

**Statement of
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Before the
Committee on Governmental Affairs
United States Senate
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“THE LOCAL ROLE IN HOMELAND SECURITY”

Good Morning, Chairman Lieberman, Senator Thompson and members of the Committee.

I am pleased to be here today on behalf of the International Association of Chiefs of Police. As you may know, the IACP is the world's oldest and largest police organization, founded in 1894, and with a current membership exceeding 19,000 law enforcement executives. Our mission, throughout the history of our association, has been to address *urgent* law enforcement issues and develop policies, programs, training and technical assistance to help *solve* those issues. And as I appear before you today, combating terrorism looms as the most urgent issue facing our members and the communities they serve.

The initial response of law enforcement and other public safety agencies in New York, Virginia, Pennsylvania and throughout the United States to the terrible events of September 11th was outstanding. Individuals around the world watched in admiration and astonishment as police officers, firefighters and EMS technicians raced to assist the victims of these attacks with little apparent regard to the danger they themselves faced. On a broader scale, federal, state and local law enforcement agencies immediately began working together in a massive effort to respond to the attack and to prevent additional attacks.

However, in the weeks and months that have followed, it has become apparent that the crucial partnership between federal, state and local law enforcement is being hindered by difficulties in cooperation, coordination and information sharing. This is unacceptable. Now, at a time when communities across the United States are turning to their law enforcement agencies for guidance and protection, we must do all that we can to ensure that all law enforcement agencies work together and overcome the artificial walls that sometimes divide us.

The IACP is certainly not alone in this belief. The Federal Bureau of Investigation and other federal law enforcement agencies also realize how crucial working with state and local law enforcement is to the success of their efforts and they have taken several positive actions to address this situation. These initial steps have encouraged the IACP and we look forward to working with the FBI and other federal agencies to ensure greater cooperation and coordination between law enforcement agencies at all levels of government.

Role of State and Local Law Enforcement Agencies

Ensuring that we are successful in this effort is vital because state and local enforcement agencies must be fully engaged in the war against terrorism. In our society, an enormous degree of responsibility and authority for public security is delegated to local government, particularly to police agencies. As the September 11, 2001 attacks demonstrated, the local police and other public safety personnel will often be the first responders to a terrorist attack. However, the role of state and local law enforcement agencies is not limited to responding to terrorist attacks. State and local law enforcement agencies can, and must, also play a vital role in investigating and preventing future terrorist attacks.

Across the United States there are more than 16,000 state and local law enforcement agencies. These agencies, and the 700,000 officers they employ, daily patrol the streets of our cities and towns and, as a result, have an intimate knowledge of the communities they serve and have developed close relationship with the citizens they protect. These relationships provide state and local law enforcement agencies with the ability to effectively track down information related to terrorists. Often, state and local agencies can accomplish these tasks in a more effective and timely fashion than their federal counterparts, who may be unfamiliar with the community and its citizens. In addition, police officers on everyday patrol, making traffic stops, answering calls for service, performing community policing activities, and interacting with citizens can, if properly trained in what to look for and what questions to ask, be a tremendous source of intelligence for local, state and federal homeland security forces.

Information Sharing

However, in order to make use of this intelligence gathering capability, it is vital that federal, state and local law enforcement agencies develop an efficient and comprehensive system for the timely sharing, analysis and dissemination of important intelligence information. The IACP believes that failure to develop such a system, and to provide guidance to law enforcement agencies in how intelligence data can be gathered, analyzed, shared and utilized is a threat to public safety and must be addressed. To that end, the IACP urges the Administration and Congress to take the necessary steps to develop a process that will promote intelligence-led policing and the information exchange between law enforcement agencies.

For example, providing the resources necessary to assist the development of state and local information and intelligence networks would greatly enhance the ability of state and local law enforcement agencies to communicate and access vital intelligence information of local interest in a rapid and effective manner.

In addition, the IACP strongly urges the Administration and Congress to provide the necessary resources to improve the integration and compatibility of local, state, federal and international criminal justice information systems. Coordination and integration of these systems and the data they contain will greatly enhance the ability of law enforcement agencies to quickly access the information necessary to combat terrorism in our increasingly mobile society.

Security Clearances

One additional barrier to information sharing between law enforcement agencies has been the matter of security clearances and the access to critical, confidential information. As you know, state and local law enforcement officers often participate in federal task forces and, as members of these task forces, receive security clearances so that they may have access to classified materials. However, their ability to share this information with their fellow officers, or even the chief of their department, is severely limited and, as a result, the value of this information and their participation on the task force is minimized.

In addition, many law enforcement officers and police chiefs are members of the armed forces reserves or National Guard, and as such, maintain security clearances from the Department of Defense. Unfortunately, these clearances are of little value in their civilian law enforcement capacity since the Department of Justice often does not accept the Defense Department clearance as sufficient to meet its clearance requirements.

While the IACP certainly understands the need to protect intelligence sources and capabilities, we are concerned that these restrictions are limiting the effectiveness of state and local law enforcement agencies to enhance homeland security. It is the IACP's understanding that the FBI already has in place a program that will allow state and local law enforcement officers to receive security clearances. However, thorough background investigations do take time

and it is our concern that given the dramatic increase in the need for such clearances following the September 11th attacks, the ability of the FBI to process these clearances in a timely fashion will be significantly impaired. Therefore, the IACP urges that the FBI be provided with the resources and funding necessary to address this crucial situation in a timely and expeditious fashion.

Federal Assistance Programs

In addition to addressing this crucial information sharing issue, there are other steps that the federal government can take to ensure that state and local governments and their law enforcement agencies are active and effective partners in homeland security efforts.

Although the primary mission of law enforcement agencies has always been to ensure public safety, the events of September 11th have dramatically and significantly changed the focus of law enforcement operations. Suddenly, agencies and officers who have been trained and equipped to deal with traditional crimes are now focused on apprehending individuals operating with different motivations, who have different objectives and who use much deadlier weapons than traditional criminals. As a result, law enforcement agencies and officers will need new training and new equipment to meet this new threat.

For example, state and local officers could greatly benefit from training on topics such as:

Recognizing possible threats to public safety and terrorist tactics;

Field interrogation techniques to better enable them to recognize and respond to terrorist threats;

Federal immigration law, sources and documentation; and,

How to respond to biological, chemical and nuclear incidents.

As for equipment needs, it has become clear that law enforcement agencies will need to obtain protective clothing and isolation equipment for first responders. However, the increased demands being placed on law enforcement agencies for investigations and protective responsibilities means that they will need to obtain electronic surveillance equipment as well as security equipment for guarding public buildings and critical infrastructure installations.

Radio Spectrum

In addition, as was demonstrated on September 11th and during numerous other large-scale incidents over the past several years, there is a critical need to address the communication problems caused by the limited radio spectrum available for public safety use. Because the spectrum that is currently in use by public safety agencies is both fragmented and limited, agencies from different, neighboring jurisdictions are often unable to communicate with each other. This communication failure obviously complicates the ability of law enforcement and other public safety agencies to coordinate an effective response in an emergency situation. The IACP urges the Congress and the FCC to take immediate steps to ensure that public safety agencies receive a radio spectrum allocation that is sufficient to provide for interference free and interoperable communications between emergency service personnel.

Threat Alert Protocols

Finally, one last area of concern I would like to address before I conclude is the manner in which the federal government issues terrorist threat alerts. While state and local law enforcement agencies appreciate receiving the threat advisory from the federal government, the vague nature of the information and the lack of a clear response protocol often leave state and local law enforcement executives uncertain as to what, if any, action should be taken. This uncertainty is especially troublesome at a time when communities across the nation are turning to their law enforcement agencies for guidance and protection.

Therefore, the IACP believes that the Office of Homeland Security, in conjunction with the FBI, the Department of Justice, and representatives of state and local law enforcement should immediately address this area and develop a clear and concise protocol for issuing threat alerts and providing guidance for law enforcement response.

At our recently concluded annual conference, the IACP leadership addressed this crucial issue and discussed the creation of a National Threat Level and Law Enforcement Response Protocol. This protocol concept, modeled after the U.S. military's threat alert system, calls for the development of a graduated alert system that would categorize the threat level confronting the United States and provide guidance as to what law enforcement actions would be appropriate for each threat level. (In order to facilitate discussion of this concept, a chart outlining the protocol framework is attached.)

It is the belief of the IACP that a such a system would provide state and local law enforcement executives with a clearer understanding of the threat level confronting their communities and the actions required of their agencies in response.

In conclusion, I would just like to state that unfortunately the events of September 11, 2001 opened a new chapter on terrorism for all governments and their law enforcement agencies around the world. If we are to be successful in our efforts to combat terrorism we must work together, efficiently and effectively. We can no longer let affiliations or jurisdictional squabbles interfere with our mission of protecting our communities. The citizens we serve expect us to act in this fashion; our duty demands it.

Thank you for the opportunity to appear before you this morning. I will be glad to answer any questions you may have.