

The International Association of Chiefs of Police



ENHANCING THE LAW ENFORCEMENT INTELLIGENCE CAPACITY

*RECOMMENDATIONS FROM THE IACP'S
STRATEGIC PLANNING SESSION*

FEBRUARY 2010



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Enhancing the Law Enforcement Intelligence Capacity: Recommendations from the IACP Strategic Planning Session

The IACP gratefully acknowledges the participation of the many highly qualified, committed and talented individuals and organizations that made the 2009 Information Sharing Strategic Planning Meeting a success.

The experience and skill set of each attendee brought perspectives to the meeting that enabled participants to review and evaluate a broad set of challenges and consider unique, realistic, and practical solutions for immediate implementation.

IACP President Michael J. Carroll, Immediate Past President Russell B. Laine, and the board of officers of the association wish to extend particular appreciation to the meeting's planning committee:

- Bart Johnson, Department of Homeland Security
- Kevin Saupp, Department of Homeland Security
- Amy Schapiro, Office of Community Oriented Policing Services
- John Cohen, Program Manager for the Information Sharing Environment
- Elizabeth Farrell, Program Manager for the Information Sharing Environment
- Russell Porter, Criminal Intelligence Coordinating Council
- Ronald Brooks, Criminal Intelligence Coordinating Council

It is through the collaboration and sense of common purpose of the planning committee that a dynamic and productive conversation was achieved about intelligence gathering and information sharing at the full strategic planning session.

Since the terrorist attacks of September 11, 2001, expectations for comprehensive, relevant, and reliable intelligence gathering have grown at an exponential pace. In prior years, the responsibility for these activities has traditionally fallen with the intelligence community, often in collaboration with federal partners.

However, as global events, including terrorism, continue to manifest themselves in ways that directly affect local communities in the United States, it has never been more evident that the functions of intelligence gathering and information sharing must be woven into the daily fabric of state, local, and tribal (SLT) law enforcement. This fabric should encompass not only the efforts of police officers, state troopers, tribal police, and sheriffs but the fusion centers and the other resources dedicated to the collection and analysis of information.

Beginning in March 2002, law enforcement leaders and intelligence experts gathered in Alexandria, Virginia at the IACP Criminal Intelligence Sharing Summit to begin the process of designing a comprehensive national approach to intelligence sharing. Participants sought ways to help police share information and intelligence with a single goal in mind: preventing another terrorist attack like September 11th.¹ This work produced an influential set of recommendations, many of which were implemented.

In 2007, the IACP and its partners convened another summit to measure the progress of criminal intelligence sharing. Police leaders from agencies of various kinds and sizes joined federal policy makers, intelligence experts, and others in Washington, D.C. to consider how successfully the nation's 18,000 law enforcement agencies had carried out the recommendations from the 2002 summit.²

Several proposals from the 2002 and 2007 summit met with success including: the creation of a national intelligence plan; the establishment of the Criminal Intelligence Coordinating Council (CICC); adoption of the concept of intelligence-led policing (ILP); closer scrutiny of issues related to privacy and civil liberties; increased opportunities for collaboration among agencies; increased analytical capacity; and improvements in both training and technology. While the 2007 summit was a useful barometer of progress, recommendations were produced to focus efforts on creating a systemic sharing of information at all levels of government.

In July 2009, many of the same stakeholders, in cooperation with new partners in the information sharing arena, gathered again in Alexandria, Virginia, to take a step beyond the foundational summit reports and recommendations to establish a meaningful action agenda for SLT law enforcement with two distinct ends:

- To enhance law enforcement's engagement in information sharing; and
- To expand utilization of fusion centers

Comprehensively addressing these two distinct ends will help us to realize our collective, overarching goal – as stated in the 2007 report: “Every state, local, and tribal law enforcement agency in the United States should strive to develop and maintain a criminal intelligence capability...”³

¹ International Association of Chiefs of Police, *National Summit on Intelligence*, by Gregg Walker (September 2008), 8.

² Ibid.

³ Ibid.

Overview of Meeting

To thoroughly and comprehensively examine the issues, our participants represented: small, midsize, and large jurisdictions; rural, suburban, and urban agencies; state agencies and fusion centers; and partner associations and federal entities. During the course of the day and a half strategic planning session in pursuit of more effective information sharing practices, participants discussed a variety of topics that have challenged both law enforcement and the intelligence community over time.

Of particular interest were issues such as:

- Identifying a common language for concepts like ‘intelligence-led policing’ and ‘the intelligence cycle’
- Demonstrating relevancy of information sharing for local law enforcement
- Emphasizing the critical importance of intelligence and information sharing as a basic building block of both effective policing and national security – hometown security /S homeland security
- Providing consistent and effective tiered training for law enforcement to ensure collection of appropriate and relevant information
- Refining roles and expectations among law enforcement agencies and fusion centers
- Identifying additional federal support for law enforcement agencies and fusions centers
- Focusing on sustainment of fusion centers through widespread acceptance and building from the baseline capabilities
- Creating and implementing an efficient and effective marketing plan to clarify the role and value of fusion centers to law enforcement
- Producing a simple, consolidating, but comprehensive, product for law enforcement that provides basic direction related to intelligence and information sharing such as definitions, model policies, sample training, best practices, success stories, and referral to appropriate resources for additional information (Note: The COPS Office has updated its *Law Enforcement Intelligence Resources* CD-Rom. To obtain a copy call the COPS Office Response Center at 800-421-6770, or visit COPS online at www.cops.usdoj.gov)

The pages of the report that follow address these focus areas and attempt to respond directly to the charge to the participants: to create an ambitious, but achievable, action agenda for both law enforcement and fusion centers.

Goal One: Enhance Law Enforcement’s Engagement in Information Sharing

Of primary importance in the intelligence cycle is the tactical level of law enforcement involvement in the information gathering continuum. Without the experiences and efforts of trained law enforcement officers collecting information on seemingly disparate

individuals and events, there would be little data for analysts at the strategic and tactical level to consider and evaluate.

In furtherance of the goal of connecting more state, local, and tribal law enforcement agencies in a meaningful and productive way with the intelligence resources available to them, it is necessary to accomplish three fundamental tasks: identify barriers to communication and cooperation; recognize what is currently working; and recommend specific action to achieve continued forward motion.

As a result of the July 2009 Strategic Planning Session, the following recommendations are submitted for consideration:

Identification of Key Issues

In order for information sharing to become integrated within law enforcement agencies, there is an obvious and pressing need to impart relevance to the intelligence cycle. For agencies to truly grasp the value of information collected, processed, analyzed, and returned for specific use, there needs to be a common, baseline understanding of definitions, roles, and methods of implementation. Further, information needs to flow vertically thereby benefitting and informing all levels of government stakeholders.

The model of community policing is an excellent example of how police agencies adopted a concept, established relationships, fostered cooperation, built trust, and ultimately had community after community benefit from mutually beneficial affiliations. The same may be said of intelligence-led policing if all parties involved strive to reach consensus on issues, roles, responsibilities, and solutions; issues include the following:

- Stakeholders need to close the information gap that presently exists through providing a baseline understanding of information sharing and the role of SLT law enforcement in gathering and sharing information.
- Information gathering for analytic purposes needs to become integrated within law enforcement agencies; with emphasis on information collection as a core service and a basic function of policing; the intelligence cycle needs to be made relevant and valuable to law enforcement leadership in terms of their responsibility to keep communities safe from local crime and national threats.
 - An example – establish a dedicated intelligence liaison within each department, ideally with an established career path and succession plan for the position
- Partners must improve information sharing through regional law enforcement collaboration while vigilantly tending to privacy issues and protecting civil rights.

- Law enforcement and the federal government's intelligence community must foster an organizational culture that recognizes the importance of incorporating an 'all-crimes' or "all-hazards" approach to intelligence.
- Stakeholders need to vigorously promote awareness of available training venues and opportunities through a coordinated, centralized location for relevant information.

Recommended Action Steps

The over-arching objective of the July 2009 strategic planning session was to stimulate immediate action among participants to improve information sharing through identifying knowledge and operational gaps and strategizing how to close the identified gaps. However, we must first acknowledge several salient issues that serve as a framework for next action steps.

On a positive note, there is a tremendous amount of accurate and reliable information and leading practices readily available to SLT law enforcement to assist with the creation of a sustained intelligence capacity within their respective agencies. Providers have intensified the promotion of existing information gathering and training resources that are nationally coordinated but locally driven.

However, the difficulty has been in the marketing, acceptance, and implementation of the existing guidance. Stakeholders must simplify and clarify the message being delivered between SLT law enforcement and the federal government's intelligence community regarding information sharing. This message should provide common language, emphasize relevance and value of information, and encourage cooperation among agencies. The message could include highlights of successful cooperative examples like the Interagency Threat Assessment and Coordination Group (ITACG).

The following tasks, drawn from the issues identified above and the discussions among attendees are distinct achievable tasks assigned to specific groups that will be held responsible for implementation:

- The IACP's Intelligence Coordination Panel (ICP) is comprised of the Chairs of relevant IACP committees and leaders from the State Associations of Chiefs of Police (SACOP) and State and Provincial Police (S&P) Divisions. The ICP serves as the primary advisor to the IACP President and Governing Body on intelligence issues. Through the ICP, we will refine the 'message of information gathering for intelligence purposes' and emphasize the critical importance of building an intelligence capacity within all SLT agencies.
- Work with and leverage the resources and reach of the Criminal Intelligence Coordinating Council (CICC) and its member agencies representing local, state, federal, and tribal law enforcement interests. The CICC serves in an advisory capacity to the United States Attorney General and, thus, works to build and

deliver a cohesive and comprehensive message on intelligence issues through its representative membership. In concert with the CICC, the ICP will:

- Review existing resources, training, guidelines, surveys, and other information to determine items with specific relevance to SLT intelligence implementation
- Reformulate existing products into a single useful primer which will provide primary information, such as definitions and terminology, as well as secondary direction to relevant resources for training and additional detail
- Market the newly designed resources to the law enforcement community to promote the implementation of an intelligence capacity at the agency level
- Raise awareness and promote use of existing information sharing conduits. For example:
 - Regional Information Sharing Systems (RISS). RISS operates the only secure Web-based nationwide network for communication and exchange of criminal intelligence information by local, state, federal, and tribal participating law enforcement member agencies.⁴
 - FBI's Law Enforcement Online (LEO). The LEO system provides cost-effective, time-critical national alerts and information sharing to public safety, law enforcement, anti-terrorism, and intelligence agencies. It is the mission of LEO to catalyze and enhance collaboration and information exchange across the FBI and mission partners with state-of-the-art commercial off-the-shelf communications services and tools, providing a user-friendly portal and software for communications and information exchange.⁵

Goal Two: Expand Utilization of Fusion Centers

Chiefs, colonels, superintendents, and sheriffs across the United States have seen the terms ILP, Suspicious Activity Report (SAR), and fusion center quietly merge into the lexicon of everyday policing. However, the real implication of the words and their mandate for an agency seem to mean something different to every law enforcement leader. Meeting participants focused on fusion centers, given their capacity to develop and share intelligence to a wide audience of law enforcement.

⁴ See *Appendix A*

⁵ *Ibid.*

The role of state and urban area fusion centers is of critical importance to the law enforcement agencies and information bodies working in tandem to continually compile vital intelligence. It cannot be overstated that both the benefits, and challenges, of fusion centers and their counterparts are myriad, but the recommendations that follow will hopefully serve to clarify roles and responsibilities for law enforcement and fusion center personnel alike:

Identification of Key Issues

There are 72 federally recognized fusion centers across the United States, each charged with the interpretation, analysis, and return of information to multiple agencies or intelligence bodies. The sustainment of fusion centers is critical to producing an accurate analytical product and, simply, getting information moved.

Centers are tasked, in some ways, with playing both tactical and strategic roles in their mandate to produce an actionable item for the front line law enforcement officer as well as a guiding plan for chiefs and sheriffs. In order for fusion centers to effectively operationalize information for SLT law enforcement, the following should be considered:

- Fusion center leaders must proactively engage local agencies in their respective jurisdictions by demonstrating the value of consistent, relevant information exchange on issues related not only to terrorism or national security but also to everyday crime trends that are meaningful and prevention focused.
- Fusion centers should aggressively market their services to SLT leaders, some of whom may be unaware of fusion centers and their roles and responsibilities. Fusion centers should develop a standardized outreach plan on how to best engage SLT law enforcement.
- With appropriate federal participation, fusion centers must forge a nationwide, integrated network built to the established baseline capabilities and utilizing business practices and community policing skills that facilitate effective information sharing. This information sharing should serve to detect and prevent terrorist activity as well as address indications of community-based crimes and potential organized criminal activity. Building an integrated and relevant capacity are keys to long-term fusion center sustainment.

Recommended Action Steps

Fusion center administrators and law enforcement leaders may often find themselves at cross purposes while traveling along similar paths with the common destination of information exchange. Chiefs and sheriffs with no established or identified intelligence office within their agency find themselves asking fusion centers, 'What information do you want?' and are met with the reply from the center, 'What information do *you* want?'

The continuum has seen good intentions overwhelmed by a lack of understanding, unclear expectations, conflicting direction, and a lack of appropriate resources. It became clear during the course of discussions at the planning session that several issues stand out as mutual concerns related to the expanded utilization of fusion centers.

With the ultimate goal of bringing together fusion centers and SLT law enforcement agencies, participants at the strategic planning summit contributed a variety of sound and strategic approaches to improved cooperation.

While many of the following initiatives are simple and straightforward, they require committed action on the part of all participants to ensure that information sharing, whether driven by concerns of local crime or national security, is thoroughly integrated into everyday policing.

- Fusion center directors need to know and understand concerns and needs of SLT law enforcement and better engage those agencies in the intelligence cycle; outreach mechanisms to foster outreach include:
 - Foster communication from the CICC and the National Fusion Center Association (NFCA) to the fusion center directors about what their responsibilities are, including outreach to SLT law enforcement agencies. If there is a policy message that needs to be provided to the fusion centers, it will come from the CICC, NFCA, and/or their respective organization's decision-maker.
 - Engage the Fusion Center Management Group (FCMG) in policy discussions. The FCMG engages senior leadership from federal agencies and provides SLT partners with a direct role in the federal interagency policy making process. The FCMG will translate national policy into operational activities for fusion centers.
 - Encourage fusion center directors to proactively reach out to their respective chiefs and sheriffs associations and to their state police and highway patrol agencies to encourage frank, open, and productive dialogue.
 - Market success stories and case studies depicting how SLT law enforcement and fusion centers have combined to solve a case or series of crimes.
 - Highlight success stories emerging from implementation of Terrorism/Fusion Liaison Officer (TLO/FLO) programs and training. Ensure that anecdotes are representative and replicable by all SLT law enforcement.

- Develop strategies to bridge existing gaps, which may include an overarching marketing strategy among IACP, Major City Chiefs, Major County Sheriffs, and others; each promoting the same, standard information and reference materials through all of their respective outlets (Web sites, e-mail lists, publications) and all launched during the same time frame.
- State Associations of Chiefs of Police (SACOP) and State and Provincial Police (S&P) should:
 - Encourage members to contact their fusion center director to discuss capabilities, requirements, and what services and resources are available to their agencies
 - Disseminate information on available and federally sponsored services, resources, training, and technical assistance
 - In concert with fusion centers, SACOPS, and agencies should market success stories and case studies depicting how they have collaborated with fusion centers on proactive efforts and/or brought resolution to a case or series of crimes

Conclusion

While there is little debate regarding the importance of having a systemic approach to collecting, analyzing, sharing, and utilizing information through all levels of law enforcement, much remains to be done regarding the implementation of this systemic approach.

The reasons for this lack of implementation are varied; ranging from uncertainty or apathy to a very real lack of resources; solutions to many of the issues faced by law enforcement and fusion centers alike were clearly and concisely identified by practitioners at this most recent strategic planning session.

Much in the way that community oriented policing became rooted, took hold, and grew into an integrated part of modern law enforcement practice, intelligence-led policing is another emerging tool for policing in a post 9/11 environment. Both community policing and intelligence-led policing are in fact complimentary and both models enhance law enforcement's capacity to gather intelligence for law enforcement leaders across the US as they work to protect the citizens they serve.

Law enforcement leaders have obligations beyond the scope that any of them may have imagined a decade ago. Not only are they responsible for detecting, preventing, responding to, and solving crimes against people and property in their communities,

they are now tasked with a more global approach to policing that challenges resources, skills, and personnel.

It is incumbent upon the stakeholders involved in all aspects of intelligence gathering to take the extraordinarily demanding, yet simple, steps outlined here to open the lines of communication among organizations. Information and training are available, officers are willing and able to perform tactical tasks, fusion centers are eager to provide strategic solutions, and national partners are prepared to assist in forging a unified and consistent message about the immeasurable local and national value of information sharing. IACP hopes that this report from the strategic planning event will both promote and support those actions

Our collective reality is that the time for action is now as threats exist and persist. We need to arm those who protect us with relevant, timely, and actionable intelligence. Regardless of locale or agency size, every law enforcement executive has a role to play in protecting his or her community and, consequently, our nation.

Appendix A

Ten simple steps for an agency to become part of the National Criminal Intelligence Sharing Plan.

1. Recognize the value of sharing intelligence information within your agency and encourage the practice of sharing information with other law enforcement agencies.
2. Establish a mission statement and a policy to address developing and sharing information and intelligence data within your own agency.
3. Connect to your state criminal justice network and regional intelligence databases and participate in information sharing initiatives. Many states provide access to other government databases, such as motor vehicles.
4. Ensure privacy issues are protected in policy and practice. The protection in individuals' privacy and constitutional rights is an obligation of government officials and is crucial to the long-term success of criminal intelligence sharing.
5. Access law enforcement Web sites, subscribe to listserves, and use the Internet as an information resource.
6. Provide agency members with appropriate training on the criminal intelligence process.
7. Become a member of the in-region Regional Information Sharing Systems (RISS) center. RISS operates the only secure Web-based nationwide network for communication and exchange of criminal intelligence information by local, state, federal, and tribal participating law enforcement member agencies.
8. Become a member of the FBI's Law Enforcement Online (LEO) system. The LEO system provides cost-effective, time-critical national alerts and information sharing to public safety, law enforcement, antiterrorism, and intelligence agencies in support of the Global War on Terrorism. It is the mission of LEO to catalyze and enhance collaboration and information exchange across the FBI and mission partners with state-of-the-art commercial off-the-shelf communications services and tools, providing a user-friendly portal and software for communications and information exchange.
9. Partner with public and private infrastructure sectors.
10. Participate in local, state, and national intelligence organizations.

Appendix B

Information Sharing Strategic Planning Meeting July 15-16, 2009, Hilton Old Town, Alexandria, Virginia

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