



HARD WON LESSONS: POLICING TERRORISM IN THE UNITED STATES



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Safe Cities Editors

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THE HARD WON LESSONS CONFERENCE

On the frontline of combating terrorism, local police departments across the country need the best possible analysis of their most pressing problems. Through the writings of its scholars and conferences such as this and the Safe Cities Conferences, the Manhattan Institute helps local law enforcement and first responders combat terrorism. As a result, the Institute has developed a global network of the finest counter terrorism minds, which has been leveraged by government agencies in New York to help develop practical solutions to their most pressing challenges.

The Police Institute at Rutgers University (PI) integrates research, teaching, and criminal justice practice. It is one of the Nation's leading academic centers in the criminal justice discipline.

On December 13, 2004, the Institute and PI held a conference in New York City with local law enforcement officials from around the country. Presenting were experts in various parts of the counter terrorism field, including the CIA, RAND, the International Policy Institute for Counter-Terrorism in Israel, the New York City Office of Radiological Health, and the New York Police Department. It is our hope that the advice and information shared during the conference was the beginning of an ongoing dialog among members of the security and law enforcement community.

For more information on the Manhattan Institute, call (212) 599-7000 or visit our website at <http://www.manhattan-institute.org>. PI's website can be found at <http://www.policeinstitute.org/index.htm>.

INTRODUCTION

Our national, state, and local governments have made dramatic changes since 9/11. The private sector, firefighters, police officers, emergency medical professionals, and public works employees have all emerged as new stakeholders in U.S. national security.

—The Honorable Christopher Cox¹

It is conventional wisdom today that local agencies are critical to defeating our terrorist enemies. Some authorities argue that, in fact, some local activities are often more important to securing the Homeland than national or international efforts.² As Dr. George Kelling succinctly states, “Police matter.”

This we know.

The more difficult task comes with identifying the practical, cost-effective steps that will make the journey of integrating local assets into our national security strategy a smooth one. If police matter, as we know they do, what exactly should they be doing to prevent our enemies from conducting another successful attack here?

There are as many different answers to that question as there are police departments in America. New York City will have different priorities than Paterson, New Jersey and can be expected to adopt different approaches. But it should be apparent that cities large and small have common and shared security concerns. For example, the attacks in New York were planned and staged outside of New York, while the resulting economic impact was national and international in consequence. This hard won lesson teaches us that in today’s fast-paced, connected world, effective prevention in Paterson is effective prevention in New York and vice versa.

While Paterson and New York will follow different paths to effective prevention, some steps are fundamental. Perhaps the most important among these is that effective prevention begins with good police work, without which we bear a great risk of failing to stop future attacks. So, the first step for police departments in achieving success with the prevention component of their counter terrorism programs is to continue to improve on police work.

This is only the first step in the journey, however. September 11th forced an unprecedented convergence of the law enforcement and national security worlds. As a consequence, the policeman and the soldier will no longer have their feet firmly planted on their own turf. We see soldiers on the nightly news reports from Afghanistan and Iraq interacting with community members, problem solving, and helping to keep communities clean, safe and secure—all things we see police officers do in our own communities every day. Likewise, police departments such as the NYPD are shifting from organizing their activities solely around the prosecution of criminals. The prevention of terrorist attacks, which does not necessarily lead to criminal prosecutions, is now considered a core function for these departments.

That organizational shift will require more than good police work. It demands that senior executives of states and major cities begin to think strategically and operationally about preventing an attack before it occurs. This will require a shift in focus and priorities from the more familiar

“respond” activities to “prevent” activities across the spectrum of law enforcement and other first responder and supporting organizations. It also requires these officials to think about their cities using the same methods that a military officer uses to think about a battlefield. For example, the terrain must be analyzed to determine vulnerability. The threat must be appropriately assessed and monitored. Information requirements must be formulated, information shared, and intelligence products disseminated. Vulnerability and threat analysis must then drive operational responses. Training programs focused on essential tasks must be developed, and a training management system that demands the joint functioning of all local assets must be implemented. Terrorist tactics from around the world must be studied for the purpose of adopting more effective countermeasures. And the list goes on. All of which must be accomplished while respecting civil liberties and controlling costs, areas in which police can rightfully expect robust scrutiny.

This is a tall order for cities with a large resource base, such as New York, Philadelphia and Los Angeles. What about Paterson, or Providence, or Peoria? How do smaller communities generate the resources to bridge the gap between good police work and effective prevention?

A comprehensive answer to that question is for another day. However, we believe that private think tanks like the Manhattan Institute and academic centers like the Police Institute offer one cost effective tool. Through conferences, papers, case studies, research, training seminars and other methods, we provide police departments large and small with opportunities to access the best counter terrorism and criminal justice minds in the world.

We hope you find this publication of immediate use in your daily operations and encourage you to view our other resources at www.cpt-mi.org and at <http://www.policeinstitute.org/index.htm>.

Timothy P. Connors
Manhattan Institute

POLICE MUST LEAD THE WAY FOR HOMELAND SECURITY³

Michael Chertoff's leadership and experience as a federal prosecutor are invaluable assets for the Department of Homeland Security. His first priority as secretary should be to place the same trust and initiative in our local police departments that we rightly place on our troops fighting abroad. This will be no easy task. Even a capable leader like outgoing Secretary Tom Ridge could not seem to communicate the value of local police officers to a Washington bureaucracy that often discounts the importance of local knowledge and initiative.

As a result, the nation stands in danger of making the same mistakes domestically in the war on terrorism that it made in its first war on crime: that to prevent terrorism we need to understand the terrorist mind or the socio-structural variables leading to terrorism, and that local counter terrorism efforts have to be led from the federal level.

To underscore this shortcoming, one need only observe that there is not a single chief of police from a major American city on the Homeland Security Advisory Council—despite the security challenges our cities confront every day and the accumulated knowledge these chiefs have in confronting gangs, local drug dealers, and other crime problems in their jurisdictions.

With this in mind, what are we to make of last fall's videotaped warnings from Osama bin Laden, who for the first time publicly took responsibility for 9-11, and Azzam the American? For one, they remind us that there are people out there intent on destroying us and our way of life. Make no mistake, despite bin Laden's freedom fighter rhetoric, al Qaeda and their ilk are terrorists who want us dead. They are cold-blooded killers. The tapes serve as reminder that we must be ever vigilant, on all fronts, in the war on terror.

One of the enduring lessons of September 11th is that America's great cities are on the frontlines everyday. Azzam warns that the streets of America will run red with blood. The tapes, especially Azzam's, may be nothing more than PR from al Qaeda. Nevertheless, our great cities are target-rich environments—containing both symbolic and critical infrastructure sites. They also, because of population density and diversity, offer anonymity to terrorist cells. Luckily, however, America's cities also contain our most valuable national defenses: local police.

America's police officers—nearly 700,000 strong—are our most important resource for identifying and neutralizing the terrorists in our midst. Thanks to routine police work that positions officers in the neighborhoods where terrorists hide, plan, and strike, our police are sensitized to anomalies which puts them in the unique position to collect information and develop critical counter terrorism intelligence that can be disseminated in real time to other local, state, and federal law enforcement agencies.

Properly trained and equipped, local police can recognize the ordinary crimes that terrorists inevitably commit in preparation for their attacks—minor traffic violations, coupon fraud, the use of fake IDs -and deal with terrorist cells well before they are able to strike. In short, effective policing is also an effective counter terrorism strategy, and thanks to ingenious police chiefs, America's local law enforcement community have honed their crime fighting skills over the past decade and have reduced crime to unprecedented levels across the country. Today, America's urban police departments

are uniquely positioned to lead America's war on terror at home, even as our troops prosecute the war abroad.

This wasn't always the case. America's first war on crime (from the 1960s to the 1980s) was fought from Washington, and it was an abysmal failure precisely because it robbed local police of the initiative and responsibility for crime control and prevention.

During the 1960s, the U.S. government drafted local police departments into this federally directed war on crime. Washington committed large sums of funds to this war and created the Law Enforcement Assistance Administration (LEAA) to coordinate the war and its funding. The effort was a disaster: funds went to silly projects; funds were distributed without regard for local needs; and research tended to focus on "root causes" of crime which, even if ever understood, would provide policy makers and police with little practical guidance in reducing crime. As a result of this flawed social engineering, our cities were overwhelmed by crime and disorder, and our citizens fled once-vital urban centers to the safety of the suburbs.

The country was only able to reclaim its great cities when police leaders and mayors in New York, Boston, and elsewhere took responsibility for rising crime rates and decided they could do something about it—contrary to prevailing wisdom at the time that there was little police could do to control crime.

America's genius has been and will always be its empowerment of local institutions. The historic decline in crime during the 1990s was energized by substantive and administrative ideas that were developed locally with little, if any, federal input. These innovations included Broken Windows policing, pulling levers (Boston's Operation Ceasefire), New York's groundbreaking Compstat system, and, most recently, Chicago's Citizen Law Enforcement and Analysis Reporting system (CLEAR)—an information technology (IT) system that can revolutionize police management of intelligence, patrol operations, and administration. Instead of waiting for federal agencies to supply the tools they needed, police leaders across the country created and tested their own programs based on "what worked"—not what made for a good grant proposal.

When terrorists crashed planes into the Pentagon and the World Trade Towers on September 11th, the first calls for help went out to the police and other local first responders—not to the CIA or the FBI. In order to prevent or recover from any future terrorist attacks, local officials and police must be prepared to take the lead in the war on terror and not wait for direction from federal agencies hundreds of miles away.

Rather than passively acquiescing to dictates from Washington, America's police chiefs and other urban leaders must build on their successful experience of the last 15 years and design new programs to share criminal and terrorist related intelligence; penetrate and disrupt potential terrorist cells in the cities and towns where they operate; and develop their own "best practices" for combating suicide bombers and protecting local critical infrastructure. Anyone—at the local or federal level—who thinks that federal agents can adequately shoulder this responsibility ignore the fact the FBI has less than 10,000 agents nationwide, and that the CIA is focused on collecting foreign, not domestic intelligence.

This is not an anti-federal screed, nor a slight of the Department of Homeland Security. Federal agencies are better equipped to handle many tasks at the national level—for instance,

prosecuting international terrorist financial networks and analyzing intelligence collected abroad and funneling that information to local police in a timely fashion. They also have a vital role to play in developing protocols for dealing with CBRN attacks, safeguarding the nation's borders, and setting regulatory standards for protecting critical national infrastructure.

But, when it comes to protecting our cities and towns, there are no more effective, dedicated, and innovative guardians than the men and women who serve as police officers.

ASSESSING THE THREAT TO AMERICAN CITIES

The terrorist threat to American cities can be divided into two general categories. There are international operators who mainly attack for ideological reasons, (e.g. al Qaeda) and those who may be inspired by the same ideology but often attack for different reasons (e.g. the frustrated, the avenger, the uprooted).⁴ These two general threats can be labeled as international Islamo-fascists and lone jihadists.

The international Islamo-fascists that comprise the former group are fundamentally opposed to the larger themes that reflect the essence of America: wealth, military might, open culture, and secularism. This predictably leads them to symbolic targets that best represent these values – to New York City's financial symbols, to the Pentagon and military bases, to Las Vegas and Hollywood's entertainment enterprises. Their goal is an attack of cataclysmic proportions, on multiple targets when possible. They actively pursue weapons of mass destruction and the mere act of planning an attack is viewed as an accomplishment. While these terrorists are motivated and deadly, their target preferences, which are driven by ideology and worldview, have been somewhat predictable. It should be noted that the historical methods of attack and target selection could change to include smaller scale attacks against softer, less notable targets. Such a change would be driven by the need to score tactical victories in support of ideological objectives. Indicators of such a change include attacks and pronouncements in Madrid, Saudi Arabia, and Iraq.

The second category, the lone jihadist, is a different breed of terrorist that poses a tougher challenge. Often inspired by jihadi rhetoric, they blame certain groups, government agencies or policies for their misfortune and act out of personal frustration. These terrorists will often act alone or in small groups and their target selection, while smaller scale, will aim to inflict maximum punishment on the symbol of their dissatisfaction. In the effort to prevent a 9/11-scale attack, these lone jihadists are easy to overlook.

James Elshafay and Shahawar Matin Siraj are examples of this phenomenon. Arrested in September 2004, they were conspiring to set off bombs in New York City subways and were eventually caught when they told a police informant of their plans. The two men, who lived in Queens and Staten Island respectively, were not linked to al Qaeda or any known terrorist group. Nonetheless, they are representative of disenfranchised young Muslim men who expressed hatred for America and had become radicals by listening to sermons preaching jihad.⁵ Their planned attack, while minor in comparison to 9/11, could have inflicted significant casualties.

It is not always known who these lone jihadists are or when they will attack, whereas it is more definite that al Qaeda is intent on delivering another major attack on the United States.⁶ Osama bin Laden and his allies view the U.S. as the primary obstacle to reunifying a divided region, roughly akin to the former Ottoman Empire, under the banner of a radical form of Islam. It is his expressed aim to expel U.S. and allied troops from the Middle East and, further, to exhaust U.S. political will and the will of Muslim governments opposed to bin Laden's religious agenda.

Since September 11, 2001, bin Laden's al Qaeda network has re-directed its attention towards countries it believes support U.S. policies and presence in the region. Target countries have included: Afghanistan, Australia, Israel, Pakistan, Saudi Arabia, Spain and the United Kingdom. Attacks have

focused heavily on Arab and Muslim countries, particularly those such as Indonesia and the Philippines, which depend on tourism to sustain their economy.

The threat is compounded by al Qaeda's effort to seek and employ operatives who do not fit the Middle Eastern stereotype—Jose Padilla and Richard Reed are the earliest examples of this effort. It is likely that operatives have now been deployed who are currently unidentifiable using the standard profile of a terrorist.

The most likely future targets for al Qaeda are recognized symbols of U.S. vitality and power. Al Qaeda will focus on attacks that will result in mass casualties, spread fear and panic, decrease public morale, and negatively impact the U.S. economy.

- U.S. Government Buildings (Embassies in Kenya and Tanzania and the Pentagon)
- U.S. Military Bases (USS Cole, Khobar Towers, Marine Barracks in Lebanon)
- Bridges (Lyman Faris and Brooklyn Bridge plot)
- Tunnels (1995 Landmark Plot)
- Landmark Buildings (World Trade Center)
- Entertainment Venues (Bali)
- Mass Transit Systems (Madrid)
- Schools (Beslan)
- Commercial buildings (Citibank, NYSE, Prudential, IMF, World Bank)⁷

Suicide attacks are the most successful terrorist tactic. A suicide attack is, in effect, a smart bomb, with the attacker a mere platform for delivering the explosive to where it can inflict maximum damage. This tactic is especially threatening in congested urban areas and allows the terrorist to capture extensive media coverage subsequent to the attack. It should be noted here that al Qaeda has been particularly fond of using truck bombs for suicide missions.

A study for the Danish Ministry of Justice examined 193 suicide operations carried out by Islamic terrorist organizations between 1982 and 2003. It found that 247 individual suicide bombers participated in attacks during that time period. The general trend for suicide bombing operations during this period began with people willing to die in the name of idealism and religion. The next generation of suicide terrorists came out of Palestine and was motivated by a sense of frustration with conditions in the world around them. The final generation, and the most troubling for U.S. cities, consists of suicide terrorists motivated by a search for personal identity. This final group is recruited outside of family influence, and the individuals comprising this group are often recruited in European countries.⁸

Tactical Measures for Security Professionals

1. Evaluate the city's particular vulnerabilities and critical infrastructure. Understand terrorists, their strengths, capabilities, targeting preferences, and tactics. Manage risk by deploying assets to protect critical infrastructure, to counter terrorist tactics, and to disrupt them where they are likely to attack.

2. Lone jihadists present a more difficult problem than international Islamo-fascists, but both problems are manageable. Police should train to hunt suspicious indicators and should have an efficient way to gather and analyze local intelligence.⁹
3. Develop a thorough understanding of suicide bomb tactics and prevention measures.¹⁰
4. Pay attention to the prisons, which are prime recruiting venues for terrorists.
5. Develop public-private partnerships—it is vital in gaining local, street intelligence.

Madrid and the Evolution of the Threat in Europe

The “new” Islamist terrorism in Europe differs from that in the past in several respects. First, it involves multiple Salafi-Jihadi movements originating from several Arab-Islamic countries. Secondly, it is aimed almost exclusively at Western targets. Thirdly, the majority of the militants have received paramilitary and/or terrorist training camps run by al-Qaida and Taliban in Afghanistan. Because of this, analysts perceive the recent patterns of Islamist terrorism in Europe as a new front in Usama Bin Ladin’s and al-Qaida’s “global jihad” mainly directed against the U.S., Israel and their closest allies.¹¹

Europe has traditionally been a base of support for terrorist operations. “[It] was suitable as a sanctuary because of the region’s asylum legislations, relatively open internal borders, possibilities to raise funds, and relative operational freedom with regard to propaganda efforts and recruitment, etc.”¹² However, the terrorists’ aim in Europe seems to have taken a violent turn, which American security officials would do well to study.

The attacks in Madrid on March 11, 2004 signaled the threat’s shifting strategy in Europe. Ten bombs in four trains killed 191 people and wounded 1600 more. It all happened in less than five minutes. This event marked the single worst terror attack in Europe’s history. Up until that day, Spanish counter terrorism efforts had focused on eliminating ETA.¹³ Despite the fact that it was widely known that the al Qaeda cell in Spain was old and well established, there was not a single Arabic-speaking intelligence agent in the country at that time. A hard lesson was learned.

There are two noteworthy differences between 3/11 and previous al Qaeda attacks. First, there were no suicide martyrs, the typical mark of an al Qaeda operation. Second, of all the previous attacks—Nairobi, New York, Washington, Casablanca, Istanbul—this was the first to be an unqualified strategic and political success. The bombing took place on Thursday, and on the following Sunday, the Aznar government fell.

The Madrid bombers revealed a new breed of al Qaeda terrorist, one with different interests and motivations. These new terrorists are seen as part of a highly alienated, unemployed European immigrant community that lives on the margins of wealthy cities. They are in effect, self-selected members of al Qaeda, with few actual ties to the organization. Most notably, they have created a virtual community for themselves on the internet, where jihadist discourse flourishes on message boards, chat groups and websites.

This event also signaled a shift in al Qaeda’s political strategy. What were once unattainable religious goals, have become practical strategic goals aimed at real victory, of which March 11th is the first example. Al Qaeda’s religious zealots have become Europeanized, with a more rational focus. Following the demise of Aznar’s government, bin Laden offered a truce to Europe if they

withdrew their forces from Muslim countries and set up a committee to study Islamic causes, particularly that of Palestine. Though the offer was rejected, bin Laden's proposal had a rational basis, given Europe's history of negotiating with terrorists.

There is increasing evidence that the new al Qaeda is concentrated in Europe and is a movement over which bin Laden has less control. As Europe struggles to handle its growing Muslim immigrant population, it is vulnerable to becoming a major launching pad for terrorist activity in the West. Indeed, Muslim immigration is transforming Europe. Nearly twenty million people in the European Union identify themselves as Muslim. "This population is disproportionately young, male, and unemployed. The societies these men have left are typically poor, religious, conservative, and dictatorial; the ones they enter are rich, secular, liberal, and free."¹⁴ The tension between an old life and a dramatically new one, leaves many young Muslim men feeling alienated by the West.

The Internet provides confused young Muslims in Europe and around with world with a virtual community. "Those who cannot adapt to their new homes discover on the Internet a responsive and compassionate forum."¹⁵ According to Thomas Hegghammer, the Norwegian investigator, the jihadi internet community can be divided into three categories: message boards, information hubs, and mother sites. The message boards, which include brand names like al Qal'ah (the Fortress), al Sahat (the Fields), and al Islah (Reform), provide a forum for sympathizers and potential recruits to discuss political and religious issues. These message boards are linked to information hubs, the most important of which is Global Islamic Media, where texts, declarations, and recordings are located. Mother sites, which should be distinguished from amateur products (usually in English), represent the original works of ideologues and operatives.¹⁶

As this large Muslim youth population continues to expand and its members remain in a parallel society, they become more dangerous to the West and specifically to the United States. As their animosity grows, so does their determination, which brings them to the Canadian and Mexican borders, and if fortunate enough, into the United States. Ahmed Ressay, is an example of a frustrated, angry, powerless young man, vulnerable to those who promulgate terrorism. Ressay was convicted in a plot to bomb Los Angeles International Airport on New Year's Eve 1999. Ressay, a graduate of bin Laden's training camps in Afghanistan, planned his attack with fellow jihadists in Montreal. The child of Algerian parents who aspired to gain a college education, he came into Canada via France.¹⁷

As the Europeans watch anxiously over their melting pot, law enforcement in the U.S. should stay in tune with Muslims who preach jihad and resist integration. As tensions rise in Europe, they will overflow into other parts of Western culture, particularly the U.S. and Canada. Moreover, something can be learned from the vulnerabilities of Madrid's train system. After 10 bombs exploded simultaneously aboard Spanish trains, a team of investigators from the New York City Police Department arrived in Madrid to study what happened. As a direct result of the officers' observations, New York City made immediate tactical adjustments in its own subway security.¹⁸

WMD: THE LOCAL THREAT & PREVENTION STRATEGIES

The biggest threat we face now as a nation is the possibility of terrorists ending up in the middle of one of our cities with deadlier weapons than have ever before been used against us—biological agents or a nuclear weapon or a chemical weapon of some kind to be able to threaten the lives of hundreds of thousands of Americans. That's the ultimate threat. For us to have a strategy that's capable of defeating that threat, you've got to get your mind around that concept.

—Vice President Dick Cheney¹⁹

During the 2004 Presidential campaign, one of the rare instances of agreement between President Bush and Senator Kerry occurred when both men acknowledged during a debate that the most dangerous threat to the United States was a weapon of mass destruction in the hands of a terrorist organization. CIA chief Porter Goss emphasized this urgency of this threat in recent testimony before Congress, when he stated, “It may be only a matter of time before al-Qa’ida or another group attempts to use chemical, biological, radiological, and nuclear weapons.”²⁰

Clearly, officials throughout our government are energized and focused on preventing this from happening. The consequences of failure are too severe. As a result of federal efforts, it is presumably more difficult to deliver such a weapon from outside the United States. As increased scrutiny makes it more difficult for terrorists to bring materials into the country, terrorists will begin to make use of what we already have here.²¹ They will attempt to develop and employ weapons with massive killing and/or disruptive capacity from materials that can be obtained domestically, legally or illegally.

Three fundamental steps are involved in any attack that would involve such a weapon. First, the lethal materials, whether radiological/nuclear, biological or chemical, must be obtained. Second, these lethal materials must be made operational, that is, built into a bomb or other delivery device. This step may require people with technical knowledge and/or sophisticated equipment. Third, the weapon must be delivered or emplaced in the target area. The considerations for each of these fundamental steps vary based on the type of lethal material involved; therefore, each category (radiological/nuclear, biological, and chemical) should be analyzed separately.

Radiological/Nuclear

“Detonation of a nuclear device is the least likely form of terrorism involving weapons of mass destruction. But technical challenges would not prevent less dramatic uses of radiological materials, which, although unlikely to kill or injure many people, could impose heavy financial and psychological costs on the targeted government.”²²

Assessments regarding whether terrorists could actually detonate a nuclear weapon in the United States vary. Yet, this much is clear: our nuclear arsenal and domestic supply of highly enriched uranium (HEU), which is a necessary component of a nuclear weapon, are extremely well protected. Therefore, it is highly likely that a terrorist organization attempting to conduct a nuclear attack against the U.S. would have to obtain a weapon or HEU outside of the United States and smuggle

(or otherwise deliver) this material into the country. As such, prevention of such an attack falls clearly in the realm of the federal government and is not the focus of this paper.

This is not to say that state and local authorities do not have a role to play in preventing a nuclear attack. For example, the ability of state and local operators to detect radiation is critical to any prevention program. Likewise, these same resources should be incorporated into counter surveillance programs designed to disrupt and defeat terrorist reconnaissance. Perhaps the most important responsibility of state and local leaders is to instill a mindset within public safety agencies and private partnerships that such an attack could occur here. One need only read Graham Allison's book, *Nuclear Terrorism*, to appreciate the dangers.

However, as Dr. Stern argues, the technical challenges associated with constructing a radiological dispersion device (RDD), are much less daunting. Allison himself points out that "[the] consensus in the national security community has long been that a dirty bomb attack is inevitable, indeed long overdue."²³ An RDD consists of "conventional explosives packed into radioactive material. While such bombs do not produce a nuclear explosion, they can disperse radiological material over a large area, causing widespread contamination."²⁴

There are a few examples of attacks or incidents involving radioactive isotopes. In order to demonstrate his group's capabilities, Shamil Basayev, the leader of a Chechen terrorist group, alerted authorities in 1995 that a packet of radioactive cesium was buried in a popular park in Moscow. In another case in Long Island, New York in 1996, three people attempted to poison some of their county officials with radioactive radium, because they thought these officials were covering up the landings of space aliens.²⁵ In an unfortunate incident in 1985, the citizens of Goiania, Brazil unwittingly dispersed a quantity of cesium-137 from a discarded x-ray machine, which resulted in four deaths and multiple injuries.²⁶

Radioactive material is plentiful in our modern society. "The integration of various forms of radioactive material in modern life, from X-rays in dentists' offices and hospitals to smoke detectors, has made control of such material impossible."²⁷ Other possible sources of radiological materials include industrial plants, waste from nuclear power plants, junkyards, research facilities, and construction sites.²⁸ Another source of information regarding the users of radioactive materials is the Nuclear Regulatory Commission and the 32 states that regulate and license users.²⁹

There are several means to convert radiological materials into an operational weapon, including:

- Combining with conventional explosives (most commonly cited method)
- Concealing in a high traffic area (Basayev in Moscow)
- Converting to an aerosol for use in an enclosed area (several commentators have suggested this method, but the technical challenges are high)
- Spreading via an unwitting public (Goiania, Brazil)

Analysts and technical experts seem to agree that it would be difficult to construct a RDD with massive destructive potential. However, such a device could still satisfy the terrorist desire to cause mass panic. As Dr. Richard Meserves, Chairman of the U.S. Nuclear Regulatory Commission concludes, "RDDs are not part of the military arsenal of any country for the simple reason that they are not good weapons—devices utilizing high-risk sources might nonetheless meet a terrorist's objectives. The use of such a device could cause panic, could seriously disrupt normal activities in

the affected area, and might cause serious economic harm because of the possible need for evacuation and expensive decontamination efforts.”³⁰

In preventing an attack with this type of weapon, the al Qaeda preference for multiple and coordinated attacks should be expected. Surveillance and planning for such an operation would have to account for the proliferation of detection devices since 9-11. This may manifest itself in tactical decisions such as targeting, route selection and timing, as well as employing measures to reduce the radioactive signature of the weapon.

Biological

There are multiple indicators that the 9-11 terrorists may have been developing attack plans for a biological weapon. Mohammed Atta was interested in obtaining a crop duster. He had requested a \$650,000 loan from the U.S. Department of Agriculture for the purpose of purchasing a passenger plane and outfitting it with a chemical tank. Ahmed Alhaznawi, of United Airlines Flight 93, sought medical attention in Fort Lauderdale, Florida in June 2001 for a wound on his leg consistent with infection by cutaneous anthrax. Additionally, Atta had asked a Delray Beach, Florida pharmacist for medicine to treat a strange infection on his hands.³¹

Experience cautions that terrorists and other malcontents can obtain biological agents within the United States. In September 1984, members of the Bagwan Sri Rajneesh cult in Dalles, Oregon, contaminated restaurant salad bars with *Salmonella typhimurium* “cocktails.” Using a spray bottle, they rendered approximately 1,000 people sick and congested local emergency rooms. This was a test run for a larger plan for a biological weapon that would make local residents too sick to vote in an upcoming election. In fact, part of the plan was to contaminate the town’s water supply.³² In a 1996 incident, a medical center employee in Dallas, Texas stole a stock culture of *Shigella dysenteriae* type 2 from her employer. She used the culture to infect some muffins and subsequently invited her co-workers to help themselves.³³

“Pathogens that could be used as crude biological weapons—such as the common food poisons salmonella, shigella, and staphylococcus—are readily available at clinical microbiology laboratories.”³⁴ The lethal building materials for a biological weapon can be obtained at government facilities, commercial enterprises, and private and academic research facilities such as:

- Medical Schools and Graduate Schools of Microbiology:
Microbiology departments of universities and research institutes by state
<http://www.virology.net/garryfavwebmicro.html>;
Graduate Programs in Virology
<http://www.virology.net/garryfavweb10.html>
- Biotechnology / Pharmaceutical R&D Labs
- Human Pathology / Diagnostic Labs
- Animal Diagnostic Labs
- People with microbiology background and access to microbiological media
- Individuals ordering microbiological media with home addresses
- The environment (soil, buried animals, infected animals/humans)³⁵

Terrorists could also produce these deadly agents. There is widespread knowledge of microbiology and its weapons applications, the costs are relatively low, and the equipment can be manufactured in many countries.³⁶

“Biological agents can be disseminated in liquid or powder form. While producing liquid agent is relatively easy, disseminating it as an infectious aerosol is not. Dry powders can be disseminated far more easily. High quality powders are complicated to make, however, involving skilled personnel and sophisticated equipment.”³⁷ Specific examples of operational weapons and biocriminality include:

- Filling light bulbs and dropping them in subway ventilation system or roadbed (US Army test in New York City in 1966)
- Aerosol spray from ship off the coast line (US Army test in San Francisco in 1950)
- Via crop duster (potential intent of Mohammed Atta)
- From a water spray bottle into the food supply (Bagwan Sri Rajneesh cult)
- In foodstuffs (Diane Thompson)
- From a steam generator on the roof of a building (Aum Shinrikiyo)
- Through the mail (U.S. anthrax case)

There are several indicators that an attack may have taken place, such as a spike in unexplained sicknesses or in sales of specific prescription drugs. These indicators should be tracked in order to mitigate and manage consequences. Effort should also be placed in identifying pre-attack signatures, which will help prevent an attack. For example, patients such as Ahmed Alhaznawi, who seek care for injuries of dubious origin. Another example is the sudden effusion of strange smells in the environment. In the course of attempting to spread anthrax spores through a steam generator on the roof of their building, members of the Japanese cult Aum Shinrikiyo created a putrid smell in their neighborhood. They told investigators that they were mixing soybean oil and perfume, which they were using to purify the building.³⁸

The threat of select agents falling into the wrong hands caused Congress to review and strengthen the regulatory regime over select agents and toxins. The Department of Health and Human Services (HHS), the U.S. Department of Agriculture (USDA), and the Department of Justice (DOJ) have a role in the regulatory regime. Under this regime, the federal government attempts to control such things as who can possess, use, or transfer these materials, who has access to facilities, and what training is required of handlers.³⁹

HHS maintains the list of select agents and toxins and delegates its responsibilities for regulating these items to the Centers for Disease Control (CDC) (for a complete list go to <http://www.cdc.gov/od/sap/docs/salist.pdf>). The Public Health Security and Bioterrorism Preparedness Act of 2002 gave dual regulating responsibility to HHS and USDA, which operates through its Animal and Plant Health Inspection Service (APHIS). Each Department has its own unique list of items to regulate, as well as a list that is subject to regulation by both Departments. Since the passage of the Act, 417 entities have registered a select agent or toxin, mostly with CDC. The CDC and APHIS each maintain a data base of registrants, who are required to report the theft, loss, or release of a regulated item to them, as well as to the appropriate federal, state, and local law enforcement agencies.⁴⁰ Under the USA Patriot Act, individuals needing access to these materials and owners of entities seeking to register must submit to a security risk assessment. DOJ, through the Criminal Justice Information Services Division in the FBI, is responsible for conducting these assessments.⁴¹

Center for Disease Control's Classification of Bioterrorism Agents

CDC categorizes bioterrorism agents based on their lethality and the level of preparedness local communities should achieve: <http://www.bt.cdc.gov/agent/agentlist-category.asp>.

Category A Agents: High priority agents such as Ebola and Smallpox that result in a high and rapid mortality rate and have the potential to significantly impact public health. They can be easily disseminated and transferred from person to person and are likely to cause major panic and social disruption. When Ebola appeared in Africa for the first time, approximately 600 people died within 2-3 weeks.

Category B Agents: The second highest priority and are moderately easy to disseminate. They result in moderate morbidity and low mortality but have the ability to cause mass panic over a longer period of time, affecting the economy of a city, placing a high burden on hospitals and law enforcement resources.

Category C Agents: Dangerous because they only require basic microbiology skills taught in laboratories every day. They can be easily and widely disseminated with a spray bottle, a paintbrush, a Mylar balloon, etc.

Chemical

The general nature of the threats of chemical and biological weapons is similar, so discussion of these two threats is often lumped together. One key distinction is that chemical weapons are sensitive to environmental conditions and can usually be expected to dissipate quickly. This dictates the selection of an enclosed target area. Another important distinction is that chemical weapons can be manufactured from products commonly available in the economy. Yet another distinction is that chemical weapons are easier to obtain and have been more widely employed in terrorist attacks to date.

Perhaps the most serious attack contemplated occurred in April 2004, when members of an al Qaeda cell connected to Musab al-Zarqawi were arrested in Jordan with explosives, chemical weapons and poisonous gas that would have killed up to 20,000 people. The al Qaeda members planned to launch their attack against a Jordanian Military Intelligence installation, the U.S. Embassy in Amman and a government building in that country.⁴² Other chilling examples include the 1995 Aum Shinrikiyo sarin attack in the Tokyo subway, which killed 12 and injured thousands, and a sarin attack that British authorities foiled in London in 2003.

Ricin, a poison, which is extracted from castor beans, has become a favorite of Islamofascist terrorists. This is probably due to the ease of obtaining materials to manufacture the toxin. Extraction requires the beans and chemicals commonly available in grocery stores.⁴³ "In the past [three] years, ricin-making equipment or traces of the toxin have been discovered during police raids on al-Qaeda-affiliated cells in Britain, France, Spain, Russia, Georgia and Kurdish-controlled northern Iraq. In each case, police also found manuals or papers containing detailed instructions for making and using ricin."⁴⁴

Due to the robust presence of the chemicals in our economy, the government relies heavily on private industry to secure chemical stocks. Many experts believe that the industry is one of the most vulnerable to attack.⁴⁵ No matter how the regulatory regime evolves, prevention will clearly rely on establishing effective partnerships with private actors.

Prevention Strategies

Regardless of the weapon type, there are fundamental themes that apply to formulating effective local prevention strategies:

- Material acquisition is critical to a successful attack
- Materials are subject to multiple regulatory regimes
- Many public and private actors legally use these materials
- Technical expertise may be required to construct weapons
- Terrorist intelligence objectives must include avoiding measures to detect these weapons, which could disrupt the attack
- Weapon materials often leave signatures, such as radiation, smell, and injuries to handlers

The critical component of a prevention strategy at the local level must focus on the materials, which are the building blocks of these weapons. Use of detection devices and deterrence tactics remain visible signs to the public and the threat that we are vigilant. These tactics are also ingredients to a comprehensive approach to response, mitigation, and prevention. But denying the threat access to lethal materials located here makes the proposition of an attack more difficult, since it would have to originate from abroad.

Accordingly, law enforcement must study their communities and understand where these materials are located, who handles them, what transportation routes and methods apply, what regulatory actors are involved, and what regulatory schemes apply. How are security breaches reported? What is the chain of command? By whom and to whom are incidents reported? Is there a rapid response team in place? Partnering with the private sector (e.g. pharmacies, doctors, research facilities, private industry, etc.) is an important element in finding early warning signs of a threat.

State and local governments that leave these problems entirely in the hands of regulators, are substituting hope for security.

Other tactical measures to consider include:

- Establish a working liaison between state and local police and laboratory directors, bio-safety officers, chemical industry security officers, and security officers at businesses that deal with radiological materials. Information should be shared as needed.
- Fully understand state and federal regulatory regimes, with special emphasis on where information on regulated individuals and entities can be accessed.
- Work with hospitals, medical facilities, and pharmacies to be alert for unusual maladies that could indicate exposure to biological or chemical weapons materials.
- Outfit police officers, emergency responders, and other public servants with radiation detection devices. Advertise the fact that government servants are so equipped.
- Encourage private citizens to report strange, persistent smells.

- Manage the terror potential beforehand by educating the public that casualties associated with known attacks using these materials have been minimal.
- Focus first on a) facilities that are less secure and may lack the funds to properly secure themselves and b) facilities that have materials of greatest interest to terrorists (based on actual use in an attack or known interest in acquiring).
- Review reports of accidents with environmental and health authorities as accidents are warning signs and can be the prelude to an attack.

While this paper addresses terrorism, under an all hazards approach, each new measure implemented should address multiple public safety priorities (e.g., youth violence, proliferation of guns, public health, drug use).

ORGANIZING LOCAL LAW ENFORCEMENT TO COUNTER TERRORISM

Police work has traditionally taken place at the micro level of neighborhoods and communities. The current threat environment demands that local authorities take a broader view, which brings all assets available to their communities to bear on prevention. This will involve new approaches to organizing resources, planning operations, training personnel and multidisciplinary teams, and developing doctrine and tactics.⁴⁶ Such new measures could include:

- Task organizing multiple assets and forming multidisciplinary teams that learn, train, and operate together⁴⁷
- Establishing capability to identify information requirements, collect and analyze information, produce and disseminate products for operators
- Clarifying roles and missions and establishing lead and supporting agencies
- Developing an education and training program focused on prevention and prepared to accommodate multidisciplinary teams
- Creating formal mechanisms to evaluate multidisciplinary training and operations and to share lessons learned⁴⁸

Forming Multidisciplinary Teams

*Homeland security efforts are more effective when they involve the daily collaboration between core disciplines including, but not limited to, law enforcement, fire services, emergency medical, emergency management, health care, social service, transportation, environmental protection, public utilities, agriculture, general services, natural resources, and corrections.*⁴⁹

State and local government, especially in larger population centers, cannot countenance a prevention strategy, which is based solely upon an emergency response infrastructure composed of individual agencies that come together in an emergency situation. The reasoning here is that prevention is best accomplished when multiple assets work together smoothly in a well-coordinated and unified structure. After 9/11, it should be universally recognized that responders who do not habitually train together, develop common doctrine and tactics together, purchase equipment together, and have mutual understandings regarding incident command will have difficulty *preventing* together.

The State of Florida has recognized these factors and has adopted an approach that took the State's existing emergency management structure, strengthened it, added new players, and incentivized cooperative and habitual decision-making. While it has taken some time to implement, Florida now boasts an enhanced emergency management infrastructure that engages all stakeholders and facilitates rapid and collective decision-making. This infrastructure is now being tasked with developing the prevention piece of counter terrorism.⁵⁰

In a response situation, the immediate crisis becomes a common enemy that facilitates cooperative effort, even when individual commands are not fully prepared to operate together. Daily prevention work, which may sometimes be tedious and repetitive, removes the immediate crisis and thus the incentive to cooperate. A comprehensive local strategy for prevention must take this into account. Interoperability is fundamental in determining what government assets will be

available, how those assets will be resourced, and how the various governmental agencies will be organized for the task. Much has been written about federal agencies' difficulties in working together in an efficient manner to prevent another attack. Turf wars, egos, organizational clashes, and legal impediments are but a few of the criticisms. State and local governments should anticipate having the same problems.

For example, the 9/11 Commission Report noted that on September 11th, "the Port Authority [of New York and New Jersey] lacked any standard operating procedures to govern how officers from multiple commands would respond to and then be staged and utilized at a major incident at the [World Trade Center]." ⁵¹ It appears that interoperability among multiple agencies from various jurisdictions is still a problem plaguing the Port Authority. In recent testimony before a state senate committee, New Jersey's Attorney General cited cooperative failures as jeopardizing the security of New York and New Jersey's waterways. According to his testimony, "The jurisdictional lines between our two states are muddy at best and create a disjointed, complicated and inefficient maritime law enforcement posture." ⁵² It is noteworthy here that inefficiencies in a response situation are predictive of inefficiencies in ongoing prevention-oriented operations. The opposite is likely true: effective, synergistic response will lead to effective, synergistic prevention.

To get there, the challenge of establishing clear lines of authority and overcoming organizational rivalries must be met—a task that should not be underestimated. A prime example of the difficulties here is the experience of our Armed Forces, which have struggled to overcome service rivalries in the wake of a reorganization of the Defense Department in 1986. This reorganization mandated that the services fight as part of a joint team that trains together and adopts common doctrine and plans. Most important among these reforms was the establishment of unified commands that controlled all military assets in a particular geographic area regardless of service. ⁵³

Some of the reasons for the military's reorganizing to achieve more effective cooperative efforts amongst the individual services are instructive for state and local officials charged with preventing another attack at home. Taken from the military context into more familiar language, these reasons include

- Strengthening civilian control of separate commands
- Improving advice given to political leaders
- Enhancing the authority of incident commanders
- Increasing attention on formulating unified strategy and plans
- More efficient use of collective resources and ensuring equipment interoperability
- Increasing effectiveness of collective prevention and response ⁵⁴

One law enforcement equivalent to military joint operations is the Joint Terrorism Task Force (JTTF), which has been established in major cities across the country. The JTTF brings together multiple assets from all levels of government to work on prevention and response. While the JTTF concept has been largely successful, ⁵⁵ more is required.

State and local authorities must also form multidisciplinary teams both within and across jurisdictional lines. Ideally, these teams would routinely train together, develop joint plans, field interoperable equipment, share lessons learned, adopt a common understanding of command and control, and generally operate as a unified team. As with the military, the transition to "jointness" will not be without its challenges. ⁵⁶

The State of Tennessee has begun to address these challenges through a determined effort to mount counter terrorist operations that cross geographic, government, and industry boundaries. These operations are focused on the detection, deterrence, and disruption of the terrorist's activities during their early, preparation phases. The State's leadership has mobilized the direct support of the Governor and major city mayors to develop a "prevention" mindset within law enforcement and supporting agencies. They have also garnered the support of the citizenry and other key stakeholders in such areas as business and industry, transportation, and tourism. The goal is to build a task organized, integrated program in order to prevent terrorist attacks and disrupt their operations. The hard won lesson from the Tennessee experience is that successful prevention requires more than "tactical" response; it requires a strategic view at the highest level. For that view to be sustained, leaders at all levels (strategic, operational, and tactical) of functional organizations will have to be trained and educated in a systematic manner.

Multiple Agency Response at the Pentagon

"While no emergency response is flawless, the response to the 9/11 terrorist attack on the Pentagon was mainly a success for three reasons: first the strong professional relationships and trust established among emergency responders; second, the adoption of the Incident Command System; and third, the pursuit of a regional approach to response. Many fire and police agencies that responded had extensive prior experience working together on regional events and training exercises. Indeed, at the time preparations were under way at many of these agencies to ensure public safety at the annual meetings of the International Monetary Fund and the World Bank scheduled to be held later that month in Washington, D.C.

"Local, regional, state, and federal agencies immediately responded to the Pentagon attack. In addition to county fire, police, and sheriff's departments, the response was assisted by the Metropolitan Washington Airports Authority, Ronald Reagan Washington National Airport Fire Department, Fort Meyer Fire Department, the Virginia State Police, the Virginia Department of Emergency Management, the FBI, FEMA, a National Medical Response Team, the Bureau of Alcohol, Tobacco, and Firearms, and numerous military personnel within the Military District of Washington."⁵⁷

Bringing Intelligence Capability to the Local Level⁵⁸

In a December 2004 presentation to the Homeland Security Advisory Council, Governor Mitt Romney of Massachusetts described the importance of sharing intelligence across government boundaries and leveraging state and local police resources in the fight against terrorism. It is important to develop the correct infrastructure and protocols to address this complex problem of intelligence sharing for the long term. For the near term, however, states are likely to face an uphill battle receiving accurate, timely and detailed threat information from the federal government.⁵⁹ There are a number of reasons for this reality. "Exchanges of classified information inevitably raise concerns because many of the individuals involved in homeland security lack security clearances. . . . In addition, information tends to travel in only one direction—from the states to the federal government—

instead of being exchanged.”⁶⁰ While sincere efforts to address these problems are ongoing, state governments cannot wait for a well-functioning pipeline of information to materialize. The states will have to build their own capacity, which will give them the ability to

- Identify critical information requirements
- Develop collection plans
- Accept and process information from all available sources
- Produce analytical products
- Disseminate analysis to local governments and regional partners

State government has a tremendous capacity for collecting information. In his presentation, Governor Romney cited the capability of the Nation’s 800,000 sworn law enforcement officers, as well as the capacity of local communities and the private sector to alert law enforcement to suspicious activity.⁶¹ These numbers can be overwhelming when oriented toward the threat and empowered to take action. In many cases, the appropriate action is to report the information to a tip line or a fusion center that is capable of processing it and disseminating refined intelligence products to operators in the field.

Knowing where to report information is only half the equation. The other half is knowing what type of information to report. Terrorist attacks do not occur in a vacuum and require planning, materials and often times some form of licensing or certification. Asking the public to report “suspicious behavior” without providing meaningful context is not sufficient. Police can best harness this local capacity to gather information about possible future attacks by ensuring that government servants and business people become critical observers of suspicious conduct. This involves careful study of terrorist tactics, as well as educating people about how a terrorist might exploit their particular business activity or government service. The emphasis is not on encouraging people to become spies, but rather making them more aware of the signals they encounter in their normal daily activities.

Raising Public Awareness: Operations Atlas, Hercules, Nexus & Apple

In addition to the work done at the police department’s counterterrorism center, the NYPD also conducts their work on the streets of New York City through a variety of operations that enlist the participation of an informed public. Operation Atlas, a program that increases police presence at major NYC entry points and landmarks, remains in effect as long as the terrorist threat persists. At the most vulnerable locations, officers are present at all times. At less sensitive targets, security is conducted through cameras and sporadic police supervision. In addition, all police sergeants on patrol are equipped with pager-sized radiation detectors.⁶²

The city also has created Hercules units, special anti-terror concentrations of large numbers of heavily armed officers in unannounced locations. Police create a sense of omnipresence by conducting drills and staging scenes that leave a dramatic impression. Since such deployments invariably attract the public’s interest, Atlas and Hercules create opportunities to galvanize and educate people on specific behaviors and activities to look for and how to report them.

Through Operation Atlas and the Hercules units, Commissioner Kelly reported that the city prevented a plot to blow up the Brooklyn Bridge. An al Qaeda operative sent to survey the bridge was recorded saying “the weather was too hot.” “It says that uniformed presence is a deterrent and validated to some extent what we’re doing,” said Kelly.⁶³

The NYPD recently uncovered al Qaeda’s attempt to smuggle weapons by taking over a garment-district shipping business—validating another NYPD operation, the Nexus program. Nexus is a proactive outreach to approximately 15,000 businesses to garner information about terrorism, e.g. storage warehouses, chemical manufacturers, etc. Nexus detectives routinely visit businesses in the metropolitan area and disseminate industry specific information.

For example, real estate agents have been briefed on what al Qaeda has trained their operatives to look for when renting an apartment.⁶⁴

New York City also has produced myriad smaller-scale preventative programs. The city setup a terrorism hotline, for example, which has received more than 20,000 calls. It has also spearheaded a program that trains and recruits 28,000 doormen and janitors to keep watch for suspicious activity. Another critical component is the Department’s ability to communicate in real time with an association of corporate and institutional security directors using the Apple network. Under this initiative, the Department can pass terrorism related information and guidance to an entire network of businesses or to individual business sectors.

More information can be found at:

http://www.manhattan-institute.org/html/_govmag-out_of_the_twin_towers.htm

The Power of Observation: A Pillar of Prevention

Any police department, large or small, can become more effective at prevention without incurring large expenses simply by educating themselves and becoming more observant of suspicion indicators in their communities. Indeed, this logic applies to all public servants and citizens,⁶⁵ but police officers have a special duty to educate themselves.

This is well understood in Israel, which has executed a national watch system effectively. Estimates suggest that Israeli police have prevented over 90% of terrorist activities against Israel. Israeli citizens are trained from kindergarten to be acutely aware of their surroundings. Citizens are constantly on alert for suspicious packages and other potential warnings. This high degree of public vigilance has saved countless lives. Israel also promotes the sharing of vital intelligence information between agencies and there is a high degree of prevention on the basis of intelligence. Israel focuses on three main levels of terrorism prevention: 1. Early interception, 2. Delay tactics, 3. Security measures. The first level, early interception, is the best and most effective at controlling terrorism and involves the cooperation between state and local forces and the broad sharing of intelligence information.⁶⁶

The Chameleon Group, a Southern California-based consulting firm, promotes the use of a practice they call “predictive profiling,” which is a method of situation assessment designed to

predict and categorize the potential for inappropriate, harmful, criminal or terrorist behavior. In this creative approach, those charged with protecting an area utilize their own unique knowledge of that area to develop a list of suspicious activities. Upon identifying such behavior, security questions the individual(s) involved in order to confirm or deny the suspicion and determine if further investigation is required. Security is, in effect, mitigating a threat by detecting aggressive intentions, regardless of whether or not a crime has occurred, and confronting those intentions using the least intrusive means first, as dictated by the situation.

The first steps in applying Predictive Profiling are to:

- Define the protected environment - delineate the physical area we are protecting as well as its characteristics, e.g. static vs. moving.
- Define the operational environment - understand how things are done in the environments, and what are normal activities for employees to engage in. This allows law enforcement to recognize what is abnormal activity and behavior.
- Define the terrorist capabilities - know what materials are in the local area that can be used as weapons against the community. A radiological attack is unlikely if the material is not readily available in the area.
- Define the calculated risks - local jurisdictions are limited by their resources. Vulnerabilities that receive less security should be strategically addressed.
- Define our capabilities and resources - even though security will never be infallible, and resources are often limited, it is still effective to apply whatever resources are available to a vulnerable area. Hardening the target increases the risk to a terrorist.
- Define the security objective - it is important for a security organization to set an objective that encompasses all of the above tactics. It creates the structure under which predictive profiling takes place in a local area.⁶⁷

*To obtain a copy of the "The Terrorist Threat Mitigation Reference Guide," go to:
<http://www.chameleon1.com>.

ENDNOTES

¹ See the Congressman's Foreword to *Winning the Long War* by James Jay Carafano and Paul Rosenzweig.

² In testimony before the House Select Committee on Homeland Security on June 24, 2004, former CIA Director James Woolsey stated, "Only an effective local police establishment that has the confidence of citizens is going to be likely to hear from, say, a local merchant in a part of town containing a number of new immigrants that a group of young men from abroad have recently moved into a nearby apartment and are acting suspiciously. Local police are best equipped to understand how to protect citizens' liberties and obtain such leads legally. In my judgment, on these important issues the flow of information sharing is likely to be more from localities to Washington rather than the other way around."

³ Professor George Kelling of Rutgers University and Michael Wagers of the Police Institute at Rutgers-Newark wrote this section.

⁴ Taarnby, Michael. "Profiling Islamic Suicide Terrorists." A Research Report for the Danish Ministry of Justice, November 27, 2003, pg. 21.

⁵ Winnie Hu and William K. Rashbaum. "2 Arrested In Subway Bomb Plot." *Deseret Morning News*, August 29, 2004. See also, Center for Policing Terrorism case study at www.cpt-mi.org.

⁶ See Meserve, Jeanne. "Officials: Bin Laden message to al-Zarqawi intercepted." CNN, March 1, 2005. <http://www.cnn.com/2004/LAW/08/11/ny.terror.suspect/>.

⁷ See Wald, Jonathan, "NY man admits he aided al Qaeda, set up jihad camp", CNN, August 11, 2004, <http://www.cnn.com/2004/LAW/08/11/ny.terror.suspect/>. See also, Dodd, Scott, "Was Pakistani Suspect Just 'Video Buff'", *The Charlotte Observer*, August 11, 2004, <http://www.charlotte.com/mld/charlotte/news/9368830.htm>

⁸ Taarnby, pg. 21.

⁹ See the Chameleon Groups "The Terrorist Threat Mitigation Reference Guide" at www.chameleon1.com.

¹⁰ See Nunn, Sam. "Thinking the Inevitable: Suicide Attacks in America and the Design of Public Safety Policies". *Journal of Homeland Security and Emergency Management*, Volume 1, Issue 4, 2004.

¹¹ Nesser, Petter. "Jihad in Europe – A survey of the motivations for Sunni Islamist terrorism in post-millennium Europe." FFI/RAPPORT, Norwegian Defence Research Establishment. April 13, 2004, pg. 12.

¹² *Ibid.* at 11.

¹³ Former Spanish Prime Minister Jose Maria Aznar had a personal stake in defeating ETA. In 1995, he survived an ETA car bomb attack. Upon taking over as Prime Minister, he had made eliminating the group the central focus of his administration.

¹⁴ Wright, Lawrence. "The Terror Web." *The New Yorker*, August 2, 2004.

¹⁵ *Ibid.*

¹⁶ *Ibid.*

¹⁷ Hal Bernton, Mike Carter, David Heath and James Neff. "The Terrorist Within: epilogue." *The Seattle Times*, August 31, 2002.

¹⁸ "Ray Kelly's Secret War." *New York Daily News*, April 17, 2004.

¹⁹ Welsh-Huggins, Andrew. "Cheney: Terrorist May Nuke U.S. Cities." *Associated Press*, October 19, 2004.

- ²⁰ See transcript of Director Goss' testimony before the Senate Select Committee on Intelligence on February 16, 2005 at http://www.cia.gov/cia/public_affairs/speeches/2004/Goss_testimony_02162005.html.
- ²¹ It should be noted that in the case of bioterrorism, not all of the lethal materials required for a weapon(s) would need to be imported. Small cultures of lethal biological agents can be smuggled into the U.S. and allowed to grow here.
- ²² Stern, Jessica. "Getting and Using the Weapons." 1999. As published in *Terrorism and Counterterrorism*, a book written by Colonel Russell D. Howard and Major Reid L. Sawyer.
- ²³ Allison, Graham. *Nuclear Terrorism*. 2004, pg. 8.
- ²⁴ *Ibid*.
- ²⁵ Stern, Jessica at 193. See footnote 22, *supra*.
- ²⁶ Neifert, Alex. "Case Study: Accidental Leakage of Cesium-137 in Goiania, Brazil, in 1987." See <http://www.nbc-med.org/SiteContent/MedRef/OnlineRef/CaseStudies/csGoiania.html>.
- ²⁷ Allison, Graham at 8. See footnote 23, *supra*.
- ²⁸ See Ferguson, Charles et. al. "Commercial Radioactive Sources: Surveying the Security Risks." Monterey Institute of International Studies. <http://cns.miis.edu/pubs/opapers/op11/op11.pdf>
- ²⁹ See <http://www.nrc.gov/what-we-do/radiation/reg-matls.html>. For a list of the 32 Agreement States, see <http://www.hsrdo.ornl.gov/nrc/rulemaking.htm>.
- ³⁰ From a speech delivered to the International Atomic Energy Agency's International Conference on Security of Radioactive Sources held in Vienna, Austria on March 12, 2003. <http://www.nrc.gov/reading-rm/doc-collections/commission/speeches/2003/s-03-008.html>.
- ³¹ Pilch, Richard F. "The Bioterrorist Threat in the United States." 2002. As published in *Terrorism and Counterterrorism*, a book written by Colonel Russell D. Howard and Major Reid L. Sawyer, pgs 208, 213-14.
- ³² Hauck, Philip, WMD-Biological Hazards Presentation, December 13, 2004. <http://www.cpt-mi.org/papers/PresentationWMD.pdf>. Federal and State investigators worked concurrently and found significant evidence of propagation and preparation of biological agents at the Rajneesh medical facility. At the medical facility, bacterial disks were being used to propagate starter cultures. These included: *Salmonella typhimurium* (*salmonella*), *Salmonella typhi* (typhoid fever), *Francisella tularensis* (*tularemia*), *Enterobacter cloacae* (bloodstream infection), *Neisseria gonorrhoeae* (*gonorrhea*), and *Shigella dysenteriae* (*diarrhetic bacteria*).
- ³³ Pilch, Richard, F. at 218-19. See footnote 31, *supra*.
- ³⁴ Stern, Jessica at 183. See footnote 22, *supra*.
- ³⁵ Pilch, Richard, F. at 219. Aum Shinrikiyo, for example, attempted to obtain Ebola from victims in Zaire. See footnote 31, *supra*.
- ³⁶ *Ibid*.
- ³⁷ *Ibid*. at 185.
- ³⁸ *Ibid*. at 191.
- ³⁹ Presentation of Dr. Charles Brokopp, Coordinating Office of Terrorism Preparedness and Emergency Response at the Centers for Disease Control, to the 2005 Jerome B. Wiesner Symposium. February 14, 2005.
- ⁴⁰ See 7 CFR 331 and 9 CFR 121 at http://www.aphis.usda.gov/programs/ag_selectagent/final_rule.pdf.
- ⁴¹ Brokopp Presentation. See footnote 39 *supra*.
- ⁴² NewsMax Staff, Foiled al-Qaida Attackers Caught Red-Handed With WMDs; NewsMax, April 17, 2004.

⁴³ Pilch, Richard F. at 221. See footnote 42, *supra*.

⁴⁴ Warrick, Joby. "An Al Qaeda 'Chemist' and the Quest for Ricin." *The Washington Post*. May 5, 2004.

⁴⁵ Mintz, John. "Bush Seeks Voluntary Chemical Plant Security Steps." *Washington Post*. April 8, 2003, pg. A-10.

⁴⁶ Massachusetts, among other states, published a comprehensive state homeland security strategy in February 2004, which outlined a multidisciplinary approach to counter terrorism. The document can be viewed at <http://www.mipt.org/pdf/Massachusetts-Homeland-Security-Strategy.pdf>. Tennessee has also adopted a multidisciplinary approach, http://www.state.tn.us/homelandsecurity/a_strategy_tenn.pdf.

⁴⁷ Sam Brinkley noted in his presentation at the conference that Tennessee has formed teams that include disciplines such as fish and wildlife, weights and measures, agriculture, and the environment. Each discipline has a specified role in executing the state's counter terrorism plans.

⁴⁸ The Army's Center for Lessons Learned at Fort Leavenworth provides a shining example of formal sharing of lessons learned. See <http://call.army.mil/>.

⁴⁹ Commonwealth of Massachusetts, *State Homeland Security Strategy*, pg. 2.

⁵⁰ From comments made by various officials of the State of Florida at the Police Institute's Safe Cities Conference in Miami, FL on May 17, 2005.

⁵¹ pg. 282.

⁵² Cockfield, Errol A. Jr. "NY-NJ creates security gaps in water." *Newsday.com*, March 4, 2005.

<http://www.newsday.com/news/local/state/ny-stport0304,0,1087687.story?coll=ny-top-headlines>.

⁵³ Former Chairman of the Joint Chiefs, General John Shalikashvili provided a rather upbeat assessment on the tenth anniversary of this reorganization. See, Roberts, Lee. "Shalikashvili Grades Goldwater-Nichols Progress." http://www.dod.mil/news/Dec1996/n12181996_9612182.html. While the outcome has been impressive, it was not achieved without difficulties.

⁵⁴ *Ibid*.

⁵⁵ From its inception, Portland, Oregon's JTTF has met with opposition from citizens concerned about local oversight and potential civil rights abuses. See, Bures, Frank. "City's split: fear for safety vs. fear for rights." *The Christian Science Monitor*, October 17, 2001. <http://www.csmonitor.com/2001/1017/p2s1-usju.html>. See also, Busse, Phil. "The Truth Hurts." *The Portland Mercury*, July 1984. <http://www.portlandmercury.com/2004-07-08/city2.html>.

⁵⁶ New York City leads the way in local counter terrorism. Yet, the city is not without problems when it comes to joint action. The 9/11 Commission Report noted, "In May 2004, New York City adopted an emergency response plan that expressly contemplates two or more agencies jointly being lead agency when responding to a terrorist attack but does not mandate a comprehensive and unified incident command that can deploy and monitor all first responder resources from one overall command post." Pg. 322.

⁵⁷ The 9/11 Commission Report, pg. 314 (emphasis added)(internal endnotes omitted).

⁵⁸ Establishing effective intelligence and information systems at the state and local level was one of the topics of Rutgers University's Police Institute Safe Cities Symposium in Boston in October 2004. A full report can be obtained by calling the Manhattan Institute at (212) 599-7000.

⁵⁹ It is important to note that the federal government also has an interest in receiving information from state and local governments according to some orderly process. See, Jordan, Lara Jakes. "States Say They Know Little About Threats." *Newsday.com*, March 11, 2005.

<http://www.newsday.com/news/nationworld/nation/wire/sns-ap-terror-threats-states,0,4555833.story?coll=sns-ap-nation-headlines>.

⁶⁰ Carafano, James Jay, Paul Rosenzweig and Alane Kochems. "An Agenda for Increasing State and Local Government Efforts to Combat Terrorism." Backgrounder, No. 1826. The Heritage Foundation, February 24, 2005.

⁶¹ Romney, Mitt. "Intelligence and Information Sharing Initiative: Presentation to the Homeland Security Advisory Council" Massachusetts Governors Office, December 2004, pg. 12.

⁶² Sostek, Anya. "Taking Action, New York's State of Mind." Governing Magazine & Congressional Quarterly, October 2004.

⁶³ Ibid.

⁶⁴ Police Commissioner Raymond W. Kelly. Testimony before the House Judiciary Subcommittee on Crime, Terrorism and Homeland Security. November 20, 2003.

⁶⁵ Rimington, Stella. "'Humint' Begins at Home." The Wall Street Journal, January 3, 2005.

⁶⁶ Thomas, Maurice. "Security expert stresses cooperation." The State, December 11, 2004. Final ed.: B1.

⁶⁷ The Chameleon Group. "The Terrorist Threat Mitigation Guide." 2004. www.chameleon1.com



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