

# Intelligence-Led Policing in the United States

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United States domestic law enforcement authorities, like their counterparts in Great Britain, have moved to an “intelligence-led policing” paradigm, as described elsewhere. (1) The terrorist events of September 11, 2001 prompted a March 7-8, 2002, Summit in Alexandria, Virginia, of over 120 criminal intelligence experts from across the U.S., titled *Criminal Intelligence Sharing: Overcoming Barriers to Enhance Domestic Security*. Funded by the US government and organized by the International Association of Chiefs of Police (IACP), the Summit became a turning point in policing in the U.S. (2)

## I. Post-September 11, 2001 Law Enforcement Summit

Summit participants “engaged the issues through discussions on the capacities for and barriers to intelligence sharing, the standards and guidelines that direct intelligence sharing, technology and training related to intelligence sharing, and important legal and civil rights that must guide all criminal intelligence gathering and sharing processes. Discussions also focused on the unique potential for community oriented policing initiatives to aid in the gathering of locally driven intelligence. Summit participants articulated a vision in which non-federal agencies are more than adjuncts to a national strategy for improved intelligence communication, but founding partners of any organization—and leading participants in any process—that helps coordinate the collection, analysis, dissemination and use of criminal intelligence data in the U.S.” (3)

“To meet the vital need of better criminal intelligence sharing, Summit participants called upon federal leaders to affirm the need for all law enforcement (local, state, federal and tribal) to join in the creation of a National Intelligence Plan.” (4) Participants outlined the barriers to creating such a National Intelligence Plan:

- “*The absence of a nationally coordinated process for intelligence generation and sharing.* While substantial information sharing is occurring in some localities, there is no coordinated national process, and potentially useful intelligence is never developed or is not shared. Critically there is no recognition of the line or field officer’s role in intelligence generation and sharing, nor is there any training to help that officer to be part of the intelligence sharing systems. Thus much of the nation’s capacity for an improved intelligence generation and sharing system goes unutilized.” (4)
- *The ‘hierarchy’ within the law enforcement and intelligence communities.* In some cases real and in others only perceived, the hierarchical organization of law enforcement and intelligence agencies (with federal agencies being at the ‘top’ of the pyramid and local, state, county, and Tribal agencies further down) leads to organizational incentives against intelligence sharing and even anti-sharing cultures. At best, the disaggregation of activity means that managers in one agency might not imagine that others would find their intelligence data useful. At worst, the structure creates an ‘us’ versus ‘them’ mentality that stands in the way of productive collaboration.

- *Local, state, Tribal and Federal laws and policies that prevent sharing.* By specifying who may have access to certain kinds of information these policies and laws restrict the access of some of the very institutions and individuals who might be best able to use intelligence for the promotion of public safety. The current laws and policies that guide the classification of intelligence information and individuals' clearance to view data are one example. Others include the elements of financial privacy acts, electronic communication policies, and fraud laws that related to intelligence sharing. Given the important public safety outcomes that can emerge from strategic intelligence sharing, such policies can become, and often are, self-defeating.
- *The inaccessibility and/or disaggregation of technologies to support intelligence sharing,* e.g., the Regional Information Sharing Systems (RISS), the National Law Enforcement Telecommunications System (NLETS), and others.
- *Deficits in analysis.* For a variety of reasons—including cost and budget considerations, a de-emphasis on intelligence generation at the local level, demands of the 'now' that redirect analysts away from the production of strategic intelligence, and misunderstandings about the difference between intelligence and information—a lot of intelligence-relevant information is never transformed into actual intelligence data.” (5)

## **II. History of Intelligence Gathering and Sharing in the United States**

U.S. law enforcement agencies learned about security intelligence from the military and national security intelligence systems after World War II. (6) Communications intelligence methods used by the military today “influence how law enforcement analyzes telephone records, and techniques used to manage human intelligence sources inform the management of confidential informants”. (6)

### **A. Law Enforcement Assistance Administration 1968-1982**

The Law Enforcement Assistance Administration (LEAA) (U.S. Department of Justice) in 1971 produced the original blueprint for intelligence work. (6) The LEAA was “a Federal agency set up in 1968 to funnel federal funding to state and local law enforcement agencies, which have Constitutional authority over most crimes. The agency created state planning agencies, funded educational programs, research, and a variety of local crime control initiatives. It was abolished in 1982.” (7)

In 1973, the LEAA commission called the National Advisory Commission on Criminal Justice Standards and Goals “made a strong statement about intelligence. It “called on every law enforcement agency and every state to immediately establish and maintain the capability to gather and evaluate information and to disseminate intelligence in a manner that protects every individual’s right to privacy while it curtails organized crime and public disorder, ” according to *Intelligence-Led Policing: The New Intelligence Architecture* published in 2005. (6,8) The standards noted, “Every state should establish a ‘central gathering, analysis and storage which law enforcement agencies participate by providing information and receiving intelligence from the system. It further stated that every agency with more than 75 personnel should have a full-time intelligence capability.” (6)

## **B. Allegations of Widespread Abuse in Intelligence Matters 1960s and 1970s**

Policies to protect civil liberties and prevented intelligence excesses did not exist in newly formed intelligence units within law enforcement departments. “During the 1970s, a number of intelligence units ran afoul of god practices, and, as a result, some agencies shut down their intelligence functions voluntarily, by court order, or from political pressure”. (6)

Furthermore, in the 1960s and 1970s, there were widespread allegations that “the Federal Bureau of Investigation (FBI), the U.S. government’s primary criminal investigative agency, had abused its law enforcement powers to harass on-violent political groups”. (9) Senator Frank Church directed a Senate Committee to study governmental operations with respect to intelligence activities and found in 1976 that “information has been collected and disseminated in order to serve the purely political interests of an intelligence agency or the administration, and to influence social policy and political action.” (10)

The revelations of Church’s Senate Committee led to significant reforms during the seven years following its hearings. For example, in 1983 the U.S. Attorney General established regulations for the FBI published “The Attorney General’s Guidelines on General Crimes, Racketeering Enterprise and Domestic Security/Terrorism Investigations”. (9) Standards, for example, now required a criminal predicate for subjects’ entry in criminal intelligence files.

## **C. Intelligence Initiatives Late 1970s to 2000**

Between the late 1970s and 2000, government intelligence initiatives continued, e.g., the Regional Information Sharing Systems (RISS) centers, which avoided use of the word *intelligence*. The primary basis for intelligence sharing in the 1980s and 1990s was the *Criminal Intelligence System Operating Policies* to govern RISS centers. (13) By 2004, some 7,100 federal, state, and local law enforcement agencies in the 50 states, the District of Columbia, Puerto Rico, Guam, the U.S. Virgin Islands, Australia, England, and the Canadian provinces connected to the RISS. (11)

During development of the RISS centers in the 1980s, another organization, named the International Association of Law Enforcement Intelligence Analysts (IALEIA), formed to “advance high standards of professionalism in law enforcement intelligence analysis at the local, state/provincial, national and international levels. (12) Its annual meetings accompanied those of the International Association of Chiefs of Police. (6)

During the 1990s, several federal centers emerged to support intelligence and information sharing. For example, the National Drug Intelligence Center, founded in 1993 to fight drugs (headquartered in Johnstown, Pennsylvania) became a component of the U.S. Department of Justice and member of the intelligence community. In addition, the Financial Crimes Enforcement Network, founded in 1990 to fight money laundering (headquartered in northern Virginia), became a component of the U.S. Treasury. (13,14) Both entities have tactical and strategic intelligence responsibilities. Concurrently, the High Intensity Drug Trafficking Areas system (founded in 1988) became a model for federal, state, and local cooperative efforts and information sharing. (15)

### **III. September 11, 2001**

A month after September 11, 2001, the Investigative Operations Committee of the International Association of Chiefs of Police recommended that its leadership convene an Intelligence Sharing Summit in March 2002, described above. Summit participants examined closely the 2002 United Kingdom's National Intelligence Model. (1)

The primary outcome of the Summit was creation of the Global Intelligence Working Group, which comprised approximately 30 intelligence professionals. This group developed the National Criminal Intelligence Sharing Plan, which U.S. Attorney General John Ashcroft approved and released in October 2003. (16) The rich reference materials used by the Global Intelligence Working Group to develop this document are available online. (17) Ashcroft said on May 14, 2004, during the National Kick-Off Event for the document, "This Plan represents law enforcement's commitment to take it upon itself to ensure that the dots are connected, be it in crime or terrorism. The Plan is the outcome of an unprecedented effort by law enforcement agencies, with the strong support of the Department of Justice, to strengthen the nation's security through better intelligence analysis and sharing." (16)

The Plan's vision is to provide a model intelligence sharing plan, a mechanism to promote intelligence-led policing, a blueprint for law enforcement administrators to follow when enhancing or building an intelligence system, and a model for intelligence process principles and policies". Furthermore, the Plan's vision is to provide a technology architecture to provide secure, seamless sharing of information among systems; a national model for intelligence training; an outreach plan to promote timely and credible intelligence sharing; and a plan that leverages existing systems and networks, yet allows flexibility for technology and process enhancements". Not least is the plan's determination to "respect and protect individuals' privacy and civil rights". (16)

### **IV. The National Criminal Intelligence Sharing Plan**

The National Criminal Intelligence Sharing Plan (NCISP) recognizes the importance of local, state, and tribal law enforcement agencies as a key ingredient in the nation's intelligence process. The Plan called for the creation in 2004 of the Criminal Intelligence Coordinating Council (CICC) to establish the linkage needed to improve intelligence and information sharing among all levels of government. (18) This entity, comprised of law enforcement agencies at all levels of government, provides advice in connection with the implementation and refinement of the NCISP. Members of the CICC serve as advocates for local law enforcement and support their efforts to develop and share criminal intelligence for the purpose of promoting public safety and securing our nation. These goals are attainable and necessary for the continued safety of U.S. citizens and visitors.

### **V. Fusion Centers**

The U.S. intelligence-led policing movement uses "fusion centers", "derived from the watch centers of old", to "provide information to patrol officers, detective, management, and other participating personnel and agencies on specific criminals, crime groups, and criminal activities.

(19) For example, the fusions centers may support anti-terrorism and other crime-specific objectives by searching numerous public and private databases to gather and analyze information. They also may “generate intelligence products of their own, providing overviews of terrorist or other crime groups, analysis of trends, and other items of information for dissemination to participating agencies”. (19,20) The National Criminal Intelligence Sharing Plan described above defines a fusion center as “an effective and efficient mechanism to exchange information and intelligence, maximize resources, streamline operations, and improve the ability to fight crime and terrorism by merging data from a variety of sources. In addition, fusion centers are a conduit for implementing portions of the National Criminal Intelligence Sharing Plan.” (20)

Since 2003, fusion centers have emerged in many states, according to a 2005 report. (19) An example is “the Iowa Fusion Center”, a “part of that state’s Law Enforcement Terrorism Prevention Program and a product of its State Homeland Security Strategy. The center serves as a clearinghouse for all potentially relevant, domestically generated homeland security data and information, leading to proper interpretation, assessment and preventive actions.” (19) Its objectives include “providing a center for statewide strategic intelligence, centralized information management systems, regional operations support, and a 24-hour, 7-day-a-week watch center. It also supports multiagency information exchange and assigns an intelligence officer to each region.” (21) A list of fusion centers, as of March 8, 2006, is available. (22) Guidelines for creating the law enforcement component of fusion centers are available, too. (23)

## **VI. Intelligence-Led Policing in Kane County, Illinois**

The Kane County, Illinois (population, 500,000) Sheriff’s Department has had early success with the new intelligence-led policing model, according to a November 2, 2007, article written by ace Chicago Tribune reporter William Presecky. (24) The Kane County Sheriff’s Department combines “modern graphic imaging systems, computer technology and extensive crime analysis with old-fashioned sleuthing to more accurately pinpoint where and when certain crimes are likely to occur and then prevent them from happening,” says Sheriff Pat Perez, according to Presecky. (24)

“Authorities in the fast-growing county recently made an arrest in a rash of car burglaries by advising officers to keep a close eye on a particular area at a particular time...I was able to calculate the next time this would likely occur,” said 32-year department veteran Jim Caulfield, a crime analyst. “Since they caught the guy, we’ve had no vehicle burglaries in that area.” Presecky continues, “The program has worked so well in unincorporated areas, which typically have fewer patrols, that officials see it as a wave of things to come in law enforcement. The tool is making his agency more proactive in controlling crime, notes Perez, who refers to Caulfield as the department’s Nostradamus, after the 16th century prophet. “The ultimate goals are to deter crime, if we can, and better use our manpower,” Caulfield said.

Caulfield received his intelligence training with other civilian and uniformed analysts from Chicago, Palatine, Schaumburg, Tinley Park, Oak Lawn and West Chicago at the California-based Alpha Group Center for Crime and Intelligence Analysis Training. Run by Steve L. Gottlieb, it trains about 1,000 people each year since 1995. (25) “Originally the domain of big-

city police departments and federal and state agencies, the analysis is being incorporated into hundreds of small and mid-size enforcement agencies as technology and training became more available and affordable”. (24)

A survey conducted by the Illinois Criminal Justice Information Authority in 2005 showed that of the police chiefs who responded, only 1 in 10 respondents had a crime analysis unit, and of these, roughly 50% had computerized mapping capability. (26) “The high-tech approach to crime fighting is light years ahead of past methods,” said Caulfield. “You [used to] sit down, put pins in a map and then hope you were close.” (24) “Now, to help determine who might commit certain crimes, Kane police analyze recent patterns to identify a potential suspect’s method of operation. Then they link those methods to other crimes or determine through geographic profiling the most likely time, day and location of the next target.

“Using police records, authorities home in on who is doing what, when, where and how they are doing it, and the type of victims they are targeting”, noted Gottlieb. “Once we focus on a particular individual, these [computing and mapping] techniques will give police a two-thirds chance that he should strike again within this date, time and location.” (24) “In addition, authorities use police reports to identify common factors such as poor street lighting, unlocked vehicles or open garage doors that likely make some people more likely to become targets,” reports Presecky. Caulfield advised patrol divisions to be on the lookout for his crime analysis for the car burglary situation. “Lo and behold, they found some activity” and made an arrest,” said Caulfield. Previously, “the probability of accurately predicting crime varied by officer and investigator” and local “snitches”, recalls Caulfield. “I wouldn’t want to guess the probability was” for that approach, he said.

The Kane County Sheriff’s Department is using this year for establishing the baseline for the extent to which Caulfield and other can forecast some crimes in unincorporated Kane. Eventually the technology should be employable directly from patrol cars. (24)

## VII. Summary

Many domestic police agencies in the U.S. are moving to an intelligence-driven paradigm in which *proactive analysis of intelligence to prevent* crimes from happening is replacing the old method of reacting to crimes *after* they have occurred. The terrorist attacks of September 11, 2001, made this transformation imperative.

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