

**The Bill Blackwood
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Effective Communication: The Lack of Intelligence Sharing

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**By
Herminio Joseph Pabon**

**Windcrest Police Department
Windcrest, Texas
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ABSTRACT

The lack of effective communication and intelligence sharing is relevant to contemporary law enforcement because it is needed to fight terrorism in the United States. Both federal and local law enforcement agencies need to place their political differences aside and unite to collect, analyze, and distribute the necessary information available to effectively protect communities from terrorism. The purpose of this research is to determine if intelligence information relating to terrorism is being shared between federal and local law enforcement agencies.

The method of inquiry used by the researcher included: a review of articles, Internet sites, periodicals, journals, and a survey distributed to 30 survey participants. The researcher discovered that effective sharing of intelligence information relating to terrorism is being channeled between federal and local law enforcement agencies. However, federal agencies are still hesitant in sharing information with local law enforcement agencies, which may be causing tension between the two.

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INTRODUCTION

The problem or issue to be examined considers whether or not intelligence information related to terrorism is gathered and shared between federal and local law enforcement agencies. Intelligence information, related to terrorism, has become an increasingly important part of the everyday life of federal and local law enforcement agencies throughout the United States and the world, yet federal and local agencies fail to share that intelligence with each other.

The relevance of sharing intelligence information related to terrorism between local and federal agencies to law enforcement is critical for the safety of the community and their property. Without the proper information, communities cannot be protected at the level where citizens would feel safe conducting their daily chores in life. One example of the lack of sharing between the agencies is when the Federal Bureau of Investigation (FBI) had intelligence indicating there was a strong possibility that the NBC studio in New York City was going to be attacked with anthrax. The FBI knew of the possible attack for days and did not share the information with the New York City Police Department (NYPD). Had the FBI shared the intelligence they had with the NYPD, steps may have been taken to prevent the attack (Kurlander, 2005).

The purpose of this research is to examine if the effective communication of intelligence related to terrorism has improved between federal and local law enforcement agencies since September 11, 2001. The research question to be examined focuses on whether or not the communication flow between federal and local law enforcement agencies is present and effective when it pertains to terrorism. The question will be broken down into two parts. First, it will focus on whether or not federal

agencies are hesitant to share intelligence because of legal ramifications. Second, it will examine whether or not federal agencies are resistant in sharing intelligence for fear of it leaking out to the public.

The intended method of inquiry includes: a review of articles, Internet sites, periodicals, and journals relating to intelligence sharing. A survey of local law enforcement agencies will be conducted to determine their involvement in the intelligence sharing process. The survey will also include the location and type of the department.

The intended outcome or anticipated findings of the research will show that after all the technological advancements in communication, the intelligence gathering and sharing between federal and local law enforcement agencies is not at the level it should be after the attack of the World Trade Center on September 11, 2001. In order to combat terrorism in the United States, both federal and local law enforcement agencies need to place their political differences aside and unite to collect, analyze, and distribute the necessary information available to effectively protect communities from terrorism.

The field of law enforcement will benefit from the research or be influenced by the conclusions because all agencies need to have a better understanding as to why there is a lack of information sharing between federal and local law enforcement agencies. Agencies will also know what necessary steps may be available to improve the communication flow between the respective agencies.

REVIEW OF LITERATURE

The terrorist attacks on September 11, 2001 made the United States federal government realize that it would be in their best interest if federal and local law

enforcement agencies would cooperate with each other and begin sharing intelligence information related to terrorist activities. It was also noted that operational strategies and tactics, especially those focused on national issues, such as drugs, counterintelligence, and weapons of mass destruction, needed to be integrated between agencies. The relevance of sharing intelligence information related to terrorism between law enforcement agencies is critical for the safety of the community, their property, and, most important, to prevent chaos. Without proper intelligence sharing between federal and local law enforcement agencies, local communities cannot be protected at the level where citizens may feel safe. When a law enforcement agency receives information leading to a possible attack and does not share that information, the results can be damaging financially and emotionally. In an article written by the Armed Forces Communications and Electronics Association International (2007), the article stated, "Both law enforcement and federal intelligence organizations recognize the need to collaborate, share, and exchange information; however, the events leading up to 9/11 depicted how the legal and artificial boundaries between them created a serious impediment to protecting the country" ("The need to share," p. 2). In order to combat terrorism in the United States and its territories, federal and local law enforcement agencies need to change their respective policies that would allow intelligence information to be exchanged without the fear of mishandling.

The problem of information sharing between federal intelligence and local law enforcement agencies has a long history. Securing the homeland means obtaining and sharing information between federal and local law enforcement agencies from those that mean it harm. Local law enforcement agencies provided whatever information they

collected to the federal agencies. Federal agencies, however, faced the issue of what discretion they had in releasing intelligence they had gathered. Federal intelligence agencies do not gather intelligence to investigate offenses but to protect the democratic legal order of the nation and to maintain that intelligence in secrecy. Local law enforcement gathers intelligence for prosecution, and the information is made public via court proceedings. After the September 11 attacks, the federal government established the USA Patriot Act. The act broke down the legal dividing wall and opened up the information flow between federal and local law enforcement agencies. It also considerably expanded the regular powers of investigation, especially in the field of electronic and digital surveillance, while, at the same time, it weakened judicial control (Vervaele, 2005).

Many states have established fusion centers where they can share information with federal, state, municipal, and county agencies. However, it seemed that information was flowing one way: from local to federal agencies. Good information is perhaps the strongest weapon law enforcement agencies have to combat both terrorism and common crime. To best summarize the lack of intelligence sharing between both federal and local law enforcement agencies, Bratton, Kelling, and Eddy (2007) wrote, "The failure of the intelligence and law enforcement communities to "connect the dots", as the 9/11 Commission put it, helped prevent us from disrupting al-Qaida's 2001 attacks" (p. 34). Bratton et al. (2007) also said, "But for dots to be connected, whether they have to do with crime or with terrorism, information must be available to those who can best use it – and that frequently means local law enforcement" (p. 34). Since September 11, some progress has been made in the gathering and sharing of

intelligence between the agencies. The FBI established the Joint Terrorism Task Force, and state and regional fusion centers were created; these agencies gather and analyze information that comes from multiple jurisdictions. However, the fusion centers have not been working as originally planned because federal agencies are still hesitant in sharing their intelligence information.

However, agencies, such as NYPD, grew tired of waiting on the FBI for terrorist information and formed the Terrorist Intelligence Gathering section. This section was formed because NYPD wanted to prevent another attack and wanted independent access to threat reports concerning New York. In an article written by Linzer (2008), she said, "An unmarked Brooklyn warehouse was transformed into a counterterrorism center with a national and global reach" (para. 9). Furthermore, she stated, "In the past seven years, Kelly and his deputies have formed close working relationship with key intelligence agencies and the Department of Homeland Security (Linzer, 2008, para. 6).

Other agencies, like the Los Angeles Police Department (LAPD), had no type of system for officers to report terrorist information to the rest of their department or any federal agency. Instead of waiting for the federal government to ask for information LAPD ensured that information was shared with the federal agencies. They wanted to make sure that information their officers collected on the streets was being forwarded up to the appropriate departments and federal agency and created a program that ran for a few months and rapidly became the "heart and soul" of LAPD's counterterrorism efforts (Nichols, 2008, p. 44). Both NYPD and LAPD took the initiative and did not wait for federal assistance.

METHODOLOGY

The research question to be examined considers whether or not the effective communication of intelligence information related to terrorism has improved between federal and local law enforcement agencies since September 11, 2001. The researcher hypothesizes the communication flow between federal and local law enforcement agencies may exist but it is not at the level it should be when it pertains to terrorism.

The method of inquiry will include: a review of articles, Internet sites, periodicals, journals, and a survey distributed to 30 participating agencies within the State of Texas. The instrument that will be used to measure the researcher's findings regarding the subject of the lack of intelligence sharing between federal and local law enforcement agencies will include a survey questionnaire. The researcher will conduct independent research by conducting two surveys. The first survey conducted will be with various agencies throughout the state of Texas. The second survey will be conducted in the Bexar County area, which is located in the geographical area of the Windcrest Police Department. The size of the survey will consist of nine questions, distributed to survey participants from the law enforcement community in the state of Texas. Approximately half of the survey will result from the Bexar County Area. The other half of the survey will result from agencies located in various cities within the state of Texas.

The response rate to the survey instrument resulted in a 100% of surveys being by the participants. The information obtained from the survey will be analyzed by compiling the information and determining if federal and local law enforcement agencies actually communicate effectively by sharing intelligence information relating to terrorism.

FINDINGS

The results of the survey indicated that effective sharing of intelligence information relating to terrorism is being channeled to law enforcement agencies but not at the level it should be between federal and local agencies. The researcher conducted a survey by compiling a list of six questions and distributing them to all of the survey participants, which consisted of agencies throughout the state of Texas. Agencies that participated in the survey were from the following areas: Dallas/Fort Worth, Houston, Austin, Corpus Christi, San Antonio, and the Bexar County area agencies surrounding the city of Windcrest Police Department.

Fifty-five percent of the survey results came from municipal law enforcement agencies, 6% were from county agencies, and another 6% were from the Texas Department of Public Safety (DPS). Twenty-one percent were from Independent School District police agencies, and 12% were from Port Police and Transportation Police departments. The size of sworn officers from each participating agency ranged from 15 to 150 officers while each city's population varied from 5,500 to 350,000 people. The survey indicated that 55% of the participants received some information related to terrorism; 33% of the participants indicated they received adequate information, and 12% said they received excellent information. The 12% receiving excellent information were mainly from the Port and Transportation Police departments. In the Bexar county area surrounding the City of Windcrest Police Department, 5% of the participants received some information relating to terrorism, while 45% indicated they received adequate information. The researcher asked if information was received in a timely manner. All participants, with the exception of three agencies, agreed that information

was being received on time. Of those three agencies, two said that information was not received in a timely manner; one agency said the information flow was improving.

Most alarming was the type of information the participants were receiving. Some of the survey participants felt that by receiving monthly or quarterly information from federal agencies via the internet, such as bulletins from the Border Patrol, the Drug Enforcement Agency (DEA), or other local agencies, was enough information to satisfy their need to know curiosity about terrorism. Other survey participants indicated they had one of their members assigned to a federal task force and depended on the member to receive and relay direct information to their agency. It was said by other survey participants that they communicated with federal agencies only when it involved a case they were investigating. All participants agreed that the communication flow between federal and local agencies should be disseminated both ways. However, they also agreed that meeting face to face on a monthly, quarterly, or a semi-annual basis with federal law enforcement agencies was more than enough to exchange information related to terrorism.

All but one of the participating agencies indicated they maintain contact with a federal agency. Ninety-nine percent of the surveyed, participating agencies said they maintain contact with one of the federal law enforcement agencies, such as the FBI, the United States Secret Service (USSS), DEA, the U.S. Marshals, and Alcohol, Tobacco and Firearms (ATF). One agency indicated they do not maintain contact with any federal agency unless that agency is working on a case. This is partly due to the size of the agency and the location of the city. Since the port and transportation police agencies deal with a vast amount of people and transportation carriers on a daily basis,

they maintain contact with not only the above agencies but also the Department of State, Department of Homeland Security, Department of Commerce, Immigration Customs Enforcement (ICE), U.S. Navy, U.S. Coast Guard, and the U.S. Army Criminal Investigation Division (CID).

DISCUSSION/CONCLUSIONS

The problem or issue examined by the researcher considered whether or not the effective communication of intelligence information related to terrorism has improved between federal and local law enforcement agencies since September 11, 2001. Based on the survey conducted with by the participating agencies, information is being exchanged. However, additional work is needed to maintain a constant information flow traveling both ways.

The purpose of this research was to determine if the communication flow between federal and local law enforcement agencies exists when it pertains to terrorism. The research question that was examined focused on the intelligence information sharing pertaining to terrorism between federal and local law enforcement agencies. The researcher hypothesized that the communication flow between federal and local law enforcement agencies may exist but is not at the level it should be when it pertains to terrorism.

The researcher concluded from the findings that that effective sharing of intelligence information relating to terrorism is being channeled but not at the appropriate level that it should be between federal and local agencies. Intelligence information is raw material that is collected in the field and then analyzed to ensure that the information received is valid and useful to law enforcement. Since intelligence

information is sensitive in nature, time becomes a crucial factor for law enforcement. Therefore, federal and local law enforcement agencies should coordinate meetings as often as needed to exchange crucial information pertaining to their jurisdictions.

The findings of the research did support the hypothesis. The reason why the findings did support the hypothesis is probably due to the answers the survey participants completed on the survey. Having an agency member assigned to a federal task force will not necessarily give an agency an upper hand; most federal agencies will only depart with intelligence information that is not sensitive in nature for fear of it leaking out. Limitations that might have hindered this study resulted because the researcher limited the survey only to the state of Texas and not the continental United States. True intelligence information relating to terrorism should be reviewed on a routine basis and not just once a month. This researcher does not know the answer to repairing the lack of trust between both agencies. However, federal and local law enforcement agencies need to establish rapport with each other and maintain it by working closely together. Commanders, Special Agents in charge, or their representatives should hold meetings at least once every two weeks to discuss routine and unusual activities in their communities.

The study of the lack of intelligence sharing is relevant to contemporary law enforcement because the sharing of intelligence information related to terrorism between local and federal agencies is critical for the safety of the community and property they protect. If proper information relating to terrorism can not be obtained, communities cannot and will not be protected at a level where everyone will feel safe conducting their daily routine tasks.

The law enforcement community stands to be benefited by the results of this research from having a better understanding as to why there is a lack of information sharing between federal and local law enforcement agencies. Small agencies that lack the resources to create an intelligence division within their own department, or join a task force, should band together with other small agencies. By banding together, they can create an intelligence gathering unit working independently from within their own department while sharing information with other similar agencies.

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APPENDIX 1

The purpose of this survey is to determine if intelligence sharing between federal and local law enforcement agencies has improved since 9/11.

Please answer all questions to the best of your knowledge, thank you.

1-Name of your agency:

2-Agency size:

3-Approximate size of your city's population:

4- Based on your knowledge, would you say that the communication flow between your agency and federal agencies is?

None_____ Some_____ Adequate_____ Unknown_____

5- Who makes the initial contact? Your agency_____ Federal agency_____

Both_____ Unknown_____

6- If there is a communication flow, is critical information received in a timely manner?

Yes_____ No_____ Unknown_____

7- Which direction does the information flow travel?

Your agency to federal agencies_____ Federal agencies to your agency_____

Both ways_____ Unknown_____ None_____

8- How often does your agency meet with federal agencies to discuss intelligence matters?

Weekly_____ Bi-weekly_____ Monthly_____ Quarterly_____

Semi-annually_____ Annually_____ Never_____ Other_____

If other, please explain:

9- Which federal agencies maintain contact with your agency?

APPENDIX 2

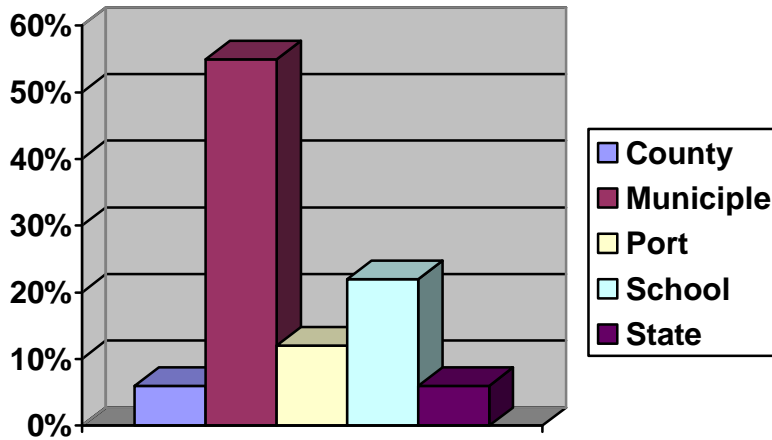


Figure 1. Percentages of types of law enforcement agencies that participated in the survey.

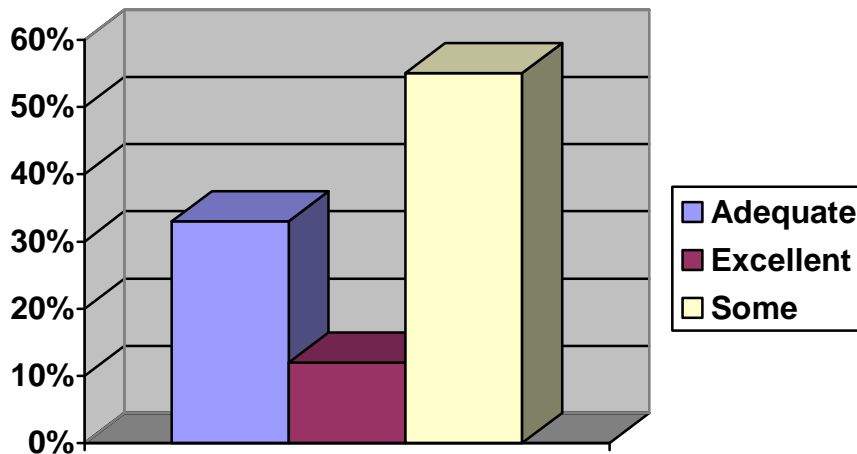


Figure 2. Percentages of intelligence information received by the participating law enforcement agencies.