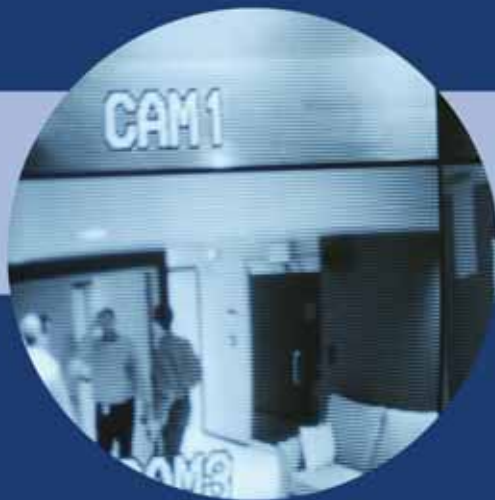


The Impact of **Terrorism** on State Law Enforcement

Adjusting to New Roles and Changing Conditions



Project Overview, Key Findings and Recommendations

April 2005



*The Council of State Governments and Eastern Kentucky University
Through support from the National Institute of Justice*





The Council of State Governments

The Council of State Governments is the premier organization in forecasting policy trends for state leaders—executive, legislative and judicial decision-makers. Since 1933, CSG has championed excellence in state government by tracking national conditions, trends and innovations; advocating multistate problem solving; providing groundbreaking leadership training and support; and championing states' sovereignty. CSG is the only state organization with multibranch participation by all states, U.S. territories and the Commonwealth of Puerto Rico.

Eastern Kentucky University

Eastern Kentucky University is a regional comprehensive university that enrolls over 15,000 undergraduate and graduate students. The College of Justice & Safety is EKU's Program of Distinction. The College, one of five within the university, has 45 full-time faculty and 1500 students. The College houses the Regional Community Policing Institute, the Rural Law Enforcement Technology Center, the International Justice & Safety Institute, the Kentucky Center for School Safety, the Justice & Safety Center, and the Training Resource Center, in addition to three academic departments that award degrees in assets protection/security, corrections/juvenile justice, criminal justice, emergency medical care, fire safety, loss prevention and safety and police studies.

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Introduction—The Project

State law enforcement represents about 10 percent of total police employment in the United States.¹ In keeping with this employment level, state law enforcement has traditionally played an important, but relatively small role in the overall picture of policing in America. The catastrophic events on Sept. 11 served as a wake-up call to the nation regarding the threat of terrorism. More specifically, it appeared to create and shift responsibilities and paradigms among all layers of law enforcement.

Soon after Sept. 11, anecdotal evidence indicated many new homeland security roles for state police organizations, such as:

- coordinating homeland security at the state level;
- collecting, analyzing and sharing critical information and intelligence;
- protecting critical infrastructure and key assets;
- securing the nation's borders, air and sea ports;
- collaborating with federal and local law enforcement on task forces; and
- preparing for new response equipment, tactics, systems and training.

Simultaneously, changes quickly took place in the federal government, including the creation of the new Department of Homeland Security and shifting priorities within the Federal Bureau of Investigation and other federal law enforcement agencies. Preventing future acts of terrorism and preparing for massive response operations became a national priority overnight for law enforcement at all levels.

These shifting law enforcement priorities begged the following question: how are more traditional crimes being addressed? For example, the FBI played important roles before Sept. 11 with state and local law enforcement in fighting financial crimes, bank robberies, organized crime and drug trafficking. By default, one would assume that state and local law enforcement would become more involved in these efforts. Surprisingly, though, federal grant programs in many of these areas have been diminished or dissolved since Sept. 11, including the Edward Byrne Memorial State and Local Law Enforcement Assistance Grant and Community Oriented Policing Services program.² In addition, many police officers serve in the reserves and National Guard and continue to be activated for service in Afghanistan and Iraq, placing a huge personnel strain on the states.³ One is left with a grim picture of state and local law enforcement conditions once these and many other factors are considered.

In 2003, The Council of State Governments and Eastern Kentucky University set a course to explore these new roles and changing conditions. Among other components of this 18-month effort, researchers conducted a 50-state survey as well as a series of case study examinations and convened an expert work group of public officials.

This work group met twice in 2004 to interpret the research results, identify intergovernmental issues and needs, and form recommendations for state policy-makers. In doing so, the group recognized the importance of improved intelligence gathering, analysis and sharing tools. The integration of new terrorism-related demands into the existing criminal justice framework is likewise critical. Furthermore, cooperation among the entire law enforcement community including local and federal law enforcement and private sector players is imperative for

Key project finding

The information collected for this project indicates an expanding role for state law enforcement since 2001, partly due to new roles and responsibilities associated with homeland security, and partly because state police are filling gaps and vacuums created by shifts in federal law enforcement priorities. While it is true that all types of police agencies have been significantly affected post-Sept. 11, it seems that state law enforcement agencies have been affected the most.

Today, state officials are seeking policy improvements in many areas of homeland security. Results from this project may provide them with a clearer understanding of current conditions, strategic directions and policy solutions for the future.

progress. Finally, the work group addressed a number of state-level governance, planning and legal issues affecting state law enforcement and general terrorism-prevention duties.

Today, state officials are seeking policy improvements in many areas of homeland security. Results from this project may provide them with a clearer understanding of current conditions, strategic directions and policy solutions for the future.

Survey Results⁴

According to a 50-state survey by CSG and EKU in the spring of 2004, state law enforcement agencies are greatly involved in their state's homeland security initiatives. Combined with new intergovernmental and public-private demands, state police are stressed in many ways today.

Figure 1: Homeland security roles for state law enforcement

State law enforcement agencies reporting substantial levels of involvement in their state's homeland security initiatives.

Homeland Security Initiative	Great Amount or Our Agency is the Leader
Terrorism-related intelligence gathering, analysis and dissemination	75.4%
Homeland security planning for the state	61.3%
Protection of dignitaries	58.1%
Conducting critical infrastructure, key asset and vulnerability assessments	56.5%
Emergency response to terrorism-related incidents	55.7%
Protection of critical infrastructure	53.2%
Coordinates homeland security activities in the state	53.2%
Homeland security training for law enforcement	45.2%
Serves as state's primary contact to DHS and other federal agencies for homeland security	39.3%
Source of homeland security announcements for the public	33.9%
Distribution of the state's federal homeland security funding	29.0%
Homeland security education/training for the public	22.6%

Source: CSG and EKU National Survey of State and Local Law Enforcement Agencies, 2004 <<http://www.csq.org>, keyword: protect> (State Law Enforcement Population = 73; Collected Surveys = 61).

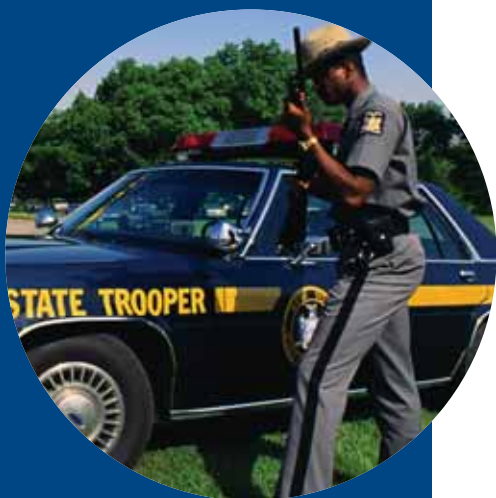
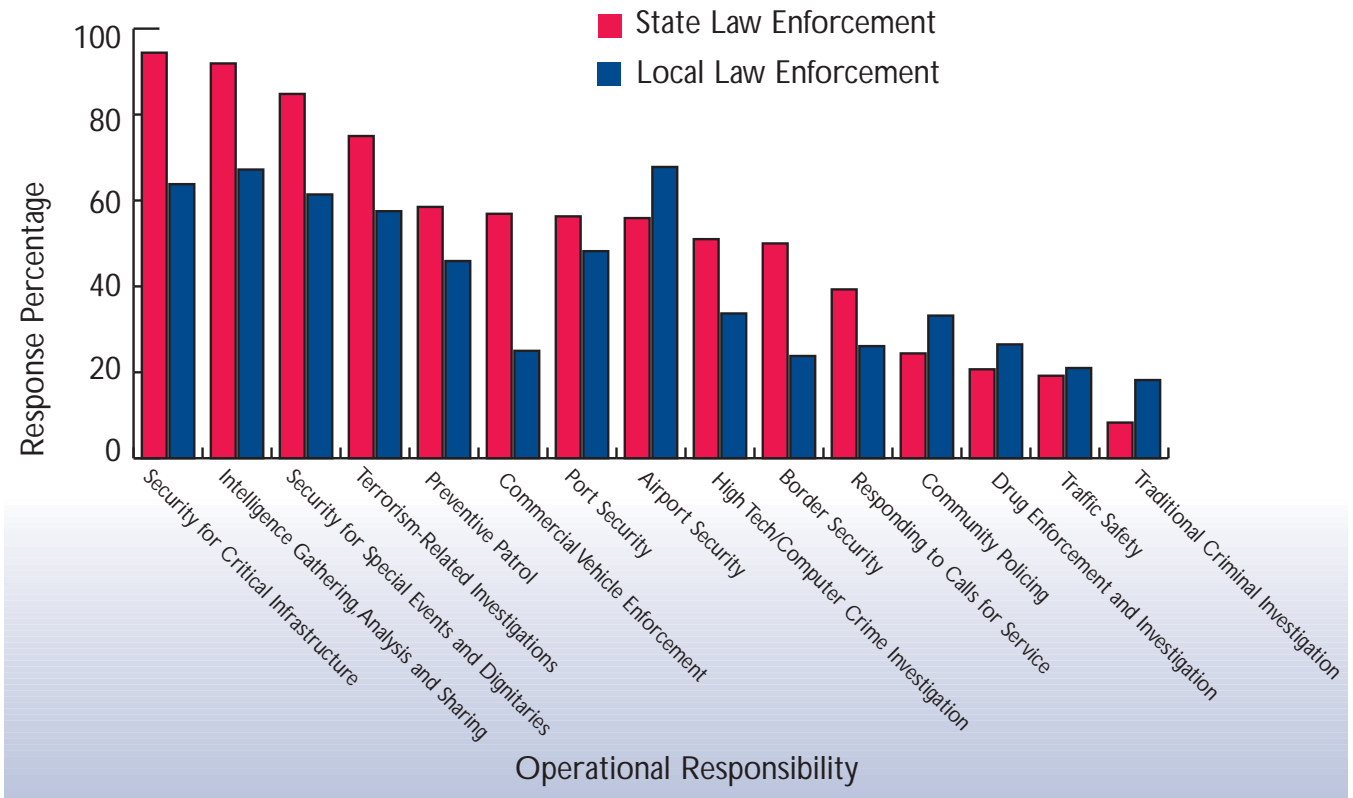


Figure 2: State versus local law enforcement’s allocation of resources

The following percentages of state and local law enforcement agencies say they have allocated more or many more resources toward certain operational responsibilities since Sept. 11.



Source: CSG and EKU National Survey of State and Local Law Enforcement Agencies, 2004 (State Law Enforcement Population = 73, Collected Surveys = 61; Local Law Enforcement Sample Size = 399; Collected Surveys = 186).

State police—new roles and responsibilities

How is homeland security affecting state police differently than local agencies? In general, law enforcement relationships and responsibilities continue to be assessed and redefined at all levels of government, and will evolve due to the changing nature of terrorist threats, prevention needs and transforming operations and tactics. The survey results suggest, however, that certain responsibilities appear to be largely affecting state agencies’ allocation of resources.

State homeland security responsibilities. Roughly 75 percent of state agencies say they either have a great amount of involvement with or actually serve as their state’s leader for terrorism-related intelligence gathering, analysis and dissemination. More than 50 percent of state agencies report similar involvement in homeland security planning and coordination at the state level; conducting vulnerability assessments of critical infrastructure; providing protection for this infrastructure and dignitaries; and emergency response to terrorism-related incidents.

Where are resources coming from?

Since 2001, state police agencies report allocating many more resources for new homeland security duties. Where are these resources coming from? The survey results and interviews suggest three possible sources.

- **Shifting priorities.** More than 10 percent of state agencies report allocating fewer resources for traditional criminal investigation and drug enforcement following Sept. 11. Therefore, it is likely that some resources have been shifted internally among competing public safety problems and priorities. This may be especially troublesome for states experiencing problems with other types of crime, such as synthetic drugs, new violent gang activities, identity theft and cybercrimes.
- **Federal programs.** State police organizations are receiving funds and resources through federal grant programs such as the State Homeland Security Program and Law Enforcement Terrorism Prevention Program. Although state law enforcement agencies will likely see a small portion of these funds, roughly \$1.5 billion was allocated to states for these two programs in 2005.
- **Doing more with less.** Interviews with state officials suggest they are simply doing more with less. For example, much of the overtime pay incurred during heightened levels of alert, participation on multijurisdictional task forces and working groups, and exhaustive planning and coordination have been absorbed internally. And, these new responsibilities come at a time when state police organizations, like local agencies across the country, face personnel shortfalls because of national guard and reserve activations.

Sources: CSG and ECU National Survey of State and Local Law Enforcement Agencies, 2004 <<http://www.sg.org>, keyword: protect>; U.S. Department of Homeland Security, Fiscal Year 2005 Homeland Security Grant Program: Program Guidelines and Application Kit, 2.

Impact on functions, officers and investigators. Homeland security is affecting state police functions and personnel today. Most notably, new requirements are having a substantial impact on state police intelligence, planning and grants management tasks. Most other state police roles are affected to a lesser degree. More than 70 percent of state agencies agree or strongly agree that their individual officers and investigators have significant new responsibilities in terrorism-related intelligence gathering, investigations and emergency response.

How does this compare with local law enforcement? Overall, local agencies are more likely than state agencies to say that their officers have significant new responsibilities in conducting vulnerability assessments in their assigned areas and educating and mobilizing the community for homeland security. Large local agencies (more than 300 uniformed personnel) are much more likely than small local agencies to report that their officers have significant new responsibilities in conducting terrorism-related intelligence gathering and investigations.

Resource allocation. In comparison with the period before Sept. 11, more than 70 percent of state agencies report allocating more or many more resources for critical infrastructure protection; special event security; protection of dignitaries; intelligence gathering, analysis and sharing; and terrorism-related investigations. Local agencies have also been affected, but to a lesser extent—more than 50 percent report allocating more resources for these same duties.

State police are more likely than local agencies to say that since Sept. 11 they have allocated more or many more resources for border and port security; commercial vehicle enforcement; high-tech/computer crime investigation; and preventive patrols. On the other hand, local agencies are more likely to report allocating additional resources to airport security; community policing; traffic safety; drug enforcement and investigation; and traditional criminal investigations.

Key survey findings

This evidence suggests that state police are much more involved today in building the states' intelligence capabilities, conducting terrorism-related investigations and coordinating and planning for homeland security. Local agencies, on the other hand, appear to be somewhat more occupied with conducting critical infrastructure and vulnerability assessments in their jurisdictions, in addition to educating and mobilizing the public. Preparing for emergency response is having a nearly equal impact on state and local agencies. In contrast to state police and large local agencies, smaller local agencies appear to be much more concerned with traditional public safety priorities.

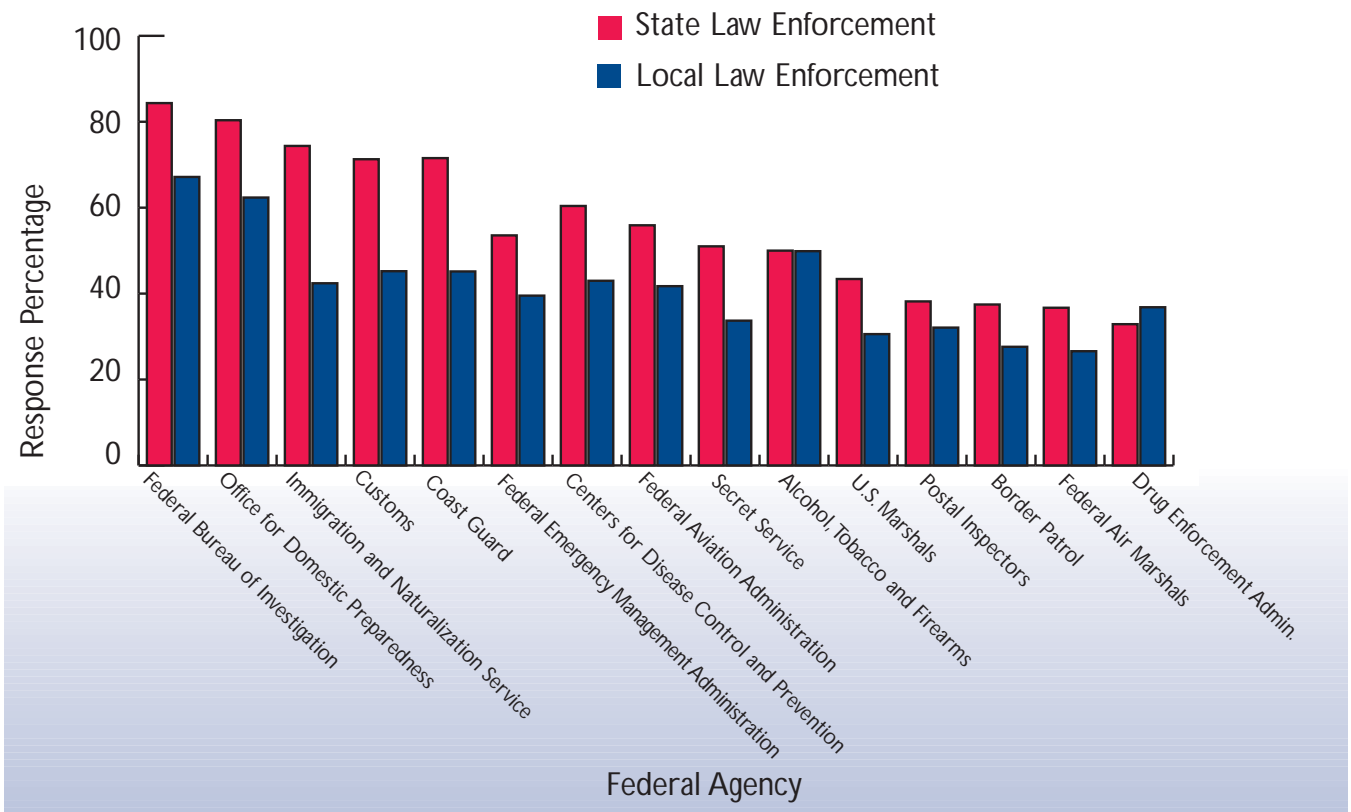
Collaboration with law enforcement partners

The 9/11 Commission recognized the importance of integrating law enforcement assets at all levels of government. They cite the nation’s 66 Joint Terrorism Task Forces (JTTFs) as a model intergovernmental approach.⁵ Not only are state and local police working differently with federal law enforcement, they find themselves collaborating with many nontraditional federal partners today. The following describes key intergovernmental findings from the 50-state survey.

State, local and private sector relationships. More than 60 percent of state agencies report that local agency requests for their assistance in high-tech/computer crime investigations and general training and technical assistance have increased or significantly increased since Sept. 11. Local agency requests have also significantly increased in the following areas of assistance: emergency response/special weapons and tactics teams; bomb squads; aviation and marine assets; and forensic science/crime labs.

Figure 3: Interaction with federal agencies

The following percentage of state and local law enforcement agencies say their interaction with federal agencies has increased or significantly increased since Sept. 11.



Source: CSG and ECU National Survey of State and Local Law Enforcement Agencies, 2004 <<http://www.csg.org>, keyword: protect>.

In addition, the private sector owns roughly 85 percent of the nation's critical infrastructure. More than 60 percent of state police agencies report an increase in their interactions with corporate security representatives and with private companies concerning facility security and worker background checks.

Interactions and relationships with federal agencies. State and local law enforcement agencies appear to be working with their federal counterparts in new and resource demanding ways. More than 75 percent of state agencies report that their assignment of personnel to federal task forces such as the JTTFs has increased or significantly increased since Sept. 11. A large percentage of state agencies (nearly 45 percent) also say that their agency's involvement in immigration-related investigations and enforcement activities has increased. Among areas of federal support that have decreased or significantly decreased since Sept. 11, traditional criminal investigation (e.g., bank robberies) and drug investigations were the two most common responses by state and local agencies.

Which federal stakeholders are interacting differently with state and local agencies since Sept. 11? Generally speaking, interaction with all federal partners is either the same or more frequent today than the period before Sept. 11. Among federal agencies with more or much more interaction, state police most commonly report the FBI and the Office for Domestic Preparedness. More than 50 percent of state agencies also say they are interacting more or much more frequently with the U.S. Military/National Guard, the former Immigration and Naturalization Service and U.S. Customs, Coast Guard, Federal Emergency Management Administration, Centers for Disease Control and Prevention, Secret Service and the Federal Aviation Administration today.

There are distinctions among the different-sized local departments in their level of interaction with federal agencies. Most noteworthy, large agencies are much more likely to report interacting more frequently with the FBI, ODP, CDC and the Coast Guard than small and medium-sized local agencies. For example, only 28 percent of small local agencies say they are interacting more with the FBI, compared with 87 percent of large local agencies.



Key survey findings

State-level training and technical assistance for local agencies has increased since Sept. 11. Relationships with the private sector have also generally increased, likely resulting in more state agency time and resources for these public-private activities.

Participation on the FBI-led Joint Terrorism Task Forces is having a resource impact on state and large local agencies. While interaction with federal immigration officials has increased for state police, federal support for drug and traditional crime investigations has decreased across the states. Among many federal agencies, state and local law enforcement most commonly report increased levels of interaction with the FBI and ODP today.

State law enforcement—yesterday and today

One of the oldest and most well-known state police organizations is the Texas Rangers, established in 1835. Most state agencies, however, are relatively new. The proliferation of the interstate highway system during the mid-20th century and the need for traffic safety and enforcement forced most states to establish or expand their state law enforcement agency.

In addition to highway safety and criminal investigations, general purpose agencies play many other lead and supporting roles in the states. For example, these agencies often provide states with special weapons and tactics teams; search and rescue units; marine and aviation assets; crime labs; criminal history repositories; uniform crime reporting; statewide information systems; training for local law enforcement; and statewide communication, intelligence and analysis.

According to the Bureau of Justice Statistics, there were roughly 700,000 full-time, sworn state and local law enforcement personnel in 2000. Within this total, general-purpose state law enforcement agencies account for approximately 56,000 officers. The Federal Bureau of Investigation, on the other hand, employed just 11,523 special agents in 2000. Law

enforcement numbers substantially increase at all levels of government, especially at the state and federal levels, once special jurisdictions with arrest and firearm authorities are considered such as the alcoholic beverage control, fish and wildlife and state park services.

Local police departments and sheriffs' offices provide the bulk of law enforcement services to rural communities. As with many other services, however, rural areas are severely constrained by the lack of law enforcement resources. In 1999, for example, 52.4 percent of all local law enforcement agencies employed less than 10 sworn personnel while 5.7 percent employed just one sworn officer. For this reason, state police departments often play enhanced roles in rural areas by providing critical support services to smaller local agencies.

Sources: Bureau of Justice Statistics, "Law Enforcement Statistics," <<http://www.ojp.usdoj.gov/bjs/lawenf.htm>> (31 January 2005); Matthew J. Hickman and Brian A. Reaves, "Federal Law Enforcement Officers, 2000," (Bureau of Justice Statistics, 2001), 2; Matthew J. Hickman and Brian A. Reaves, "Law Enforcement Management and Administrative Statistics: Local Police Departments, 1999," (Bureau of Justice Statistics, 2001), 2.

Case Study Themes⁶

States pursuing intelligence fusion centers

"Fusion centers are an integral part of a state's strategy regarding the prevention of terrorism," said Lt. Col. Bart Johnson of the New York State Police. The centralization of intelligence sharing and analysis at the state level, through one physical center or network of facilities, provides a means to gather and analyze disparate networks of information more effectively and efficiently.

Generally speaking, the purpose for creating a new center is relatively uniform across the states—to improve the collection, analysis and dissemination of information and intelligence for purposes of crime and terrorism prevention. Common characteristics include a computerized tool or system, new intelligence analysts, and the presence of state, local and federal law enforcement officials. Also, most intelligence fusion centers are managed by the state law enforcement agency. A few of the striking differences among states' fusion centers include:

- Some states have located their center with the FBI's Joint Terrorism Task Force while others have not.
- Some local law enforcement officials view these new centers as a "state police" tool while others view them as a "statewide" law enforcement tool. This slight distinction seems to affect the level of local law enforcement participation.

Whoever has the responsibility to protect, needs the information; whoever has the information, has the responsibility to share it appropriately.

— Thomas O'Reilly, administrator
Office of the Attorney General
New Jersey

State law enforcement structures

States have adopted one of two basic structures for state law enforcement with the exception of Hawaii, which does not have a general-purpose state-level law enforcement agency. One is a unified structure, usually with the label state police, state patrol, or department of public safety. The other is a bifurcated structure, with a highway patrol and a separate bureau of criminal investigation.

In a unified system, patrol, traffic, and criminal investigation responsibilities are performed by the same state agency. Examples include the Illinois State Police, the Nebraska State Patrol and the Arizona Department of Public Safety.

In a bifurcated system, one agency typically provides traffic enforcement and limited patrol services, while a separate state agency investigates specified types of crimes. Florida, for example, has the Florida Highway Patrol and the Florida Department of Law Enforcement. California has the California Highway Patrol and the California Bureau of Investigation.

While practices vary substantially around the country, state law enforcement agencies typically provide extensive police services in rural areas of states with a unified structure. On the other hand, sheriffs' departments usually fill the law enforcement gaps in rural areas of states with a bifurcated system.

- State centers include, in varying capacities, the following state-level stakeholders: state transportation and motor vehicles departments, National Guard, and corrections officials, including probation and parole.
- In addition to the FBI, state centers include various federal-level stakeholders, such as the Central Intelligence Agency, Department of Defense, Department of Homeland Security, Drug Enforcement Administration, Social Security Administration and U.S. Attorneys.

Common challenges in the development and implementation of new centers include the following: funding; overcoming organizational norms around the use of intelligence and investigation; overcoming document/information classification barriers among federal, state and local law enforcement personnel; incorporating new intelligence analysts; determining the roles and allocation of uniform personnel for fusion center duty; and integrating and linking disparate computer systems.

Nevertheless, states are pursuing new fusion centers to help them address their intelligence needs. Among others, Arizona, New York and Washington have implemented or are currently pursuing intelligence fusion centers.

- *Arizona Counter Terrorism Information Center (ACTIC)*—Arizona was one of a handful of states to establish an information fusion center soon after Sept. 11. ACTIC is nationally recognized for providing tactical and strategic intelligence support to law enforcement officials across the state and for being uniquely located with the FBI's Joint Terrorism Task Force. Managed by the Arizona Department of Public Safety, the center fulfills many roles for the state, including maintaining and disseminating ongoing threat analysis for the state and providing statewide training on intelligence.
- *Upstate New York Regional Intelligence Center (UNYRIC)*—The UNYRIC is a multi-agency center that is responsible for the collection, analysis and dissemination of intelligence information across the state of New York. Located in the Albany area, UNYRIC provides timely and accurate criminal intelligence to law enforcement agencies in the 54 counties outside of New York City. This center is comprised of representatives from various federal and state departments, including the departments of Corrections and Parole; Department of Motor Vehicles; New York National Guard; Office of Homeland Security; and State Police. Although the Vermont State Police is the only out-of-state law enforcement participant in UNYRIC, New York officials plan to consider agreements with other states.
- *Washington State Joint Analytical Center (WAJAC)*—Similar to the ACTIC and UNYRIC, WAJAC provides a centralized intelligence/analytical capability for the state. This center is located with and integrated into the Seattle FBI. This close proximity to federal partners enhances the state's ability to network, solve problems, achieve joint cooperation and enhance information sharing. The WAJAC gathers information from local agencies and nine regional intelligence groups and shares that information statewide. In addition, it disseminates analytical products to law enforcement stakeholders across the state and provides investigative support to the JTTF.

Intelligence analysts and tools in high demand

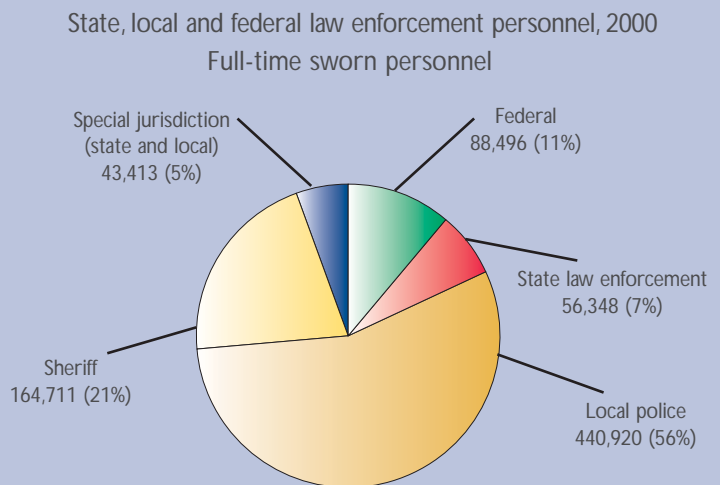
Today, state and local law enforcement agencies are faced with increasing needs for new intelligence-related analysts and investigators, in addition to the variety of analytical tools to support them in mining data and translating it into usable intelligence. These demands are likely due to a number of converging factors, including new terrorism-related requirements, shrinking budgets, growing demands for service and the larger movement in the law enforcement community toward information-led or intelligence-led policing.

According to the 50-state survey results, 92 percent of state law enforcement agencies say they have allocated more or many more resources for intelligence gathering, analysis and sharing since Sept. 11. Faced with an exorbitant amount of information and demand for valuable outputs and products, police organizations are searching for methods to gather data from many sources; assimilate that data and look for patterns and points of interest; and transform that information into usable products for top-level decision makers and field investigators. To accomplish these tasks, agencies are seeking human and technology assets. Simultaneously, the notion of intelligence-led policing is becoming more prevalent as law enforcement agencies nationwide aim to become more proactive at preventing all types of serious crime.

How are states responding to the convergence of these analytical needs? The Florida Legislature, for example, authorized more than 30 new intelligence analyst positions for the Florida Department of Law Enforcement following Sept. 11. New York hired 15 analysts, 10 line analysts and five intelligence supervisors. Washington is seeking funding for four

Figure 4: State Police in the United States—2000

- State police agencies range in size from 126 sworn officers in North Dakota to 6,678 sworn officers in California.
- The average size of state police agencies is more than 1,000 sworn officers, compared with an average of approximately 40 sworn officers for local police and sheriffs' agencies.
- State police agencies represent about seven percent of all the nonmilitary sworn law enforcement personnel in the United States. After factoring in other special-jurisdiction agencies at the state level, such as bureaus of investigation and alcoholic beverage control agencies, the states likely account for about 10 percent of all the sworn police in the United States.
- The states with the most sworn state police officers per resident are Delaware with 74 officers per 10,000 residents, Vermont, 50, and West Virginia, 38. These states also have the largest percentage of state police when compared with the entire law enforcement presence in the state. State police account for 33 percent of all sworn officers in Delaware and 29 percent in Vermont.
- The states with the fewest sworn state police officers per resident are Wisconsin with nine officers per 10,000 residents, Georgia, 10, Florida, 10, and Minnesota, 11. Georgia has the smallest percentage of state police when compared with the entire law enforcement presence statewide—four percent of all sworn officers.



Source: Matthew J. Hickman and Brian A. Reaves, *Law Enforcement Management and Administrative Statistics, 2000: Data for Individual State and Local Agencies with 100 or More Officers*, (Bureau of Justice Statistics, 2004), 241; Bureau of Justice Statistics, "Law Enforcement Statistics," <<http://www.ojp.usdoj.gov/bjs/lawenf.htm>> (28 February 2005); Matthew J. Hickman and Brian A. Reaves, "Federal Law Enforcement Officers, 2000," (Bureau of Justice Statistics, 2001), 2.

There is consensus among the states that a huge need exists for intelligence analysts and improved analytical tools.

intelligence-related positions for the new Washington Joint Analytical Center and one intelligence analyst for each of its nine regional intelligence units.

In addition to funding, states are struggling with many associated questions and concerns. First, few standards exist for these analytical processes and products. Second, there is little guidance for state and local agencies by way of professional standards for analysts, including a desired set of skills, education and training. Third, states find themselves in a fierce competition with federal agencies, especially the FBI, to recruit talented intelligence analysts. Finally, many questions about the integration of new analysts into the workforce remain. For example, should new intelligence analysts be civilian or uniform and what career path should they follow?

Despite these challenges, there is consensus among the states that a huge need exists for intelligence analysts and improved analytical tools.

How much do state homeland security structures matter?

The demands of Sept. 11 have forced many states to establish a principal point of contact to coordinate homeland security planning, serve as liaison with the new U.S. Department of Homeland Security and advise the governor on security matters. A report by the National Emergency Management Association in 2004 notes that states have chosen different homeland security models. In 2003, for example, the following state-level stakeholders served as their state's homeland security coordinator:

- public safety secretary/chief law enforcement officer—15 states
- new homeland security director—11 states
- adjutant general/director of military department—10 states
- emergency management director—9 states
- special advisor to the governor—4 states
- lieutenant governor—1 state⁷

Project staff examined five unique homeland security set-ups in 2004 to determine if one particular structure appeared more conducive to the missions and roles of law enforcement than others. Two of the five states that were visited had established a new office and director to coordinate homeland security activities. The other three states relied on the chief law enforcement officer, adjutant general and lieutenant governor respectively.

Surprisingly, the structures themselves had no apparent impact on the levels of cooperation achieved or on new roles and responsibilities. Rather than structure, the credibility and personality of the homeland security director seems to have a greater impact on cooperation. Also, given the multidisciplinary nature of homeland security, it seems to be important that the lead agency, whatever it is, be perceived as playing coordinating and facilitating roles, as opposed to command and control functions.

How is the state law enforcement agency viewed within the context of these larger planning and operational structures? State officials generally agreed that:

- the state law enforcement agency played a lead role in terrorism prevention, including activities associated with counter- and anti-terrorism;

- the agriculture and public health sectors also play very important roles in terrorism prevention; and
- planning and preparation for terrorism response is a shared responsibility among all state-level disciplines.

Homeland security is requiring an unprecedented level of cooperation among the different homeland security disciplines. For example, it is not uncommon today to have one agency or discipline cross-place or task-organize its personnel with others. New homeland security offices and planning committees are typically comprised of representatives from the agriculture, emergency medical care, emergency management, fire service, law enforcement, military, public health and public utilities sectors.

Although the actual structures do not appear to have a great significance, the survey and case study results suggest that homeland security planning and coordination is having a large impact on the states.

A premium on regional and statewide planning

Creating regions or zones helps to remove or reduce local jurisdictional barriers for operational purposes and may enhance homeland security planning efforts and distribution of federal grants. Regions typically consist of multiple counties and municipalities that follow pre-existing health, law enforcement or emergency management structures or share common resources and geographic characteristics. Among other benefits, regional approaches help:

- unite local planning efforts;
- identify local communities of interest and regional needs;
- identify state roles (e.g., assets, resources, capabilities) depending on regional needs;
- foster intra- and inter-state assistance agreements and compacts;
- foster regional cooperation and the acquisition and integration of interoperable equipment and communications systems;
- promote cost-sharing to maximize states' use of funds;
- capitalize on economies of scale by purchasing higher quantities of sophisticated equipment at lower overall costs;
- promote information and intelligence sharing and critical infrastructure protection;
- create a network for regional knowledge sharing; and
- facilitate state management of homeland security strategies, activities and grant programs.

States pursuing regional structures are adapting them to their unique needs and characteristics. For example, states are using

Nebraska taking unique steps to integrate public health

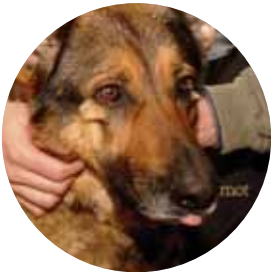
The new U.S. Department of Homeland Security grant program combines many individual programs into one application process, including specific grants for urban areas, emergency management and law enforcement agencies. Public health preparedness grants, however, continue to be administered through the federal Centers for Disease Control and Prevention. As a result, many states have disparate planning and governance structures for these respective programs.

Nebraska, on the other hand, recognizes the importance of incorporating public health planning into the state's overall homeland security efforts, and their actions since Sept. 11 illustrate extraordinary steps toward integration.

- *Governance and planning.* The Nebraska governor established a top-level policy group soon after Sept. 11—the Homeland Security Policy Group. Responsible for the overall coordination of security-related activities between state departments and agencies, the policy group is comprised of representatives from many departments such as the Nebraska State Patrol, Health and Human Services System and the University of Nebraska Medical Center. Unlike other states, members of the Policy Group collaborate on all homeland security grants, including those from CDC.
- *Systems and structures.* Public health improvements underway in Nebraska further illustrate the state's recognition that the public health infrastructure is a terrorism prevention tool. The state provided incentives to counties across the state to form regional health districts. In the summer of 2004, 92 of the state's 93 counties were participating in a regional health district. Nebraska has also established a new health alert network to link public health officials with health practitioners and facilities across the state.

Although states are working toward improved public health capabilities, Nebraska is a national leader in homeland security-public health integration.

Source: CSG and ECU Case Study Examinations of State Law Enforcement Agencies, 2004 <<http://www.csg.org>, keyword: protect>.



regions for homeland security planning and operational purposes such as disseminating threat information. Many states are aligning existing regions from the public health, emergency management, fire and police sectors to make planning and coordination easier and to minimize administrative costs. In addition, states are implementing regional structures through top-down and bottom-up methods, using different mixes of mandates, incentives and disincentives.

“Regionalization” is taking place in many states, including Florida and Washington.

- *Florida’s Regional Domestic Security Task Forces.* Soon after the Sept. 11 attacks, Gov. Jeb Bush created a Regional Domestic Security Task Force in each of the Florida Department of Law Enforcement’s seven regions. These task forces, co-chaired by a sheriff or local police chief and a FDLE regional director, are comprised of police chiefs, fire chiefs, emergency management directors, health and medical officials, federal and state officials and private industry executives. Florida’s regional structure serves operational and planning purposes for terrorism prevention and response.
- *Washington’s Regional Homeland Security Coordination Districts.* Washington’s nine districts are comprised of one or more counties that include cities, towns and tribal nations within regional geographical boundaries. The purpose of this regional structure is to distribute federal grant funds, develop emergency responder equipment priority lists, plan and execute training exercises, create regionally-based mutual aid plans and develop a volunteer infrastructure to support citizens’ involvement in homeland security initiatives. Although operations and physical resources are maintained at the local level, coordination and planning are facilitated at the regional level. The Washington State Patrol is a participant in each of the nine districts.

The criminal justice system and “all crimes” approach

State police have many competing public safety and law enforcement priorities today. As is often the case when new crimes surface, these agencies are struggling with incorporating new terrorism-related demands into the existing crime-fighting framework. To this end, two views or approaches are embraced—dedicating personnel for terrorism-related duties, or fully integrating terrorism into other crime prevention duties, the “all crimes” approach.

The dedicated-personnel model is partly predicated on the assumption that terrorists and terrorist-related activities are not closely linked to other more traditional criminal activity such as financial crimes and drug smuggling. The requirements for fighting terrorism are unlike those for dealing with these other crimes. Advocates of this model also argue for a separate, specialized approach because the risks and stakes associated with terrorism are extremely high, and this approach prevents “mission creep” into other law enforcement priorities. This is a valid concern, especially given how agencies today measure performance through quantitative factors such as number of arrests and prosecutions. Unlike other crimes, three years could pass before one state-level arrest is made related to terrorism.

A preponderance of states and experts believe that a nexus does exist among types of criminal activity, including illegal drug operations, money laundering, fraud, identity theft and terrorism. It is well known that some of the Sept. 11 ter-



rorists were cited for traffic violations prior to the attacks while others obtained and used fraudulent driver's licenses.⁸ Many experts believe there to be a high probability to identify terrorists through their involvement in precursor or lower-level criminal activity, as was possible with the Sept. 11 terrorists. Proponents of this model argue that an "all crimes" approach to terrorism prevention should be embraced by the states.

This strategy ensures that possible precursor crimes are screened and analyzed for linkages to larger-scale terrorist activities. Furthermore, experts believe that terrorists will behave like fugitives if pressured by law enforcement from many different levels and angles. Thus, terrorists will become vulnerable by resorting to criminal activity to support terrorist-related operations. Emergency management professionals use a similar approach, known as "all hazards," for emergency response and preparedness.

Although possible, making these linkages appears to be extremely difficult. First, there is a shortage of research about the precursor crimes-terrorism nexus. Evidence is needed suggesting how certain types of crimes are more or less prone to supporting terrorism-related activities. Otherwise, law enforcement analysts and investigators are likely scanning very broadly for linkages, wasting precious time and resources. More concrete evidence would help law enforcement home in on those crimes that have the greatest chance for supporting terrorist-related activities.

Second, these precursor indicators could show up in many different places throughout the criminal justice system. Therefore, states are struggling to develop and implement protocols to leverage all criminal justice and regulatory personnel, resources and systems in identifying and reporting precursor crimes. For example, the nation's approximately 80,000 probation and parole officers work closely with neighborhood groups and maintain excellent situational awareness in communities. With proper training, probation and parole officers could serve as an extra set of "eyes and ears" for law enforcement.

Third, states are struggling with workforce issues to balance new terrorism-related demands and duties with existing priorities. A clear need exists to educate and train specialized analysts for the counterterrorism mission.

Highway and border functions

Ensuring safety and security on interstate and state highways as well as critical border locations is largely a state police function. Likewise, state patrols are closely associated with or responsible for state departments of motor vehicle operations, including commercial vehicle enforcement and the issuance of standard driver's licenses.

Massive emergency response and evacuation operations require the traffic management and expertise of the state police. No other state highway patrol knows these challenges more than the Florida Highway Patrol. Within a two-month span in 2004, four Category 3 and 4 hurricanes struck the state and caused massive damage. Planning and preparations for mass evacuation operations required tremendous cooperation within and around Florida, especially for those in rural areas.

"Approximately 2.8 million people were ordered to evacuate for Hurricane Frances—the largest evacuation in Florida's history," said Maj. Leroy Smith, homeland security administrator for the Florida Highway Patrol.

The law enforcement linchpin

What value do state police provide from an intergovernmental perspective? An examination of pure numbers is a start. According to the Bureau of Justice Statistics, there were roughly 18,000 local law enforcement agencies in 2000. It is a management nightmare to think that federal agencies such as the Federal Bureau of Investigation, Drug Enforcement Administration and Bureau of Alcohol, Tobacco and Firearms can work directly with all 18,000 local agencies from a top-down and bottom-up manner. It's only reasonable that the federal government work through state agencies to conduct business like disseminating information, requesting assistance and sharing resources. Among other important roles, state police serve as a critical intergovernmental linchpin.

Source: Bureau of Justice Statistics, "Census of State and Local Law Enforcement Agencies, 2000," <<http://www.ojp.usdoj.gov/bjs/abstract/csllea00.htm>> (25 February 2005).



Florida relied on redundant means of communications to ensure that all citizens received evacuation orders, timelines and instructions. After the hurricanes had passed, state and local officials continued to face many challenges across the state, including search and rescue operations, providing care to victims, and establishing security and safety. Reentry plans included roving security patrols and traffic control assistance to manage the flow of assistance and citizens back into their communities.

Another large part of state law enforcement's highway function is managing and enforcing compliance with commercial vehicle rules and regulations, such as conducting background checks for potential drivers and vehicle inspections. Commercial vehicles daily crisscross the nation's approximately 3.9 million miles of roads and 600,000 bridges.⁹ These vehicles often carry hazardous materials that, if used for terrorist-related purposes, present extraordinary risks to states and localities.

Similarly, states are feverishly working to improve the security features on standard issued driver's licenses and refine their issuance requirements. State police, in particular, are developing and implementing new technologies and training for police officers to better identify fraudulent driver's licenses.

Like the highway systems, the nation's points of entry present many unique challenges to state and local police organizations. According to the 50-state survey, more than 50 percent of state police report allocating more or many more resources for airport, land border and seaport security since Sept. 11. Among others, New York and Washington are impacted by new border-related duties.

- *New York's northern border.* Soon after Sept. 11, the governor authorized the New York State Police to hire 120 new troopers for additional security on its northern border. Working closely with their federal counterparts, these troopers are assigned to various duties including ports of entry and interstate patrol duties near border crossing sites. Others are assigned to specialized commercial vehicle enforcement, K-9 and hazardous material units.
- *Washington's ferry system.* The Washington State Ferry system is the largest ferry system in the United States, serving eight counties within Washington and the Province of British Columbia in Canada. The Washington State Patrol has primary responsibility for security of the ferry system, including the implementation of an expansive explosive detection canine program. In response to the events of Sept. 11 and new federal maritime regulations, the Washington State Legislature allocated new resources to the State Patrol for these and other security measures at the terminals.

Shifting federal priorities and state concerns

According to the 9/11 Commission Report in 2004, "the concern with the FBI is that it has long favored its criminal justice mission over its national security mission."¹⁰ In 2002, the FBI announced a reshaping of priorities to guide future activities, with the new number one priority being "Protecting the United States from terrorist attacks."¹¹

Shifting federal law enforcement priorities since Sept. 11 have forced state and local agencies to assume greater roles for those previously held federal responsibilities, such as financial crimes, bank robberies, organized crime and drug trafficking. These public safety and crime issues have not disappeared since Sept. 11, and state and local law enforcement agencies are obligated to address these deficiencies by



assigning new personnel and shifting resources. Although the FBI may still be involved in these cases, they are much more selective today than before 2001.

In addition to the strain on state resources, state officials are concerned that the shift by the FBI away from traditional crimes will cascade down to the state and local levels, thus hindering efforts to screen and analyze possible precursor crimes for linkages to larger-scale terrorist activities.

State officials also have concerns about other federal changes, policies and programs. The following list comprises some of the most frequently raised issues.

- State officials believe that the federal vulnerability assessment tool required and used in the fall 2003 homeland security assessment process was flawed and created false expectations of funding for state and local partners.
- State and local officials are concerned by the lack of a uniform information classification system among federal agencies, such as the secret and top secret designations, and related security clearance protocols. Many state and local officials lack the required security clearances, and the classification received on federal documents and information often varies from agency to agency.
- Since 2001, the federal sources of information and types of information have multiplied, overwhelming state law enforcement agencies. For example, states are receiving tips, warnings and watch-lists from multiple federal agencies such as the FBI and Departments of Defense and Homeland Security. This influx of information is challenging states with discerning valuable information.
- States are concerned with various aspects of the federal homeland security grant program, including the inability to use federal money for personnel costs; stringent planning deadlines that do not provide states with sufficient time to collaborate with state, regional and local partners; and the undermining of state- and regional-level planning efforts due to the Urban Areas Security Initiative (UASI) program.
- Although there is consensus that participating on JTTFs is extremely positive, two prevalent concerns by states include the resource demands, such as personnel and time, and the lack of valuable or usable information from federal partners.
- States are faced with a growing need for intelligence analysts and investigators. At the same time, it appears they are losing strong candidates and trained law enforcement personnel to the federal government, exacerbating the void of skilled analysts and investigators at the state and local levels.

Local law enforcement changes and issues

Project staff met with local law enforcement officials in each of the case study locations to hear their perspectives about state and federal policies and practices. Interviews were conducted with sheriffs, municipal police chiefs, homeland security staff and local sheriff and police associations.

From the perspective of local police officers and changes to their day-to-day work, the post-Sept. 11 era has brought about two primary changes. First, they appear to have a heightened awareness for suspicious activities and are more apt today than before 2001 to investigate and report these activities. Second, training

In addition to the strain on state resources, state officials are concerned that the shift by the FBI away from traditional crimes will cascade down to the state and local levels, thus hindering efforts to screen and analyze possible precursor crimes for linkages to larger-scale terrorist activities.



has increased for most police officers in preparation for new emergency response situations such as conventional, chemical, biological and radiological attacks.

Many concerns with federal policies and programs are common among state and local law enforcement officials. Two unique issues surfaced, however, during interviews with local officials.

- *Homeland security grant programs and procurement.* A few states are experiencing friction with local units of government in the planning and distribution of federal grants. Local agencies cite grant distribution delays and a lack of transparency with the state's planning and governance processes as contributing factors. The procurement of homeland security equipment is a concern among some, but not all local agencies. Many local agencies are pursuing joint contracts with the state and other local agencies to leverage their purchasing power for purposes of obtaining uniform equipment at discounted prices. Other police departments view their needs as unique or wish to buy more locally produced equipment.
- *Shifting federal grant programs.* New terrorism-related demands and resources are now competing with other national public safety priorities, placing a strain on local law enforcement agencies. Local officials cite drug enforcement and community policing initiatives as two local priorities that are being affected by shifting federal programs. For example, drastic cuts have been made to the Edward Byrne Memorial State and Local Law Enforcement Assistance Grant and Community Oriented Policing Services programs, which once provided critical support to local and state efforts in drug enforcement and treatment and community policing initiatives.

Where Should States Focus Future Efforts?¹²

CSG convened an expert work group in 2004 to consider these changing conditions and a broad range of alternatives to improve terrorism prevention at the state level. As states develop strategies concerning prevention and to a lesser extent, emergency response, they should consider the following recommendations.

Recommendations—Intelligence fusion centers and analysts

States should consider:

- Establishing an intelligence fusion center to improve the collection, analysis and dissemination of information and intelligence for purposes of terrorism and crime prevention and control.
- Pursuing and investing in specialized intelligence analysts and analytical tools to provide a sustained counterterrorism capability, expertise and focus.
- Identifying a lead entity such as a department, agency or office to coordinate the state's critical infrastructure and key asset protection responsibilities.

According to the National Criminal Intelligence Sharing Plan released in 2004, “Analysis is the portion of the intelligence process that transforms the raw data into products that are useful...without this portion of the process, we are left with disjointed pieces of information to which no meaning has been attached.”¹³ Consensus among experts suggests that improved intelligence analysis at all levels of government will greatly contribute to the terrorism and general crime prevention mission.

To meet this new need, states should pursue and develop an intelligence fusion center, specialized intelligence analysts and improved analytical tools. The centralization of intelligence sharing and analysis at the state level, through one physical center or network of facilities, provides a means to gather and analyze disparate networks of information more effectively and efficiently. Furthermore, intelligence analysts provide the necessary human backbone to the states’ analytical capabilities. Working with computer-based programs and mapping tools, analysts help translate raw data into intelligence to better inform decision making in the field.

Recommendations—Working with other law enforcement partners

States should consider:

- Drafting and implementing a statewide counterterrorism program for the law enforcement community that supports the state’s homeland security strategy.
- Developing standardized training programs and tools for state and local law enforcement agencies to improve terrorism prevention and response capabilities.
- Implementing “regional” approaches for homeland security planning and operational purposes.
- Building partnerships with key residential and commercial property owners and security personnel to provide them with resources and tools to identify and report suspicious activities.
- Developing and implementing a public education and outreach plan that establishes and formalizes public information policies and procedures that relate to terrorism prevention and response.
- Providing technical assistance and training to local governments on the application and administration of homeland security grants.
- Exploring methods to improve communication and collaboration among state law enforcement agencies on national and regional levels.
- Identifying rural law enforcement challenges and solutions, particularly those surrounding agricultural security.
- Supporting and participating in Joint Terrorism Task Force structures and activities.

State-local paradigms generate unique conditions across states

Helping to coordinate homeland security activities among disparate state agencies is one challenge. Helping to foster cooperation statewide is another. State police today find themselves assisting in grant planning, management and coordination among many different players at the state and local levels. The state-local law enforcement paradigms appear to influence the roles that the state police play in different parts of their state. Project staff observed the following three paradigms while conducting their research.

- *The “big city” paradigm.* States with one or more highly-populated cities have unique conditions and issues when compared to states with multiple mid-sized cities and those without any large urban areas. In those states with a “big city,” the competition for resources and status between the state agency and city police department is more prevalent, as is the “us-them” attitude toward terrorism preparedness.
- *The rural paradigm.* Similarly, state officials face many unique challenges in working with local agencies in rural areas. The two most prevalent issues raised by state officials include a lack of immediate concern by local law enforcement (“it can’t happen here”) and a lack of personnel and resources to participate in state-level efforts.
- *The county-city paradigm.* In many states, there is friction and competition between county and municipal police departments for homeland security funding, leadership roles in state and regional planning structures and interoperability. This friction may affect the implementation of the state’s homeland security strategy and regional structures. Although this seems to be a historical problem, terrorism preparedness may present unique needs for cooperation that calls for new state-level strategies.

Source: CSG and ECU Case Study Examinations of State Law Enforcement Agencies, 2004 <<http://www.csg.org>, keyword: protect>.



“Terrorism prevention and response requires law enforcement agencies at all levels to work together, exchange information, train and coordinate efforts to a much greater extent than has ever occurred,” said Sheriff Al Cannon of Charleston County, South Carolina.

The 9/11 Commission also recognized the importance of integrating law enforcement assets at all levels of government. According to the commission, state and local law enforcement agencies “need more training and work with federal agencies so that they can cooperate more effectively with those federal authorities in identifying terrorist suspects.”¹⁴

To foster intergovernmental cooperation, the work group recommends that states draft and implement a statewide counterterrorism program for the law enforcement community; develop standardized law enforcement training programs and tools; and build partnerships with key residential and commercial property owners and private security personnel. Furthermore, public education and outreach is a critical component of each state’s terrorism prevention and response strategies. However, many states lack formal plans and procedures that address risk communication, issuance of warnings and instructions and guidance for businesses and community leaders. As a result, states should establish and formalize public information policies and procedures.

Recommendations—Integration with the criminal justice system

States should consider:

- Recognizing and embracing the “All Crimes” approach for terrorism prevention.
- Developing and implementing protocols to leverage all criminal justice and regulatory personnel, resources and systems in identifying and reporting precursor crimes.
- Pursuing a balanced state law enforcement work force, assigning personnel with specialized skills and expertise for terrorism prevention to general or all-purpose law enforcement efforts.

Not only should state agencies work closely with their local and federal counterparts, they should integrate terrorism prevention responsibilities into the criminal justice system at large. “It’s now more important than ever to incorporate terrorism prevention into law enforcement’s toolbox of crime fighting programs,” said Rep. John Millner of Illinois.

Law enforcement officials generally agree that an association exists among types of criminal activity and terrorism. “Some terrorist operations do not rely on outside sources of money and may now be self-funding, either through legitimate employment or low-level criminal activity,” according to the 9/11 Commission.¹⁵

“Counterterrorism investigations often overlap or are cued by other criminal investigations, such as money laundering or the smuggling of contraband. In the field, the close connection to criminal work has many benefits.”¹⁶

Therefore, states should embrace an “all crimes” approach to terrorism prevention. This strategy ensures that possible precursor crimes are screened and analyzed for linkages to larger-scale terrorist activities. Also, states should develop and implement protocols to leverage all criminal justice and regulatory personnel, resources and systems, including local law enforcement; probation and parole officers; court documents such as pre-sentence investigations; and other state and local regulatory agencies.

Recommendations—Governance and legal issues

States should consider:

- Examining and updating state laws to aid in terrorism prevention and response efforts.
- Establishing a principal point of oversight and review for homeland security through legislative committee or multi-branch commissions.
- Codifying the state's strategic homeland security planning structures, processes and responsibilities into law.
- Examining and updating public record laws to ensure the adequate protection of private-sector information and documents gathered or sent for homeland security purposes.
- Drafting a comprehensive volume of Model State Terrorism Laws to provide states with a benchmark for measuring the effectiveness of existing counterterrorism statutes.

The work group addressed a number of state-level governance, planning and legal issues affecting state law enforcement and general terrorism prevention duties. First, states should consider regional approaches for homeland security planning and operational purposes. Creating or realigning existing regions or zones helps to remove or reduce local jurisdictional barriers for operational purposes and may enhance the distribution of federal grants.

In addition, states should also assign a principal point of oversight and review for homeland security through a legislative committee or multibranch commission. In many states, disparate oversight is provided through individual disciplines and policy areas such as agriculture, military affairs, public health and public safety. Similarly, certain aspects of the homeland security mission should be codified into law, such as key terms and definitions, general duties and responsibilities for the primary state-level stakeholders, and strategic planning processes.

States should embrace an “all crimes” approach to terrorism prevention. This strategy ensures that possible precursor crimes are screened and analyzed for linkages to larger-scale terrorist activities.



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Recommendations—Other homeland security priorities

States should consider:

- Ensuring the sustainability of homeland security initiatives.
 - Adopting and supporting the National Incident Management System (NIMS) and Incident Command System (ICS).
 - Enhancing the integrity of driver's license documents and systems by supporting national standards for physical security features and state-level issuance requirements.
 - Adhering to the “dual-use” rule of thumb for the purchase and procurement of homeland security equipment.
 - Promoting and advancing the U.S. Department of Homeland Security's Lessons Learned Information Sharing (LLIS) network to state and local stakeholders.
-

Roughly 60 percent of state law enforcement agencies report having a great amount of involvement or serve as the lead agency for homeland security planning in their respective state. To this end, the work group makes some general suggestions dealing with substantive planning issues. As a condition of accepting federal grants, states should ensure that agencies at the state and local levels have plans in place to sustain newly acquired equipment and capabilities for the long term. Future homeland security grant proposals and initiatives, therefore, should sufficiently demonstrate these long-term obligations, strategies and plans.

Similarly, equipment purchases at the state and local levels should serve a “dual-use” or provide value to homeland security and other more general public safety functions. States must take innovative approaches to the procurement of equipment in an era of general scarcity of resources and high demands for public safety. Furthermore, homeland security equipment purchases should provide optimal use and value to the law enforcement community.

Finally, states should consider adopting and integrating the National Incident Management System (NIMS) and Incident Command System (ICS) into all response planning, training and exercises. According to the 9/11 Commission Report, “emergency response agencies nationwide should adopt the Incident Command System.”¹⁷ Established through Homeland Security Presidential Directive/HSPD-5 (Management of Domestic Incidents), NIMS and ICS provide a “combination of facilities, equipment, personnel, procedures, and communications operating within a common organizational structure, designed to aid in domestic incident management activities.”¹⁸

Intergovernmental issues and needs

Cooperation among state, local, tribal and federal law enforcement agencies and the private sector is critical to progress and success in thwarting and responding to future acts of terrorism. Since 2001, law enforcement agencies have generally enjoyed unprecedented levels of cooperation. For example, the FBI-led Joint Terrorism Task Forces build key partnerships and foster the sharing of information and intelligence across intergovernmental and jurisdictional boundaries. Many issues exist in states that require a nationwide law enforcement effort, led by the federal government or the states collectively, such as the need for uniform standards. To address these issues, the work group recommends the following intergovernmental actions.

State and federal agencies should consider the following collaborative actions:

- Implement the new-generation Joint Regional Information Exchange System (JRIS) as the primary system of exchange for intelligence and tactical information.
- Develop standards for information classification and security clearance systems.
- Develop a National Intelligence Strategy and Plan that incorporates state and local assets.
- Develop information and intelligence gathering, as well as analysis and dissemination standards for the state and local law enforcement communities.
- Develop national training and education standards for intelligence analysts.
- Expand the pool of qualified state-level intelligence analysts.
- Establish a State and Local Intelligence Advisory Council to advise the new Director of National Intelligence.
- Develop an accreditation program for state and local terrorism prevention, intelligence sharing and analysis programs.
- Restore support for state and local law enforcement and criminal justice programs that support drug enforcement and community policing initiatives.
- Provide adequate law enforcement staffing at state and local levels to handle expanded homeland security responsibilities and shifts from the federal level.
- Provide flexibility to states concerning the planning and administration of homeland security grant programs.
- Develop a uniform vulnerability assessment model and tool.
- Develop a national database or information system that identifies, describes and assigns responsibility for the protection of critical infrastructure and key assets.
- Consider state homeland security strategies and plans for future grant programs.



Conclusion

Today, state police organizations are taking many lead and supporting roles in the realm of terrorism prevention. They provide a critical information sharing and analysis capability at the state level and a link between local and federal authorities. Their role is especially important in rural areas of states where resources are scarce. Thus, they provide a critical link among large and small local agencies.

In addition, state troopers patrol the interstate and state highways and serve as “eyes and ears” for suspicious activities, and would play a critical role in managing mass evacuations and aid for disaster areas. State police continue to play important roles guarding border crossings, seaports, airports and critical infrastructure. Furthermore, their specialized services (e.g., SWAT, K-9 units, air and marine assets) are often requested at the local level, and are important assets to deter, interdict and respond to acts of terrorism.

Besides these new terrorism-related responsibilities, evidence indicates that state law enforcement agencies are also being asked to fill vacuums created by the shifting priorities of federal law enforcement agencies. State patrol and investigative agencies are playing a larger role in relation to drug enforcement, bank robberies, major crime investigation, high tech/computer crime and other traditional law enforcement activities.

This study also revealed the growing complexity of the state police operating environment in the post-Sept. 11 era. Not only do state police remain the linchpin between federal law enforcement agencies and many local agencies, they report substantially increased interactions with a long list of federal agencies, from the military to the Federal Aviation Administration and Secret Service. They are also working ever more closely with other state agencies, such as agriculture, public health and National Guard, in addition to private security and the private sector. Plus, they are invariably heavily involved in their state’s homeland security planning and coordination apparatus.

In short, the world of state law enforcement has become incredibly more complex and demanding during the past several years. Not long ago, it would have been commonplace to regard the state police as perhaps the last bastion of old-style, traditional law enforcement. Those days are now gone.

State policy-makers should be informed about these changing conditions, as well as the risks that accompany them. For example, should drug enforcement resources be sacrificed at the expense of terrorism prevention? What new structures, capabilities and resources benefit both responsibilities? Police organizations are becoming more proactive through new information-led policing initiatives and tools such as crime mapping. Can state-level fusion centers support these new general crime fighting initiatives?

Today, a tremendous opportunity exists for states to leverage their law enforcement resources to prevent future acts of terrorism, and improve overall public safety.

For more information on this subject and recommendations for states, please visit: www.csg.org, keyword: protect.



Endnotes

¹Bureau of Justice Statistics, "Law Enforcement Statistics," <<http://www.ojp.usdoj.gov/bjs/lawenf.htm>> (28 February 2005).

²Gene Voegtlin and Jennifer Boyter, "Legislative Alert—State and Local Law Enforcement Assistance Programs Face Cuts," International Association of Chiefs of Police. <http://policechiefmagazine.org/magazine/index.cfm?fuseaction=display_arch&article_id=233&issue_id=32004> (1 March 2005).

³The Council of State Governments and Eastern Kentucky University, National Study—The Impact of Terrorism on State Law Enforcement, 2004 (Through support from the National Institute of Justice). <<http://www.csg.org>, keyword: protect>.

⁴Ibid.

⁵National Commission on Terrorist Attacks, *The 9/11 Commission Report*, (New York: W.W. Norton & Company, Inc., 2004), 427.

⁶See note 3 above.

⁷National Emergency Management Association, *2004 NEMA Biennial Report—Organizations, Operations & Funding for State Emergency Management & Homeland Security*, 5.

⁸National Commission on Terrorist Attacks, 390.

⁹Governmental Accountability Office, *Transportation Security: Federal Action Needed to Help Address Security Challenges*, GAO-03-843, 30 June, 2003, 2.

¹⁰National Commission on Terrorist Attacks, 423.

¹¹The Federal Bureau of Investigation, "Facts and Figures 2003," <<http://www.fbi.gov/priorities/priorities.htm>> (27 January 2005).

¹²See note 3 above.

¹³Global Intelligence Working Group, *The National Criminal Intelligence Sharing Plan, 2004*, Global Justice Information Sharing Initiative (Washington, D.C.: Office of Justice Programs), 7.

¹⁴National Commission on Terrorist Attacks, 390.

¹⁵Ibid., 383.

¹⁶Ibid., 424.

¹⁷Ibid., 397.

¹⁸National Emergency Management Association, 31.

Appendix

State Law Enforcement Agencies, 2000

Name of state agency	Total	Full-Time, Sworn Officers		State Population	Officers Per 10,000 Residents
		Number	Percent of Total		
Alabama Department of Public Safety	1,201	628	52	4,447,100	14
Alaska State Troopers	409	232	57	626,932	37
Arizona Department of Public Safety	1,872	1,050	56	5,130,632	20
Arkansas State Police	913	559	61	2,673,400	21
California Highway Patrol	9,706	6,678	69	33,871,648	20
Colorado State Patrol	909	654	72	4,301,261	15
Connecticut State Police	1,692	1,135	67	3,405,565	33
Delaware State Police	827	580	70	783,600	74
Florida Highway Patrol	2,138	1,658	78	15,982,378	10
Georgia State Patrol	1,785	786	44	8,186,453	10
Hawaii (a)					
Idaho State Police	510	292	57	1,293,953	23
Illinois State Police	3,792	2,089	55	12,419,293	17
Indiana State Police	1,941	1,278	66	6,080,485	21
Iowa State Patrol	599	455	76	2,926,324	16
Kansas Highway Patrol	694	457	66	2,688,418	17
Kentucky State Police	1,670	937	56	4,041,769	23
Louisiana State Police	1,438	934	65	4,468,976	21
Maine State Police	495	325	66	1,274,923	25
Maryland State Police	2,328	1,575	68	5,296,486	30
Massachusetts State Police	2,590	2,221	86	6,349,097	35
Michigan State Police	3,189	2,102	66	9,938,444	21
Minnesota State Patrol	791	548	69	4,919,479	11
Mississippi Highway Safety Patrol	1,031	532	52	2,844,658	19
Missouri State Highway Patrol	2,170	1,080	50	5,595,211	21
Montana Highway Patrol	280	205	73	902,195	23
Nebraska State Patrol	640	462	72	1,711,263	27
Nevada Highway Patrol	597	414	69	1,998,257	21
New Hampshire State Police	389	315	81	1,235,786	25
New Jersey State Police	3,682	2,569	70	8,414,350	21
New Mexico State Police	649	525	81	1,819,046	29
New York State Police	4,948	4,112	83	18,976,457	22
North Carolina State Highway Patrol	1,810	1,416	78	8,049,313	18
North Dakota Highway Patrol	193	126	65	642,200	20
Ohio State Highway Patrol	2,552	1,382	54	11,353,140	12

State Law Enforcement Agencies, 2000—Continued

Name of state agency	Total	Full-Time, Sworn Officers		State Population	Officers Per 10,000 Residents
		Number	Percent of Total		
Oklahoma Highway Patrol	1,420	782	55	3,450,654	23
Oregon State Police	1,409	826	59	3,421,399	24
Pennsylvania State Police	5,694	4,152	73	12,281,054	34
Rhode Island State Police	268	221	82	1,048,319	21
South Carolina Highway Patrol	1,220	977	80	4,012,012	24
South Dakota Highway Patrol	233	153	66	754,844	20
Tennessee Department of Safety	1,715	899	52	5,689,283	16
Texas Department of Public Safety	7,025	3,119	44	20,851,820	15
Utah Highway Patrol	441	397	90	2,233,169	18
Vermont State Police	513	304	59	608,827	50
Virginia State Police	2,511	1,883	75	7,078,515	27
Washington State Patrol	2,145	987	46	5,894,121	17
West Virginia State Police	1,044	681	65	1,808,344	38
Wisconsin State Patrol	665	508	76	5,363,675	9
Wyoming Highway Patrol	295	148	50	493,782	30

Source: Bureau of Justice Statistics, *Law Enforcement Management and Administrative Statistics, 2000: Data for Individual State and Local Agencies with 100 or More Officers*. NCJ 203350, 2000 LEMAS survey, March 2, 2004

Note: Personnel data are for full-time employees during the pay period that included June 30, 2000. Population data are Bureau of the Census figures for April 1, 2000. Number of officers per 10,000 residents excludes part-time employees.

(a) Hawaii has no statewide law enforcement agency.

“This report and its well developed recommendations will be a blueprint for the states and federal government to guide them through the difficult process of enhancing their overall homeland security effort. If followed, these recommendations will ensure a safe and secure environment for their citizens.”

—Norman Beasley, assistant director,
Criminal Investigations Division, Arizona Department of Public Safety

“The federal government has recognized the importance of involving state, local and tribal law enforcement in the nation’s strategy to prevent terrorism. The dedicated deputies, officers and troopers are the front line to our nation’s defense and add a significant contribution to intelligence collection.”

—Bart Johnson, lieutenant colonel,
Office of Counter Terrorism, New York State Police

“It’s now more important than ever to incorporate terrorism prevention into law enforcement’s toolbox of crime fighting programs... This integration is now a requirement for all law enforcement.”

—Rep. John Millner,
Illinois

“Terrorism prevention and response requires law enforcement agencies at all levels to work together, exchange information, train and coordinate efforts to a much greater extent than has ever occurred.”

—Al Cannon, sheriff,
Charleston County, South Carolina

“Policy makers are fortunate to have this comprehensive CSG report to rely on to ensure that the best decisions will be made concerning terrorism prevention. The multi-disciplinary approach utilized in its development is a template for others to follow. The time to act upon these recommendations is now.”

—Mark Couey, captain,
Investigative Assistance Division, Washington State Patrol

“The 9/11 Commission Report deals mainly with the federal strategy and the processing of information external to the United States. This report, however, deals with the further development of state and local resources... to help elevate and illustrate the important roles played by state and local agencies in the collection, dissemination and analysis of information critical to our national public safety.”

—Thomas O’Reilly, administrator,
Office of the Attorney General, New Jersey

“We continue to face the domestic threat of terrorism. This project highlights the needs for new partnerships among state legislators, law enforcement executives and other security officials to achieve long-term progress in thwarting future acts of terrorism. Florida is taking such steps.”

—Rep. Sandra Adams,
Florida

“This project highlights the new roles played by state and local law enforcement within the general terrorism-preparedness framework. Understanding these changes is critical for states – to prevent future acts of terrorism while ensuring that other important public safety needs are met.”

—Rep. Stephen Dargan,
Connecticut

