup>339</sup>

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<sup>336</sup> Lowenthal, *Intelligence: From Secrets to Policy*, 417.

<sup>337</sup> The Department of Homeland Security, *Implementing 9/11 Commission Recommendations: Progress Report 2011*.

<sup>338</sup> Zelikow et al., *The 9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks upon the United States*.

<sup>339</sup> Nolan, “Information Sharing and Collaboration in the United States Intelligence Community: An Ethnographic Study of the National Counterterrorism Center,” 1–206.

The rapid-fire environment would provide unique challenges for those in leadership positions as well. While Nolan uses the term chaos, it is known that chaos as defined in the Cynefin Framework means either innovation through deliberate means or an accidental entry into chaos, which requires immediate stability or failure, will ensue.<sup>340</sup> As Keene noted the degrees of complexity in today's work environment place such demands and expectations, they may outstrip an individual's capacity.<sup>341</sup> It would behoove leaders to understand the dynamics of complexity leadership theory as defined by Uhl-Bien et al., and to know the principles of administrative, enabling and adaptive leadership thus enabling them to provide an environment that would support high performance in the complex NCTC environment.<sup>342</sup>

To exacerbate the problem, the author writes of the social and professional caste system within the IC, which is amplified within the NCTC. The CIA is deemed a "greedy institution," one in which exclusivity and undivided loyalty are demanded of a member of the organization.<sup>343</sup>

While the NCTC houses most of the participating agency databases they generally are not compatible says Nolan. The term "stove piping" was alluded to regarding pre-9/11 databases both at the federal, as well as the state and local levels of government, and has been one of the key focuses of post-9/11 reform. Analysts detailed to the NCTC for a little as one year could wait for weeks or months to regain access to their own system.<sup>344</sup> In the author's experience, access to the classified system, common work environment (CWE), took six weeks, and the unclassified, agency information network (AIN), much longer at three months. This delay did not cripple his ability to perform as it would have an analyst, as he was not under the same pressures to produce intelligence products. One analyst interviewed by Nolan believed the lack of interoperability to be by design as a

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<sup>340</sup> Snowden, *The Cynefin Framework*.

<sup>341</sup> Keene, "Complexity Theory: The Changing Role of Leadership," 15.

<sup>342</sup> Uhl-Bien, Russ, and McKelvey, "Complexity Leadership Theory: Shifting Leadership from the Industrial Age to the Knowledge Era," 305.

<sup>343</sup> Nolan, "Information Sharing and Collaboration in the United States Intelligence Community: An Ethnographic Study of the National Counterterrorism Center," 42, 64.

<sup>344</sup> *Ibid.*, 28.

compartmentalized feature, citing the billions of dollars it took to build the systems to be impenetrable; to make them interoperable would defeat the purpose.<sup>345</sup>

Nolan's research seems to validate what has been acknowledged at least anecdotally, that a paradox exists in that too much information is available for analysts to deal with effectively, and yet, it is difficult to obtain the right access to the right information. The process of sorting and indexing information delays an analyst's ability to access it even though they are expected to perform at a rapid pace.<sup>346</sup>

Nolan describes a few coping mechanism for IC analysts based on the rigors of their pressure-filled environment. One such coping strategy termed emotion work, describes how analysts manage their feelings to display a public face or bodily expression. She notes that two of the highest compliments that can be paid to IC analysts are to call them "a machine" or "made of Teflon."<sup>347</sup> As a law enforcement officer, the author has had to be an extrovert in social situations especially those in which social disorder exists that needs to be stabilized, which is called having a command presence or command bearing when needed. Those in law enforcement, who were detailed to the ITACG, may have witnessed indicators of emotion work among IC analysts. For example, when riding in the elevator to the appointed vault (secured environment), they would deliberately try to engage analysts by saying good morning. This engagement often would startle the analysts who were staring at their shoes, and the common joke was that most analysts were noticeably introverted, and then came to the conclusion that extroverted analysts would have to be those who stared at someone else's shoes. While a humorous anecdote, a more solemn message emerges in that it illustrates the constricted environment resulting from Conklin's notion of the fragmented context from which each of these disciplines is operating.<sup>348</sup>

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<sup>345</sup> Ibid., 29.

<sup>346</sup> Nolan, "Information Sharing and Collaboration in the United States Intelligence Community: An Ethnographic Study of the National Counterterrorism Center," 27.

<sup>347</sup> Ibid., 44.

<sup>348</sup> Conklin, *Dialogue Mapping: Building Shared Understanding of Wicked Problems*.

Carabin noted in 2011 that barriers existed to effective information sharing from the IC to the SLTTP. He acknowledged that fusion center leaders and the IC leadership had yet to accomplish a cooperative relationship that would streamline the process.<sup>349</sup> As of this writing, while more frequent and robust conversations occur around this issue, this relationship has not improved to any significant degree. The fragmentation between the IC and SLTTP discussed earlier remains entrenched. In the author's experience while serving in the ITACG, most IC analysts he came in contact with had no consciousness of what state, local, or tribal first responders do or the implication of SLTTP resources for an IC analyst. Others were antagonistic not only toward other analysts of different agencies within the IC, as described by Nolan, but toward state and local first responders. An unmistakable undercurrent occurred among some in the IC that information sharing was over blown and simply represented the buzzword of the day; Nolan's ethnographic dissertation analyzing NCTC's culture validates this undercurrent.<sup>350</sup>

Moreover, Carabin discussed the skepticism on whether the ITACG was sufficiently supported, as well as whether it competed with DHS Office of I&A. Would ITACG be able to deliver on its mission to improve information sharing between the IC and SLTTP given its limited size?<sup>351</sup> No question exists that the ITACG was always limited in size, as it was funded for a maximum of 10 state, local, or tribal first responders. Its mission to enhance information-sharing aspects had to be scaled for obvious reasons, but the broader consideration is perhaps not the amount of information impacted based on the size of the unit, therefore, the volume of product; rather, the impact on the context in which the relationships between the two are viewed. Recall that the fragmentation between the SLTTP and IC is a historical gap defined by the Cold War era. Part of ITACG's mission was to use the newly acquired perspective of the IC from a SLTTP perspective's lens and create national initiatives designed to bridge, if only in

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<sup>349</sup> Carabin, "An Intelligence-Sharing Continuum: Next Generation Requirements for U.S. Counterterrorism Efforts," 1-153.

<sup>350</sup> Nolan, "Information Sharing and Collaboration in the United States Intelligence Community: An Ethnographic Study of the National Counterterrorism Center," 1-206.

<sup>351</sup> Carabin, "An Intelligence-Sharing Continuum: Next Generation Requirements for U.S. Counterterrorism Efforts," 36.

small ways, those abundant gaps present between the SLTTP and IC. A more notable example of one of these initiatives would be a national training curriculum created to address jail radicalization in cities and counties across the country, which was a cooperative effort between the ITACG, the NCTC, the DHS and the National Joint Terrorism Task Force.

What is more, he comments on the difficulty of achieving effective outcomes based on the constraints of the formal leadership construct within the ITACG.<sup>352</sup> The author experienced this difficulty as well. The ITACG was led by a DHS director and FBI deputy director neither of whom had law enforcement, fire, or public health experience, nor did they come from a state, local, or tribal background. While good intentions are important, the vast differences in the cultures required then and requires now SLTTP representation in a leadership role, otherwise "...the [JCAT] presents its self as a 'feel-good' organization that allows state and locals the ability to interact with federal information, but does not necessarily provide the organization the appropriate means for true collaboration on solutions that advocate for state and local interest...."<sup>353</sup>

No concerted effort has been made to integrate former ITACG members into positions within the information-sharing enterprise.<sup>354</sup> This situation is still accurate; ITACG members were processed for a year, achieved clearances, interacted within the IC for another year, and then sent home upon completion of the detail with no plan for assimilating the useful and unique skills and abilities developed while at the NCTC. Hundreds of thousands of dollars are spent on this process and detail. If the objective is to bridge the IC vs. SLTTP gap(s), to continue to leverage expertise gained while at the ITACG and now JCAT, a missed opportunity occurs to leverage this effort fully. A number of former detailees are peppered across the nation who could be involved in JTTFs, JRIGs, or fusion centers in an effort to maintain the skills used while at the ITACG to include maintaining clearances and reviewing classified traffic to advocate for

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<sup>352</sup> Carabin, "An Intelligence-Sharing Continuum: Next Generation Requirements for U.S. Counterterrorism Efforts," 36.

<sup>353</sup> *Ibid.*, 96.

<sup>354</sup> *Ibid.*, 103.

downgrades to be integrated in joint intelligence bulletins for regional implications. During the author's tenure at the ITACG, an effort was made to create such a program for former fellows whereby some level of interaction between the active members and former members was to be the objective. While tacit support existed at some levels within the ITACG hierarchy, its support ultimately waned with no goal champion other than ITACG members to advocate for such a program. This situation may serve as evidence of the fragmented perspective as discussed by Conklin and the resulting ill-perceived importance of such initiatives depending upon an individual's view of the concept.<sup>355</sup>

Today, an improved understanding and appreciation for the bottom-up intelligence collection architecture has occurred predominantly among elements within the SLTTP, which is utilizing state, local, and tribal first responders better. As will be discussed later, the British special branch construct offers such an advantage. Moreover, relying on former detailees could be exploited to help augment such an effort.

Carabin further suggested the involvement of former detailees in the advisory council.<sup>356</sup> The author agrees; this council was an integral part of the ITACG, and by law, provided representation of one-half IC entities and one-half state, local, and tribal organizations for an equitable split. The ITACG advisory council met quarterly at the NCTC where it was briefed on ITACG activity and progress. Former ITACG members would be a wealth of knowledge to advise council members or maintain continuity for projects that may have passed on from member to member, which risked the loss of momentum or continuity.

ITACG members began their application process with a telephone interview. Key exploratory questions were asked to gain insight as to the prospective member's fitness for the fellowship. Consistent with the prior recommendations, prospective detail members already has the support of their chief executive officer but they should also have a cogent idea of how to leverage the members once they return to their home state.

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<sup>355</sup> Conklin, *Dialogue Mapping: Building Shared Understanding of Wicked Problems*.

<sup>356</sup> Carabin, "An Intelligence-Sharing Continuum: Next Generation Requirements for U.S. Counterterrorism Efforts," 1-153.

Today, the ITACG has been defunded and the JCAT exists to achieve the same mission in similar ways. The JCAT is housed within the NCTC as was the ITACG, but it is funded by the NCTC and its hierarchy rests within the NCTC's organizational structure under the DOS. While at the ITACG, the author and others called for the restructuring of the leadership to help bring continuity to the overall mission of the then ITACG and now JCAT. This gap that remains in the leadership structure dilutes the effectiveness of SLTTP detailees; the JCAT director is a NCTC lead analyst while the DHS and FBI hold deputy director status. With no contextual foundation for state, local, or tribal equities, it is unreasonable to expect an IC member to understand, much less actively support, reform within their environment that may challenge status quo thinking. In addition, given the research based on Nolan's dissertation, as well as this author's professional experience, some elements within the NCTC work to undermine each other; it would, therefore, be difficult to rely on them to advocate for state, local, or tribal interests as expected for these fellowships by Congress.<sup>357</sup>

*Should Cops be Spies?* In his thesis, the preceding question as posed by Gomez, as a notion, sidesteps the reality that state, local and tribal law enforcement patrols America's streets. Therefore, it is an exponentially greater possibility that an agency at this level will intervene intentionally or inadvertently in a terrorist plot being conducted within this country. It also neglects the current and unquestionable emergence of the interconnectedness of traditional and transnational crime to terrorism.

Gomez asserts that ILP, as well as the NSI, are ill equipped to serve as models for intelligence collecting for the SLTTP level. His argument for disqualifying ILP is centered in the following quote.

In regards to the status quo, Intelligence-Led Policing is ineffective primarily due to police executives failing to understand the purpose and limitations of Intelligence-Led Policing as a tool for the collection of classified national security intelligence. Little empirical evidence in the literature or within the law enforcement community suggests Intelligence-Led Policing is an effective policy model for the collection of classified national security intelligence. This is partly the result of the desire by the

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<sup>357</sup> Nolan, "Information Sharing and Collaboration in the United States Intelligence Community: An Ethnographic Study of the National Counterterrorism Center," 1-206.



United States Intelligence Community to engage in ‘analysis driven collection,’ by which is meant intelligence collection priorities “should reflect the intelligence needs of those crafting the analysis.<sup>358</sup>

While the author does agree with pieces of this quote, it has flaws. Gomez’s position perpetuates the confusion beyond the state and local level to the federal level as well. Police executives do not fully understand the concept of ILP, which he would submit goes to the effort of educating such executives as to the value the model holds rather than the efficacy of the model itself.

What is sure, however, is that ILP and the NSI emanate from the same precepts as problem oriented policing, a robust relationship between the police and community.<sup>359</sup> One of the key aspects of ILP is the introduction of the intelligence cycle to the crime reduction effort. Carter acknowledges that no universally understood or agreed upon definition exists for ILP but offers the following.

The collection and analysis of information related to crime and conditions that contribute to crime, resulting in an actionable intelligence product intended to aid law enforcement in developing tactical responses to threats and/or strategic planning related to emerging or changing threats.<sup>360</sup>

The NSI may also be viewed as a natural extension of problem oriented policing in that it educates citizenry in suspicious behavior, but more importantly, encourages and offers ways in which they can report suspicious behavior, which follows the notion consistent with community oriented policing and problem oriented policing that the police cannot be everywhere or see everything. Community members are required to be active in securing their own neighborhoods by reporting suspicious behavior and building relationships with the police. The information reported is vetted by fusion center, law enforcement or, JTTF personnel and entered into a central database. While imperfections do occur within the system, it offers a conceptual foundation from which intelligence

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<sup>358</sup> Gomez, “Should Cops Be Spies? Evaluating the Collection and Sharing of National Security Intelligence by State, Local and Tribal Law Enforcement,” 99.

<sup>359</sup> Carter, *Law Enforcement Intelligence: A Guide for State, Local and Tribal Law Enforcement Agencies*, 1–471.

<sup>360</sup> *Ibid.*, 80.

from the bottom level can be coalesced with intelligence from federal law enforcement or the IC providing a more holistic threat picture.

Further classified national security intelligence emanating from domestic sources is likely first derived from what may otherwise be construed as innocuous information until it is collected, analyzed, and determined to be of value—then classified. From an organic perspective, assuming state, local, and tribal law enforcement fully understand and utilize both ILP and the NSI, information is information and not intelligence until it is given value, which only occurs after analysis; post collection. Given the intelligence cycle, it is agreed that priorities have been identified, some of which will be defined as national security-related. Using ILP or the NSI would simply provide more tools from the tool belt of the enterprise as a whole. Therefore, to presuppose that these models are inherently useless undermines the holistic approach of a coalesced information-sharing architecture, which in this author's view, is emerging.

Gomez does recommend adopting the British Special Branch format by creating a National Police Intelligence Corps. In addition, he recommends the creation of what he terms a national strategy to be created by the DHS I&A to formalize what he limits to national security intelligence. The term National Police Intelligence Corps as used by Gomez may raise eyebrows suggesting a collapse of the distinctions of states rights and federal domain as defined in the 10th Amendment, but the concept is attractive. The author also agrees with the recommended introduction of a central national information sharing guidance or doctrine.

He disagrees with Gomez that ILP is ill equipped to serve as a model for the next generation of intelligence reform in the United States as he has argued previously. He does agree with adopting a form of the Special Branch construct based on the much-needed bottom-up part of the intelligence architecture currently missing in the U.S. system.

Evolution in the homeland security project post-9/11 is based on emerging patterns; it could be stated that advancement is driven by timing and by technology. For example, the NSA surveillance programs currently in the spotlight due to recent leaks

were discussed in 2006 with much less public fervor than today.<sup>361</sup> Today's concerns about big data may account for the difference. The timing for a national intelligence manager at the cabinet level was not supportive when the 9/11 commission contemplated that such a position be created. Perhaps, the timing of today's interest in information sharing would support such a change.

**D. IS THIS NATION NOW READY FOR A SECRETARY OF NATIONAL INTELLIGENCE?**

In Chapter II.C.2., the author acknowledged the levels of reform the United States has accomplished regarding the post-9/11 fear of future threats and posed the question of whether this country would be willing to continue the necessary changes without the imminent fear of being threatened. While the question remains, the following sections may provide a more enlightened context.

In a recent panel discussion at the Bipartisan Policy Center in December 2013, Philip Zelikow, executive director of the 9/11 Commission, posed this very question. In his comments, he added the 9/11 Commission's recommendations had to be watered down so that they would become more palatable for Congress if they were to approve this bill, which already had the makings of sweeping reform. Zelikow credited President Bush with championing the passage of the bill with the narrowest of political margins. It had been crafted by the 9/11 Commission and brought to the fore but it was Bush's White House that massaged it into a form that would be accepted.

Zelikow and his commission wrestled with which model of national intelligence to offer as a recommendation. The following were among the choices. Three primary models, some of which include historic arguments, surfaced by the end of the Eisenhower administration, 1) create (or resume) a defense driven mission with intelligence missions on the side including the CIA and other IC agencies, which was the model pre-9/11, and 2) form a CIA Langley-centered central intelligence model. In other words, the CIA would run domestic intelligence including having purview over the FBI. This scenario

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<sup>361</sup> PBS Newshour, "FLASHBACK: Watch this 2006 PBS 'NewsHour' Debate on NSA's Phone Call Surveillance Program," June 8, 2013, <http://www.rawstory.com/rs/2013/06/08/flashback-watch-this-2006-pbs-newshour-debate-on-the-nsas-phone-call-surveillance-program/>.

would have been met with heavy resistance and never would have survived. Some discussion occurred over a model wherein the CIA would have responsibility for all intelligence collection but in the domestic realm. In this model, the CIA would have authority over the military. Substantial opposition would be brought bear for this scenario as well. 3) Create a national coordinating model giving it significant powers but not to the degree of a cabinet level member. The director of national intelligence, a concept discussed as early as President Nixon's administration by Jim Schlesinger, was the model the commission chose to bring forward.

Zelikow highlighted the fact that these discussions exposed what he characterized as a "vulcanized environment of pre-9/11." The commission's principal focus was on the need to have a "pretty damn good" connection between foreign and domestic intelligence; namely, a pure CIA model would not work. They agreed to bring forward option 3. While they considered a cabinet level intelligence manager who would oversee The Department of Intelligence, for example, it was viewed as not "have[ing] [a] snow ball's chance in hell."<sup>362</sup>

Given the challenges of implementing the 9/11 recommendations, very few would say this nation should roll the clock back and operate like it did pre-9/11. These major types of changes in established systems, gigantic enterprises, such as the IC, that were decisively formed between 1940 and 1960, are still primarily the institutions of that era. Massive reform, such as what American has been involved in, tends to occur in an evolutionary rather than revolutionary way and the question at this juncture is whether this country is now ready for the next step in evolution. Does the energy, or the will exist to go forward with the further step, the more ambitious design, the Secretary of Intelligence?<sup>363</sup>

While a better understanding and acceptance of change dynamics within American information-sharing and leadership realms seems to exist, the rapid and ever-changing national political environment places a tentative quality on any initiative

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<sup>362</sup> Gorman, Leiter, Zelikow, and Allen, *The Current State of Intelligence Reform: Bipartisan Policy Center*.

<sup>363</sup> Ibid.

requiring bipartisan agreement much less significant action. The 9/11 Commission and its recommendations were enacted on the heels of a national security crisis. All of today's intelligence efforts are top-down and driven by federal agencies. While these agencies, primarily the FBI, interact with SLTTP, no formal construct leverages SLTT information from the officers on the beat. Herein lies the best opportunity due to inherent relationships the police have with the community, to create awareness, as well as a formal structure between the SLTTP and IC.

The preceding sections have demonstrated the pre- and post-9/11 worldviews of the IC and SLTTP, the associated evolution of the two disciplines toward better levels of information sharing, and the paradoxical resistance toward such collaboration created in the process. They have discussed how interrelated leadership and complexity science are in today's government environment and the author's first hand experience as it relates to these emerging environments. Thus, remaining is the question of how to overcome the inefficiencies created since 9/11?

## **E. RECOMMENDATIONS**

- Is there a will to create?—Infusing bottom-up model of intelligence collection aspects of the British system; create national doctrine to help shape state strategy

In the following section, the author recommends adopting portions of the British system to create an intelligence collection architecture that leverages the SLTTP. He also recommends a central guiding information-sharing doctrine from which states can create strategies to support the doctrine and remain autonomous to fulfill their responsibilities. Moreover, he recommends a national leadership curriculum focused on leading initiatives and leveraging complexity science. Understanding the British form of government is sufficiently dissimilar to the American form of government as to prevent the configuration of the having the Special Branch officers reporting to the MI5 or Security Service. Much of the literature dating back to just after 9/11 suggests implementing an MI5-like agency with no arrest powers, as well as replacing the FBI as the domestic intelligence agency.

The MI5 is a civilian agency given authority by Britain's home secretary. Its central responsibility is protecting Britain's national security against terrorism, espionage, the proliferation of WMD, and attacks aimed at crippling the national economy. It has been effective at subverting and diminishing foreign saboteurs. In 1992, responsibility for leading the intelligence effort against Irish republican terrorism on the British mainland was transferred to it from Scotland Yard and other law-enforcement agencies to the MI5.<sup>364</sup> However, the collection for intelligence is still focused on the officers who know their respective community best, the Special Branch officer.

This thesis recommends adopting the Special Branch portion of Britain's system but rather than replacing the FBI with a MI5 type-agency based on the argument that criminal and terrorism investigations should have separated information-sharing systems, reporting to different agencies. Rather, due to the relationship of crime and terrorism, the collection points should rest with officers and intelligence sources closest to the activity.

Intelligence is the cornerstone of counterterrorism, the U.S. approach to intelligence collection is largely top-down. What is missing is a bottom-up process derived from where first responders operate daily. This recommendation addresses the need for stronger interaction between the IC and SLTTP community using a proven formula demonstrated by the U.K.'s special branch officer deployment within local police forces. It will also recommend ways to improve coordination and information from the local to the federal level effectively to define the current and future desired state within the federal IC and SLTTP communities, and provides effective solutions to achieve results. The challenge is to create a more cohesive relationship given the dichotomy between the two environments within the American system using aspects of the successful British model.

## **1. Reintroducing a New Idea**

The events of 9/11 exposed severe limitations in how information was shared between federal IC agencies and within state and local first responder agencies. Due to recommended stages of reform, numerous American initiatives have since improved

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<sup>364</sup> Duncan DeVille, "How to Split Up the Bipolar FBI," *The New York Times*, 2002.

information sharing at the various levels of government but they have underutilized the vital relationships between disciplines within the IC and SLTTP first responder community. Since the relationship between these entities is underdeveloped, a considerable rift is present, which left unaddressed, will further exacerbate the ability of the United States to identify and interdict terror plots within the United States.

State and local first responders are neither sufficiently aware of specific terrorism trends, tactics and techniques, nor prepared to link or report activity upward to ensure effective intervention. The American system is currently a top-down system driven by archaic pre-9/11 relationships between the IC and SLTTP community. This current configuration is ineffective. Key indicators of terrorist plots, if conducted within the United States, could be effectively detected and thwarted if local officers were properly educated and connected to national and international counterterrorism mechanisms.

The British system includes special branch (counterterrorism) officers selected from within the local ranks of each police force within Britain. These officers are specially trained, cleared, briefed, and held accountable to ensure effective information sharing between the local police and the British Security Service (MI5). In turn, this practice makes certain that suspicious activity discovered at the local level is immediately shared and integrated into a national big-picture perspective if it exists. It also decentralizes assets should an investigation expand across Britain, which adds the dynamic of bottom-up intelligence that is essential to the national counterterrorism effort. While differences exist between the British and American government structures, key components of the British intelligence architecture could be adapted to fit the U.S. national security enterprise.

## **2. British vs. American Police**

The American local law enforcement community has been relatively disconnected from national security or the IC until post-9/11 reform emerged. By contrast, the local British police services have been used to collect counterterrorism intelligence since the late 1800s. Due to the threat of violence from the Irish Republican Army, the metropolitan special branch was created. These officers are specially trained in

counterterrorism, provided appropriate clearances, and are responsible for ensuring bottom-up reporting of suspicious terrorist activity. By contrast, the United States has 18,000 law enforcement agencies, and approximately 800,000 law enforcement officers. No central focus or coordinated effort at this level exists to educate, provide security clearances for, brief, or rely on local officers for terrorism tips or leads. While the NSI exists, it is not currently streamlined or easily accessed for analysis to convey intelligence from the local level.

Most fusion centers across the country have TLO programs. TLOs represent SLTTP agencies, as well as private organizations, are trained at an awareness level for counterterrorism and routinely briefed by their respective fusion centers. TLOs are expected to collect and submit suspicious activity information to their fusion center based on their training and briefing. While this configuration provides for a potential basis for bottom-up reporting, it lacks consistency in its focus, application, and effectiveness across the national network of fusion centers.

### **3. The U.S. National Intelligence System**

While positive steps have been taken in improving American information-sharing efforts post-9/11, no substantial consciousness exists in the American culture among national intelligence agencies acknowledging the benefit of creating strong ties between the IC and SLTTP communities as occurs in Britain. The United States has 17 national intelligence agencies, all of which compete with one another for funding, notoriety, and mission space. No national doctrine is used by these agencies as a common operating platform with the SLTTP community. To consider coordinating information between national and local level agencies, a central guiding doctrine is essential. Further, the United States has no equivalent to a central counterterrorism command or national coordinator of terrorism investigations as exists in Britain. Instead, the United States has a top-down model that derives intelligence from foreign counterterrorism and counter intelligence sources. If information is developed that impacts local U.S. jurisdictions, personalities rather than common operating doctrine drive whether and to what degree the information is shared either with other national intelligence, or state and locals agencies.



The FBI is the lead federal law enforcement agency in charge of U.S. terrorism investigations. Twelve FBI special agents in charge (SACs) of the 56 field offices are geographically designated as Domestic Director of National Intelligence Representatives (DOMDNIs). In their current capacities, they are to coordinate IC interaction (including the NCTC) within their geographical areas of responsibility (AoR).

Using the Boston bombing as an example, it was apparent that federal intelligence agencies had information indicating one of the Tsarnaev brothers had shown signs of adhering to increased Islamist extremism and had been radicalized to violence over a number of years. In early 2011, Russia informed U.S. officials of Tamerlan Tsarnaev's perceived radical behavior in Chechnya. In the subsequent investigation, Tsarnaev's uncle revealed that Tamerlan became radicalized in Cambridge, MA, rather than Chechnya. Evidence exists that may validate this assertion as Tamerlan displayed outbursts in a Cambridge mosque in late 2012 and early 2013 expressing an extremist Islamist worldview.<sup>365</sup> While the FBI was aware of the concerns for Tamerlan's behavior, Cambridge police appear not to have been.

Decisions must be made to ascertain the level of threat once intelligence is received and this case was no different. Those in the JTTF who assessed the information and drew the conclusion that Tamerlan Tsarnaev posed no imminent threat did so based on identifiable criteria that supported the decision. However, is that where it should stop? These cases, in this nation's current introspective atmosphere, call for an informed degree of speculation. Had the Cambridge, MA, Police Department been part of a prescribed information-sharing architecture, including local Special Branch officers, and afforded the information known to the JTTF, perhaps it would have been able to learn of the developments involving Tamerlan Tsarnaev after having been confronted at the mosque. Tamerlan Tsarnaev was reportedly entered into the Terrorist Identities Datamart Environment (TIDE) and added to the KST watch list based on two reports from the

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<sup>365</sup> CNN Staff, "Timeline: A Look at Tamerlan Tsarnaev's Past," *Cable News Network, Turner Broadcasting Systems*, accessed September 4, 2013, <http://www.cnn.com/2013/04/21/us/tamerlan-tsarnaev-timeline>.

Russians. However, Tsarnaev was able to travel to Chechnya from the United States undetected; the Cambridge, MA, police appear not to have been informed.<sup>366</sup>

#### **4. The Problem to Be Tackled**

This thesis is an autoethnographic study that explores some ineffective practices of American information-sharing and intelligence in a post-9/11 world. The study has combined personal experiences of the author with a methodological framework that leverages complexity science, social planning (wicked problems), and leadership doctrine to discover improved coordination at the scale of the federal IC and SLTTP first responder level with the objective of closing the gap between the two.

#### **5. The Challenge of Innovation**

As Snowden and Boone suggest, innovation is a deliberate attempt at creativity resulting in chaos until stability is restored.<sup>367</sup> To suggest a central guiding doctrine and introduction of a British-style Special Branch Officer architecture within the current configuration of the American homeland security project is a difficult transformation to imagine, much less implement, as substantive changes involving the relationship between the federal IC and state and local first responders require a disruptive-thinking approach to the relationship between the two environs. To accomplish this scenario, homeland security leaders must challenge entrenched policies and philosophies, which can only be accomplished by understanding complexity, as well as how to navigate and lead new initiatives in a complex adaptive environment. The importance of the endlessly shifting and evolving dynamic of the threat to Americans, and the relationship between crime and terrorism, continues to intensify requiring an increased coordination between the IC and SLTTP. An essential consideration for those who will lead the future of the U.S. domestic intelligence approach is the acute realization of how intelligence is perceived as becoming more intrusive in American lives. Leaders must view the emerging trends not

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<sup>366</sup> Catherine Herridge, Mike Levine, and Associated Press, "CIA Had Tsarnaev's Name Put in Terror Watchlist After being Contacted by Russians," *Fox News*, April 25, 2013, <http://www.foxnews.com/politics/2013/04/25/russian-officials-contacted-us-twice-in-2011-about-tamerlan-tsarnaev-sources/>.

<sup>367</sup> Snowden and Boone, "Wise Executives Tailor their Approach to Fit the Complexity of the Circumstances They Face: A Leader's Framework for Decision Making," 8.

as a predictor of the future but an indicator of how complex and rapid the homeland security information-sharing environment shifts. Recent revelations based on unauthorized disclosures of classified material and resulting global backlash serves as ample evidence of how this nation's seemingly stable systems can be disrupted in short order. Americans look at the IC with a jaundice eye and the federal government as a whole with disdain. To bring forward a salient argument for coalescing aspects of both state and local and federal government under a central guiding information-sharing doctrine presents daunting challenges.

## **6. Current State of Affairs**

Changes in American government post-9/11 represent the most complex and significant since the creation of the DOD in 1947. Much of the homeland security project has been focused on streamlining information and intelligence sharing at all levels of government, as well as with the private sector.<sup>368</sup>

Advances in information sharing have occurred within the federal IC since the implementation of the IRTPA of 2004. The IRTPA created the DNI, which superseded the DCI as the chief intelligence community official and the principal intelligence advisor to the president and NSC. The main thrust of the act was aimed at improving intelligence sharing between IC agencies particularly within the foreign-domestic intelligence rift.<sup>369</sup> The IRTPA generated two shifts. First, it altered the definition of intelligence to that of national intelligence with subsets of foreign, domestic and homeland security. Second, it broadened the DNI's responsibility beyond that of the DCI's, particularly in the domestic realm. While the DCI specifically represented the CIA, the DNI represents all 17 agencies comprising the IC. Thus, the DNI is not only in a position to have access to all intelligence but to ensure intelligence is shared appropriately across all IC agencies, while safeguarding intelligence sources and methods.

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<sup>368</sup> Zelikow et al., *The 9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks upon the United States*.

<sup>369</sup> Lowenthal, *Intelligence: From Secrets to Policy*, 417.

Similarly, SLTTP information-sharing innovations have revolutionized how information is shared and crimes are solved. As an example, state and local law enforcement has endeavored to simplify and improve efforts in information sharing to better address crime trends through cross-jurisdictional and multi-discipline information sharing through the creation of such entities as the CIE initiative—a groundbreaking initiative that proposes a whole of government intelligence-cycle-driven approach emphasizing valuable analysis utilizing a formal and quality driven collection process.<sup>370</sup> The Nationwide Suspicious Activity Reporting (SAR) Initiative (NSI)—formalized by the ODNI and PM-ISE—in theory has potential for evolving into a national program to share terrorism-related SAR data at all levels of government, but in its current state, struggles to provide comprehensive data or analytical capabilities.<sup>371</sup>

## **7. Limitations Have Lingered**

Considering the advances, state and local first responders are neither sufficiently aware of specific terrorism trends, tactics and techniques, nor are they prepared to link activity to disparate information or report activity to ensure effective intervention. The American information-sharing architecture is currently a top-down system driven by archaic pre-9/11 relationships between the IC and SLTTP community, which is an ineffective configuration. Key indicators of terrorist plots, if conducted within the United States, could be effectively detected and thwarted if local officers were properly educated and connected to national and international counterterrorism mechanisms.

To illustrate, the blurring distinction (as described by Director Clapper)<sup>372</sup> between crime at the state and local level and terrorism is a compelling reason for interdisciplinary collaboration. The growing number of incidents resulting in disrupted terror plots exposed at the local policing level was highlighted in a Major City Chiefs' Association white paper. Of note, 22 percent of 68 thwarted terror plots (15 incidents from 1999 to 2009) were discovered by state and local law enforcement agencies.

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<sup>370</sup> Major Cities Chiefs and Major County Sheriffs Intelligence Commanders Groups, *Criminal Intelligence Enterprise: Threat Domain Assessment, How-to-Packet*.

<sup>371</sup> See ODNI at <http://www.dni.gov/>, also see PM-ISE NSI at <http://ise.gov/nationwide-sar-initiative>.

<sup>372</sup> Clapper, 2010 *State of Domestic Intelligence Reform Conference*.

Further, 50 percent of these cases required some form of state or local preliminary investigation before being forwarded to federal law enforcement. Finally, in 18 percent of these cases, initial detection of the plots came from traditional police interaction in a non-terrorism scenario.<sup>373</sup> An effective relationship between the IC and SLTTP communities becomes critical when the likelihood of conventional crime/terrorism correlation is understood.

While the IC and SLTTP have focused on streamlining information sharing in their respective spheres, the need for a reinforced relationship and collaborative efforts between the IC and SLTTP remains. By considering that approximately 2 million-law enforcement and fire first responders at the state and local level provide services inside American homes every day, it is easy to imagine the importance of ensuring they are aware of TTPs.

Additionally, in a recent poll of section chiefs from the intelligence units of major American metropolitan police departments, counterterrorism intelligence collection and analysis is a shared function between local and federal governments. Analytical and collection skills were interchangeable when compared to traditional police work and counterterrorism. Survey participants expressed concern about the training and skill level of SLT analysts. Twenty-six out of 42 respondents indicated that increased analytical capability was either their first or second most important area of needed improvement within their department.<sup>374</sup> Despite these compelling examples, a large chasm exists between the local police in America and the national intelligence agencies. Creating a formal information-sharing structure between the two would streamline the process, and ensure timeliness, accuracy, and operational coordination among all agencies involved.

While positive steps have been taken in improving American information-sharing efforts post-9/11, no substantial consciousness in the American culture among national intelligence agencies acknowledges the benefit of creating stronger ties between the IC and SLTTP communities as in Britain. For example, the United States has 17 national

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<sup>373</sup> Major Cities Chiefs Intelligence Commander's Group. *Major Cities Chiefs: Criminal Intelligence Enterprise*, White Paper (Chicago, IL: Major Cities Chiefs Association, 2011).

<sup>374</sup> Cilluffo, Clark, and Downing, *Counterterrorism Intelligence: Law Enforcement Perspective*.

intelligence agencies, all of which compete with one another for funding, notoriety, and mission space. With no single national doctrine used by these agencies as a common operating platform with the SLTTP community, nor a common doctrine under which the SLTTP operates, the top-down model of foreign counterterrorism and counter intelligence sources is ineffective at best without a bottom-up piece to complement it. Personalities rather than common operating doctrine determines whether and to what degree information impacting local U.S. jurisdictions is shared either with other national intelligence agencies or state and local agencies.

## **8. Emergent Thinking—A Disruptive Approach**

To consider coordinating information between national and local level agencies, a central guiding doctrine is essential to drive the process. It is important to note this doctrine would be a national doctrine developed and agreed upon by state governments whose interests lie in serving their constituents locally as opposed to a federal mandate that may impinge on the responsibilities of states.<sup>375</sup> The enormity and complexity of both the IC and SLTTP is daunting. To create reform in this area effectively, it is important for leaders to first understand the subtleties of complexity, and second, recognize that effective dynamics of leadership do exist in complex adaptive systems.

As a reminder of Conklin's concept of fragmentation, one of many manifestations of complexity occurs when stakeholders in a project (or fragmented elements in organizations) feel their perspective of the problem is the only one that matters, which can be hidden when stakeholders do not know different perspectives should be observed. The analogy is that the IC and SLTTP agencies had virtually no consciousness of the unique perspectives for each until post-9/11 reform forced the exploration of enlightened perspectives from both sides.<sup>376</sup> Further, a naturally emerging relationship between the IC and the SLTTP community is occurring due to increased awareness of the relationship between crime and terrorism in addition to rapidly developing methods of

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<sup>375</sup> Deanne B. Criswell, "Homeland Security: Developing National Doctrine to Guide State Strategy Development" (master's thesis, Naval Postgraduate School, 2012), 33.

<sup>376</sup> Conklin, *Dialogue Mapping: Building Shared Understanding of Wicked Problems*, 2.

communication and data collection. Due to this emerging relationship, the IC and SLTTP would be considered subsystems of a larger hierarchical system called the U.S. national security enterprise. Levels of relationship or communication within each subsystem (i.e., the IC), are stronger and denser than between the subsystems of the IC and SLTTP.<sup>377</sup> The objective is to reduce the fragmentation and to strengthen the communication between the two subsystems. Such a strengthened relationship would qualify as sustaining technology or improving performance with what exists today with information sharing. This newly created relationship may, however, pave the way for disruptive technology, or completely new forms of information sharing that may be simpler, cheaper to produce, and more convenient for consumers to access.<sup>378</sup>

Of the roughly 40 leadership theories in existence today,<sup>379</sup> the prevailing principals of leading are based on a top-down hierarchical precept, and of control and prediction.<sup>380</sup> However, Uhl Bien and her colleagues' *Complexity Leadership Theory*, may offer an opportunity for homeland security leaders to embrace complexity while accomplishing organizational goals. Understanding the distinction between simply complicated systems and complex ones may serve as the genesis for taking on massive government reform. Simply stated, if a system can be described in terms of its component parts (no matter how many there are), it is complicated. If, however, the system's components interrelate and interact with each other and the environment in such a way as the whole (system) cannot be fully understood by simply analyzing the individual parts, it is complex; even more succinct, a complex adaptive system is one in which 1) order within the system is emergent rather than predetermined, 2) the system's history is irreversible, and 3) the system's future is unpredictable.<sup>381</sup>

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<sup>377</sup> Donella H. Meadows, *Thinking in Systems—A Primer*, ed. Diana Wright (White River Junction, VT: Chelsea Green Publishing, 2008).

<sup>378</sup> Clayton M. Christensen, *The Innovator's Dilemma: When New Technologies Cause Great Firms to Fail* (Cambridge, MA: The President and Fellows of Harvard College, 1997).

<sup>379</sup> Kellerman, *The End of Leadership*.

<sup>380</sup> Keene, "Complexity Theory: The Changing Role of Leadership," 15–18.

<sup>381</sup> Uhl-Bien, Russ, and McKelvey, "Complexity Leadership Theory: Shifting Leadership from the Industrial Age to the Knowledge Era," 298–318.

While today's homeland security leader hears encouraging news in that academia is recognizing the value of exploring leading in complexity and creating theories to support new thought, in the author's professional experience, few practitioners are among those in academia, and the interested few have no access to formal training for interested leaders to explore the new thinking while learning to apply it, much like the model at the Center for Homeland Defense and Security. As an example, until recently, no universal training regime for law enforcement has addressed a comprehensive behavioral science-based curriculum. Traditionally, retired cops would create a training course based on their area of expertise and travel the country delivering the training until local budgets ran dry or the topic became passé. Today, LPO is a nationally adopted curriculum based on a West Point model and is being delivered across the country by active officers.

This type of model should be created for the information-sharing realm. It should include the latest behavioral and complexity science and be driven by andragogy with real life case study interaction between senior leaders from both the SLTTP and IC environments. In the following few pages, the author recommends a national information-sharing doctrine, as well as a bottom-up collection architecture to fill the present gaps as illustrated by the research and his experience. This type of new leadership training would support or provide the foundation for the kind of innovation that will emerge whether this nation embraces it or not as asserted by Keene.<sup>382</sup>

With 17 massive national level intelligence agencies each with its own legacy, culture, mission, and policy, and thousands of state and local first responder agencies—18,000 law enforcement agencies alone, with their unique idiosyncrasies—rather than falling prey to the urge of designating this system as merely complicated, the constant and emerging relationships between these entities must be observed to understand the system fully as a whole. Complex Leadership Theory therefore, becomes an attractive alternative model for leadership in and of complex adaptive environments in knowledge era organizations and systems.<sup>383</sup> This implementation also addresses the innumerable

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<sup>382</sup> Keene, "Complexity Theory: The Changing Role of Leadership," 15–18.

<sup>383</sup> Uhl-Bien, Russ, and McKelvey, "Complexity Leadership Theory: Shifting Leadership from the Industrial Age to the Knowledge Era," 298–318.



organizational value systems and processes, which must be acknowledged since people are much more resilient in terms of learning to adapt to new ways of supporting the organization and organizational value systems, while actual processes value systems are not.<sup>384</sup> Thus, a central guiding doctrine becomes more vital in aligning employee resiliency with organizational values.

## **9. Construction—Timeframe—Costs**

In developing the central guiding doctrine necessary to implement an initiative aimed at coalescing the IC and SLTTP, a task team comprised of subject matter experts (SMEs) from key institutions should be formed. This team will research and determine what if any legislative measures should be undertaken, costs involved, training, public opinion concerns, ensuring political will, as well as other areas of potential concern in creating a bottom-up streamlined American information-sharing system that also includes centralized information coordination at the state and local level. The group of included SMEs will play an essential role in not only conceptualizing the necessary aspects of such an implementation but provide key leadership in conveying the vision for a newly created information-sharing environment, an indispensable ingredient in change management. Each implementation recommendation leverages existing guiding documentation and positions within the current system to be modified to accomplish streamlined reform.

Based on their charge at inception and providing continuity in American information-sharing, this team should be assembled through the CICC and Global Intelligence Working Group (GIWG). These bodies are comprised of organizations, such as the IACP, the MCCA and National Sheriffs Association and the National Fusion Center Association (NFCA). The National Governors Association would be a key stakeholder to ensure buy-in. In addition, due to the shear numbers of and exposure to potential terrorism indicators, the International Association of Fire Chiefs (IAFC) should be included. SMEs from the British and American intelligence organization, MI5, National NCTC, PM-ISE and British Police Service should also be included to provide

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<sup>384</sup> Christensen, *The Innovator's Dilemma: When New Technologies Cause Great Firms to Fail*.

insights into program development. Efforts to be considered should include but not be limited to the following.

- Draw on existing national guidance documents to develop and establish a universally adaptive national doctrine with a clear focus on objectives, responsibilities, and procedures for counterterrorism and related crime that does not countermand national security public laws or policies. This doctrine should reflect a bottom-up orientation of information collection beginning with SLTTP personnel who interact intimately with local communities. The resulting intelligence can then be coordinated with traditional IC collections methods and sources for a complete picture of threats in the United States. All subsequent aspects of this strategy will be aligned with the doctrine. Guiding documents could include but not limited to the following.
  - *National Security Strategy*, which requires that national intelligence is integrated and delivered that includes information from federal, state, local, tribal, and private partners.
  - *National Criminal Intelligence Sharing Plan*,<sup>385</sup> which could be leveraged to recommend the establishment of special branch officers within law enforcement agencies in the United States. The NCISP has just been revised; however, it calls for leadership and innovative thinking as challenges progress and technology advances.
  - *Executive Order 12333* (2008), which defines the IC's obligation, role, and functions within U.S. national security, can be amended to create necessary reform within the IC.
  - The *Intelligence Reform and Terrorism Prevention Act* of 2004, which instituted massive reorganization within the IC, could be revised to address the new model.<sup>386</sup>
  - The *National Fusion Center Guidelines*, which defines common standards for fusion center implementation across America, could be adapted to meet newly established guidance to ensure coordination with special branch officers and JTTFs.<sup>387</sup>

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<sup>385</sup> Global Intelligence Working Group, *National Criminal Intelligence Sharing Plan* (Washington, DC: Office of Justice Programs, U.S. Department of Justice, 2003).

<sup>386</sup> United States 108th Congress. "Public Law 108-458," *Intelligence Reform and Terrorist Prevention Act of 2004* (Washington, DC: U.S. Government, December 17, 2004).

<sup>387</sup> Global Justice Information Sharing Initiative/Bureau of Justice Assistance, *Fusion Center Guidelines* (Washington, DC: Bureau of Justice Assistance, 2006).

- At the time of this writing, the National Network of Fusion Centers is developing a national strategy. This strategy (through each respective fusion center) will emphasize the facilitation of assisting local partners in identifying standing information needs (SINS) and priority information needs (PINS), which are categories of types of threat information viewed as essential for the particular agency to have collected and analyzed. The CIE could be used as the model into which this information could be collated. Information collected in each fusion center's AoR would then be codified with local JTTFs and to DHS I&A resulting in a national threat picture.
- To execute this process, utilize TLOs or fusion center liaison officers (FLOs) to involve local jurisdictions in the process. As mentioned earlier, ILP is misunderstood among state, local, tribal, as well as federal law enforcement. It essentially means employing the intelligence cycle. This process re-orient agencies to 1) become aware of and utilize the intelligence cycle, and 2) develop a bottom-up collection process to be conjoined with the national security, top-down system.
- Using the example of the TLO program and its connection with fusion centers, create a model wherein officers from local agencies are designated, trained in counterterrorism principles on the level of U.K. special branch officers and provided security clearances so as to navigate and communicate effectively within the IC.
  - These officers would coordinate with local fusion centers and JTTFs with official status and credibility to facilitate the bi-directional flow of information between TLOs, JTTFs, and fusion centers.
  - Utilize former ITACG, JCAT and other SLTTP fellowship participants who have worked within the IC. This resource is underutilized and would provide ongoing support for creating new initiatives, relationships or programs to meet emergent trends in intelligence.
- Create a National Counterterrorism Coordinator position
  - Utilize the existing FBI domestic DNI representatives to coordinate counterterrorism operations, case preparations, arrests, and prosecutions within their areas of responsibility, as well as with their counterparts across the country.
- Introduce a CTC to provide coordination of IC resources to local law enforcement agencies through respective special branch officers.
  - Since domestic terrorism cases fall under the purview of the FBI, local JTTFs could fulfill this function.

- Fusion centers would assist in the development and coordination of relationships between local agencies and CTCs.
- The CTC coordinates with the office of the National Coordinator.
- Introduce an ELG comprised of appropriate IC representatives, senior local law enforcement, and JTTF leadership.
  - The group is responsible for coordinating all efforts between intelligence, operations, and prosecutions.
  - The National Coordinator chairs this group.
- Create a national leadership model introducing complexity science as related to organizational leadership. Pattern this model after the IACP's LPO curriculum, and the Center for Homeland and Defense utilizing practitioners who know and understand these issues to teach practitioners.
- Establish milestones at six-month intervals to review efficiency and effectiveness of the program. Members of the MI5 and Metropolitan Police Service should be involved in the analysis and assessment of outcomes measured against identified objectives.

#### **10. Why Would This Work?**

This approach would be successful for at least two reasons, 1) the British have successfully operated for years using a much more streamlined, efficient, and effective national security enterprise based on a bottom-up reporting system with centralized coordination, and 2) a mounting realization is occurring among homeland security practitioners that crime and terrorism are more often related; therefore, the intervention efforts for the two must be coordinated. This coordination requires a much more agile, robust, and responsible relationship between the IC and SLTTP.

#### **11. Who Cares Most?**

The author has worked in the IC under the auspices of the ITACG at the NCTC in Washington, DC. Those like the author from state and local agencies who have lived in Washington, DC, and operated within the IC on a daily basis to both educate members of the IC about SLTTP equities, as well as helping to streamline ways in which the two disciplines communicate, will be invested in contributing to future solutions. In addition, state and local representatives exposed to similar fellowship environments are encouraged to identify gaps within the system and possibly create initiatives to address

those gaps. While still limited, a growing element of homeland security practitioners in the United States, who, due to such fellowships, and a growing number of state and local agency members entering federal service, have been exposed to the inadequacies between the IC and SLTTP, as well as the growing importance of filling those shortfalls. These individuals will care most and emerge as the leaders of such initiatives to create closer ties between the IC and SLTTP in the future.

## **12. What Difference Will It Make?**

A strengthened relationship between the IC and SLTTP would create opportunities for increased reporting between the two disciplines. If American first responders do not know what is important, they clearly will not be alert to terrorist indicators or be in a position to intervene in a terrorist plot. An enhanced relationship would inspire a vision for the future that would ensure better collection methods, heightened ability to respond to emerging threats, and more effective resource utilization.<sup>388</sup>

This proposed doctrine in essence would provide clarity for all members of the national security enterprise in how local first responders would focus on or collect criminal or terrorism information. It would strengthen the mechanism of reporting and coordinating and add a level of expediency in which they are *able* to interact with federal, SLTT members of the national security apparatus.

Due to a simplified relationship between the IC and SLTTP, vast improvement would occur in coordination of information between the two disciplines. Further, the likelihood of intervening in a terrorist plot in the United States increases due to a central guiding doctrine outlining well-defined roles and responsibilities among all partners. A bottom-up configuration of suspicious activity reporting with a well-established communication matrix reduces the possibility of key threat information being overlooked. It also allows for a quicker response to imminent threats if the information related to the risk is recognized and developed at the line-level closest to the execution of

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<sup>388</sup> Carter, "Law Enforcement Intelligence and National Security Intelligence: Exploring the Differences," 2.

the threat itself. Clearly defined roles and responsibilities amount to a more rapid deployment of tactical intervention when needed.

### **13. Who Will Oppose?**

While strong potential benefits of expanding information-sharing components are possible, opponents are concerned that broadened information collection and sharing processes may jeopardize privacy, civil liberties, and civil rights of citizens, a concern shared by law enforcement and IC leaders alike. It is important to note that all changes in information-sharing practices require the creation of stringent privacy policies and adherence to the privacy and civil rights guidelines of the ISE.<sup>389</sup>

The American Civil Liberties Union (ACLU) may oppose any movement in which the IC operates domestically. Clearly, the recent exposure of NSA collections methods has, according to the ACLU, created a global chilling effect. The ACLU has claimed that NSA's practices are intrusive and unconstitutional based on the assertion that the Foreign Intelligence Surveillance Act (FISA) is flawed and that effective congressional oversight is difficult and public oversight impossible.<sup>390</sup>

Two recent federal court decisions take opposing views of the constitutionality and statutory authority of NSA's operations under the FISA Section 215 and Section 702 or PRISM program. These conflicting rulings addressing separate but related lawsuits, one filed by the ACLU, will play havoc with those whose agendas are served by one or the other of these decisions. Any new approach to collecting intelligence especially at the local level may very well be perceived as a further encroachment of the IC within the domestic realm. The reality of this country's history and today's environment is such that Americans collectively rise up and confront inequities real or perceived. Today is no exception as evidenced by the fervent opinions written by District of Columbia Judge Richard Leon and Southern District of New York Judge William H Pauley III.

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<sup>389</sup> See ISE, "Privacy, Civil Rights, and Civil Liberties Protection Framework."

<sup>390</sup> House Judiciary Committee, *ACLU on the Hill: NSA Surveillance "Intrusive and Unconstitutional,"* Oversight Hearing on the Administration's Use of FISA Authorities sess.

Judge Leon’s ruling highlights issues that must be taken seriously and addressed if for no other reason than correcting a misguided notion or ill-informed conclusion. As an example, Judge Leon cites three instances in less than three years in which the NSA has been deemed misrepresentative to FISA Court judges. As a result, Judge Walton of the FISA Court required that NSA come before the FISA Court on a case-by-case basis when requesting to query data within the bulk telephony metadata. Previously, the NSA was expected to only conduct queries within the data when the query met the approved standard of reasonable articulable suspicion (RAS).<sup>391</sup> As a parallel, law enforcement in America is historically fraught with examples of abuses of citizens’ search and seizure, as well as due process rights. The U.S. system of justice is constructed so that course correction measures are taken when these abuses occur, and at times, resultant case law becomes the new guiding measure for the future.

To highlight and summarize U.S. District Court Judge Leon’s essential view, he stated the following in his opinion.

I cannot imagine a more “indiscriminate” and “arbitrary invasion” than this systematic and high-tech collection and retention of personal data on virtually every single citizen for purposes of querying and analyzing it without prior judicial approval. Surely, such a program infringes on “that degree of privacy” that the Founders enshrined in the Fourth Amendment. Indeed, I have little doubt that the author of our Constitution, James Madison, who cautioned us to beware “the abridgement of freedom of the people by gradual and silent encroachments by those in power,” would be aghast.<sup>392</sup>

While the quote is narrowly aimed at the NSA’s collection of bulk telephony metadata, the broad brush of the “...abridgement of freedom of the people by gradual and silent encroachments by those in power”<sup>393</sup> may well be used to paint emerging, perhaps misunderstood, trends in intelligence, and certainly, if modified at the local level.

Judge Pauley, as if theatrically orchestrated, released a contrasting opinion days after the Leon decision highlighting the position that America ... “learned from its

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<sup>391</sup> *Klayman et al. Vs. Obama et al.* (United States District Court for the District of Columbia 2013).

<sup>392</sup> *Ibid.*

<sup>393</sup> *Ibid.*, 64.

mistake [of pre-9/11 intelligence failures] and adapted to confront a new enemy: a terror network capable of orchestrating attacks across the world. It launched a number of counter-measures including a bulk telephony metadata collection program—a wide net that could find and isolate gossamer contacts among suspected terrorists in an ocean of seemingly disconnected data.”<sup>394</sup>

These two decisions capture the diametrically opposed views in this country and indeed across the globe. The striking challenge for this initiative is that many in the homeland security enterprise do not fully understand the nuances between the IC and SLTTP. Those who have worked within both environments do but that is a minuscule society. The current and impending relationship between the IC and SLTTP is emerging whether it is created, promoted or simply allowed, which then becomes a wicked problem; one in which those few who know the inner sanctum of both the SLTTP and IC and the nascent relationship, understand the problem as such, but only as it develops.<sup>395</sup> Wicked does not mean a degree of difficulty, it means that traditional problem solving methods are inadequate to address them.<sup>396</sup> To add to the complexity, the upheaval generated by modern day issues of the NSA whether connected directly to this effort or not, may become associated with and collapsed into part of NSA’s purported abuses to those whose bias dictates such a declaration, which will add to the amorphous quality of the problem as it progresses.

Further, a high degree of disparity occurs in the awareness of or operations within the intelligence function among state and local law enforcement. Any attempt to standardize or structuralize such a function may exacerbate existing suspicion or resistance some police chiefs or sheriffs have regarding national initiatives or the federal government.

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<sup>394</sup> *American Civil Liberties Union et al. Vs. James R. Clapper et al.* (United States District Court, Southern District of New York 2013).

<sup>395</sup> Rittel and Webber, “Dilemmas in a General Theory of Planning,” 155–169.

<sup>396</sup> John Camillus, “Strategy As a Wicked Problem: Wicked Problems Can’t Be Solved but They Can Be Tamed. Increasingly These Are Problems Strategists Face—and for Which They Are Ill-Equipped,” *Harvard Business Review*, 2008, 99–106.



Moreover, an on-going debate is occurring between Juliette Kayyem of the University of Chicago's Law School and Federal U.S. Court of Appeals Judge Richard Posner over whether an MI5-style agency replacing the FBI as the domestic intelligence agency should be instituted. While this thesis is not advocating this specific method of reform, it does go to the central issue of improving the domestic intelligence architecture. As has been outlined previously, this thesis recommends modifying existing structures initially to achieve better domestic intelligence. Further, Posner and Kayyem discuss the distinction between criminal investigative procedures versus national security intelligence, citing the MI5 as having no enforcement authority. As mentioned earlier, a demonstrated relationship between crime and terrorism exists in the United States. While key distinctions must be adhered to between criminal procedure and national security procedure, a mechanism must also exist wherein any information that is collected is treated appropriately once it is determined how best to do so. The bottom-up collection mechanism should account for leveraging local authorities, funneling the information up through appropriate channels, and ensuring it is dealt with appropriately once introduced in the system.<sup>397</sup>

#### **14. What Limitations Are There?**

Fundamental differences between IC and SLTTP agencies represent a legitimate issue and may place some appropriate constraints on aspects of coalescing the IC and SLTTP. The IC is charged with providing necessary information for executive decision making on foreign, defense, and economic policies, and the protection of this nation's national security interests from foreign security threats.<sup>398</sup> Further, Title 50 of the U.S. Code designated for agencies directs the IC and activities involved in war and national defense activities.<sup>399</sup>

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<sup>397</sup> Juliette Kayyem and Richard A. Posner, "Does the United States Need a Domestic Intelligence Agency?" *Council on Foreign Relations* (2006), February 17, 2014, <http://www.cfr.org/intelligence/does-united-states-need-domestic-intelligence-agency/p11990>.

<sup>398</sup> President of the United States, *Executive Order 12333, United States Intelligence Activities*, Part 1.1.

<sup>399</sup> Carter, "Law Enforcement Intelligence and National Security Intelligence: Exploring the Differences," 1-16.

Very few SLTTP community members have security clearances, and by contrast with the IC, work predominantly within the open source realm. Those with clearances sponsored by one federal agency experience difficulties in being recognized by different IC agencies with whom they may need to exchange information. Security clearances require additional funding, the cost of which depends on the level of clearance to be granted. The DHS is responsible for addressing these needs for SLTTP members by and large, and the attached budgetary issue if new Special Branch Officers are to be created.

The IC operates under vastly different rules than the SLTTP community in terms of collection, and certainly, storage of information. For example, IC information is collected through specific and various methods and is treated as classified national security information on varying levels.<sup>400</sup> By distinction, SLTTP government agencies cannot store PII on U.S. persons without a criminal nexus,<sup>401</sup> and all actions must be based on a minimal standard of reasonable articulable suspicion or the higher standard of probable cause (in which case an arrest can be made). Code of Federal Regulations Title 28 Part 23 provides guidance for federally funded multi-jurisdictional law enforcement agencies on maintaining criminal intelligence information systems effectively while protecting individuals' privacy and constitutional rights during the collection, storage, and dissemination of criminal intelligence information.<sup>402</sup> A poorly planned and executed strategy could open the door for a mission creep scenario that could not only jeopardize important cases, but also encroach on civil liberties, erode public trust, and violate laws or policies designed to protect against such intrusions.

While much of this proposal seems intuitive to those who know and understand the subtleties of the IC and SLTTP and resultant shortcomings, it will require reorganization of aspects of the system as a whole. As such, it threatens the status quo silo mentality of existing competition for funding and power and control among agencies within the IC. State and local entities will find it difficult to trust federal agencies, in

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<sup>400</sup> *Safeguarding Classified National Security Information*, 32 CFR Part 2004.

<sup>401</sup> *Criminal Intelligence Systems Operation Policies*, 28 CFR Part 23.

<sup>402</sup> See Institute for Intergovernmental Research, "Criminal Intelligence Systems Operating Policies (28 CFR Part 23) Training and Technical Assistance Program," December 20, 2013, [http://www.iir.com/WhatWeDo/Criminal\\_Justice\\_Training/28CFR/](http://www.iir.com/WhatWeDo/Criminal_Justice_Training/28CFR/).

particular the FBI, due to historical turf wars and negative imagery from contentious relationships over time. Nolan validates the conflict among the members of the IC serving at the NCTC. Given that they are, at times, more interested in undermining each other than overcoming differences, adding the aspect of working with the SLTTP would simply be at worst dismissed by some and passively accepted at best.<sup>403</sup>

## 15. A Leader's Strategy

The preceding may appear bleak; on the contrary, it offers the opportunity to reinvent a colossal enterprise in this country while leveraging existing systems. Consistent with appreciative inquiry,<sup>404</sup> as well as precepts brought forward by Krug and Oakley,<sup>405</sup> it is essential to focus on the way in which the challenges and problems are thought of that will determine the degree of success. A thorough understanding of the dynamics of this problem emanates from the notion that it springs from entangled and complex roots due to numerous stakeholders with different values and priorities. No precedent exists; no sure indicator of success will appear until it is realized.<sup>406</sup> Wicked problems are based in social context. If the challenges that have been laid out in this document are analyzed, it can be seen that much of the complications faced or envisioned bring with them a social aspect of sorts. Whether a group is concerned about its shrinking identity, or mission space, or budget considerations, its fears have not been realized for the most part, and yet it, in some cases, is vehemently opposed to a new idea based on a fantasy-based fear.

A solution as suggested by Occam's razor may be one of simplicity, to communicate profusely and be as inclusive as possible. Not everyone will agree on what the problem is but the stakeholders should have the best perspective.<sup>407</sup> For this reason, it

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<sup>403</sup> Nolan, "Information Sharing and Collaboration in the United States Intelligence Community: An Ethnographic Study of the National Counterterrorism Center," 1–206.

<sup>404</sup> Barrett and Fry, *Appreciative Inquiry: A Positive Approach to Building Cooperative Capacity*, 121.

<sup>405</sup> Krug and Oakley, *Enlightened Leadership: Getting to the Heart of Change*.

<sup>406</sup> Camillus, "Strategy As a Wicked Problem: Wicked Problems Can't Be Solved but They Can Be Tamed. Increasingly These Are Problems Strategists Face—and for Which They Are Ill-Equipped," 99–106.

<sup>407</sup> *Ibid.*, 102.

is important for the stakeholders, in this case, key members of the CICC to be involved at the onset. Born of the post-9/11 fallout, the CICC represents the most appropriate and influential stakeholders in both the SLTTP and IC realms. Crucial members, representing the most important stakeholders, will not only be able to provide professional guidance but they will quickly determine who among key participants should be involved who have not yet been invited.

Leveraged effectively, the CICC could produce indispensable guidance on the overall:

- *Values:* What is important to this group in producing a newly forged relationship between the IC and SLTTP where intelligence from the bottom-up is coalesced with the national big picture?
- *Competencies:* What do the various stakeholders do best and how do they fit the overall scheme?
- *Aspirations:* What is envisioned as a perfect outcome?<sup>408</sup>

An identity of sorts is thus formed, which provides for a common operating picture although it is comprised of a conglomeration of federal, state, local, tribal, territorial, and private agencies. It would be within this process that some semblance of buy-in among stakeholders might emerge, as they will have been included in the process from the start. Next, because this nation is so connected to the Newtonian concept of taking action, Camillus recommends taking action, no matter how small and without over thinking it. In this case, most of the stakeholders are law enforcement executives and intelligence professionals; thus, this concept may be a tough sell although many historical examples can be presented to law enforcement to indicate that this kind of approach was embraced.

As an example, community oriented policing tenets called for law enforcement leaders to encourage officers to take risks, responsible risk-taking of course when solving neighborhood problems. A recent example within the IC is the creation of the JRIGs, a concept wherein national intelligence is shifted from a nationally centralized format in Washington, DC, to a regional approach, and thereby, providing a more customized

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<sup>408</sup> Camillus, "Strategy As a Wicked Problem: Wicked Problems Can't Be Solved but They Can Be Tamed. Increasingly These Are Problems Strategists Face—and for Which They Are Ill-Equipped," 103.

perspective on intelligence from the intelligence community. Two pilot programs are now in progress, but eventually, all FBI SACs, who are also Domestic Director of National Intelligence Representatives, of which there are 12, would have a JRIG in their field office.

Augment the feedback format as is customary in organizational strategy after an action has been taken or a strategy has been implemented, by introducing a feed-forward concept.<sup>409</sup> Feedback is valuable but only provides such value past tense. Feed-forward involves a conscious shift in thinking about what is to come in the next period of time and because wicked problems do not have timetables, those in leadership positions must often check for weak signals of environmental changes rather than wait for formal analyses.<sup>410</sup>

## **16. Who Will Be Affected?**

A vast number of agencies within the IC will be affected, as well as potentially 18,000 U.S. law enforcement agencies, countless fire service agencies, and perhaps, other SLTTP disciplines. Thus, the autonomy usually enjoyed by respective disciplines, such as state and local first responders, as well as federal entities, would be threatened, or at least disrupted, even when considering a strong urgency or advocacy of a national doctrine. In anticipation, it should be made clear at the inception that this doctrine should not have the appearance of a federal mandate. Rather, due to the national nature of information sharing in homeland security, a concept corroborated in abundant post-9/11 strategies and other documents, the doctrine should be an overarching guidance. It should be focused on mutually agreed fundamental guiding principles adopted by state and local jurisdictions upon which they form their respective strategies.<sup>411</sup> Congressional funding may be consolidated to address specific initiatives to better serve a newly created relationship between SLTTP and some IC agencies, which may siphon off normally experienced and

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<sup>409</sup> Camillus, "Strategy As a Wicked Problem: Wicked Problems Can't Be Solved but They Can Be Tamed. Increasingly These Are Problems Strategists Face—and for Which They Are Ill-Equipped," 103.

<sup>410</sup> Ibid.

<sup>411</sup> Criswell, "Homeland Security: Developing National Doctrine to Guide State Strategy Development," 32.

routinely expected budgetary line items causing political firestorms, resistance, and subterfuge by adversely affected principals.

This nation has experienced what the American psyche is capable of with sufficient motivation, whether as in the example of focusing all domestic activity during WWII to support the American effort or restructuring the American government post-9/11. The urgency of these examples does not exist today; however, inroads consistent with this proposal have been accomplished in the past, as evidenced by the creation of the ITACG and similar fellowships as a result of great fortitude and non-linear thinking by those persuasive with congressional members, as well as senior IC officials.

### **A final thought**

This thesis has delved into the world of leadership, complexity science, and the information-sharing enterprise in America. The impulse to be overwhelmed crept in and out as I conducted research, wrote, conducted more research and wrote more. With each step, my capacity to understand the complexity seemed to expand more and more. Yet, the process of writing took on the characteristics of a wicked problem; the more I probed into the expanse of this thesis, the more I discovered emerging themes for new problems to consider. A simplicity emerged along with the comfort of realizing every problem I looked at in this thesis, and indeed every problem this country has, possesses two characteristics. First, the problems are solvable given the tenets of wicked problems, and second, they are broader than American problems; they belong to the world. While I have considered myself an evolved thinker, this process has expanded my thinking beyond what it was in terms of understanding the global nature of almost everything and the complexity this new thinking brings with it, which is the central theme for Snowden and Boone. They developed the Cynefin Framework to help leaders decipher which domain of complexity they are in to adjust cognitive thinking, and therefore, decision making.<sup>412</sup>

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<sup>412</sup> Snowden and Boone, “Wise Executives Tailor their Approach to Fit the Complexity of the Circumstances They Face: A Leader’s Framework for Decision Making,” 1–10.

The result of producing this thesis and the process leading to its conclusion has brought me to the following realizations.

- Pre 9/11, the IC and SLTTP were focused on their respective missions, the IC on the former Soviet Union, and the SLTTP on reducing crime or providing first responder services to natural or man-made disorder. Each constructed structures, laws, policies, processes, and procedures to address their needs, and had virtually no consciousness of each other's existence much less their equities.
- 9/11 occurred; the IC and SLTTP were forced to become aware of each other, to somehow come together to solve what the 9/11 Commission listed as gaps in this nation's system. Numerous strategies, policies, executive orders, laws, and government restructure have been aimed at providing better coordination, and yet, a paradox exists; conflict and resistance have been created within this country's systems of reform that would not have existed except for the efforts to coalesce them, and still this nation continues to flounder. Some members of the SLTTP first responder community, such as myself, have been introduced into the mysterious realm of the IC. We have been encouraged to learn the ways of the IC and to notice where the gaps lie between the IC and SLTTP. We have also been challenged to provide suggestions for improvement. When this situation occurs, and we introduce suggestions for improvement, we encounter resistance, due in part, by individual agendas, but also due to a lack of a central guiding doctrine from which the whole of government can derive its strategies whether at the federal or state, local, tribal, or territorial level.
- An analysis into the thematic evolution of the homeland security information-sharing enterprise can provide clarity as to what we do next. How do we improve these gaps and overcome the self imposed resistance? How can a better understanding of complexity science and leadership help to create the new thinking, doctrine, laws, and policies necessary to better blend these two massive disciplines? The analysis in this thesis has allowed for recommended solutions to remaining information gaps, as well as leadership doctrine that can be leveraged to provide a foundation for operating within the complex domain.

The process of writing to this degree and reflecting on my experiences while attempting to maintain academic rigor, has also caused me to reflect on some of the lessons learned that I had forgotten or of which I never really was aware. Every student and author brings with them a collective set of experiences, values, beliefs, and biases. The road representing my journey over the past seven years has brought me to this point, and along with it, a debt of gratitude. I know much work remains. I breathe a sigh of

relief not because this thesis has come to a conclusion but because the process the thesis and graduate course represents exposes a yet-to-be determined road that lies ahead; true to form however, what is emerging is palpable and yet indistinguishable at the same time. My unique opportunity of falling down the March hare's hole as Nolan quoted one of her colleagues at NCTC,<sup>413</sup> has piqued a curiosity in me that is unyielding. I am better prepared now to apply my lessons learned to help move the information-sharing enterprise in this country forward.

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<sup>413</sup> Nolan, "Information Sharing and Collaboration in the United States Intelligence Community: An Ethnographic Study of the National Counterterrorism Center," 25.



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