

**An Exploratory Study of the Perceived Utility and Effectiveness of State  
Fusion Centers**

by

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and approved by

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## **ABSTRACT**

# **An Exploratory Study of the Perceived Utility and Effectiveness of State Fusion Centers**

By Renee Dianne Graphia

Dissertation Director: Dr. Norman Samuels

After the 9/11 terrorist attacks, the 9/11 Commission concluded that the nation's intelligence agencies had failed to "connect the dots," and improving the country's intelligence capabilities among all levels of government has been highly prioritized. While several federal initiatives were proposed to overcome "the wall" inhibiting information flow between agencies, a subfederal response was the establishment of fusion centers. Briefly, fusion centers are multiagency facilities tasked with improving the collection, analysis and dissemination of information and intelligence within the law enforcement community as well as between public and private sector partners. They are designed to maximize resources, streamline operations, and improve law enforcement's ability to fight crime and terrorism through all-source analysis and dissemination of information.

Due to their relative newness, several issues currently remain unclear. Specifically, little research exists addressing whether fusion centers are fulfilling their intended functions, to what degree they have facilitated changes in how law enforcement understands and uses threat information, whether they are perceived effective, and whether they are innovative.

Using case study design and qualitative methods, this study explored the perceived efficacy of fusion centers, using data collected from open-ended, semi-structured interviews and site visits. Using purposive and convenience sampling techniques, forty-nine (N=49) individuals offering a range of perspectives participated. Participants were solicited from, or affiliated with, four separate state fusion centers. In addition, individuals from key federal organizations and others with expert knowledge on the subject matter were interviewed for this research.

The study's findings indicate that while fusion centers are partially fulfilling their designated tasks, they continue to struggle with several challenges. Although they have improved law enforcement's information collection and sharing capabilities, they have yet to develop robust analytical capabilities, or to overcome other obstacles. Moreover, the findings from this study suggest that the threat of terrorism is perceived as neither paramount nor trivial to fusion centers; however, fusion centers are perceived as valuable resources to address other criminal threats. The findings from this research have important policy implications for practitioners, as well as being a source from which future research regarding fusion center's processes and products can be empirically designed.

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## Table of Contents

<b>ABSTRACT.....</b>	<b>ii</b>
<b>Acknowledgements .....</b>	<b>iv</b>
<b>List of Tables and Graphs.....</b>	<b>xiii</b>
<b>List of Illustrations.....</b>	<b>xiv</b>
<b>List of Abbreviations .....</b>	<b>xv</b>
<b>Chapter 1: Introduction .....</b>	<b>1</b>
Identifying Our Weakness .....	2
Problem Statement .....	7
The Structure of this Dissertation .....	10
<b>Chapter 2: Law Enforcement, Terrorism &amp; Intelligence .....</b>	<b>13</b>
Introduction.....	13
The Convergence of Crime and Terrorism .....	14
Shared Characteristics between Crime and Terrorism.....	16
The Realities of Post-9/11 Policing: Changes and Challenges .....	21
Changes in State and Local Police Agencies .....	24
Challenges.....	30
Conceptual Obstacles.....	31
Structural Obstacles .....	33
Organizational Obstacles .....	34
Cultural Obstacles .....	36
Technological Obstacles .....	38
Legal Obstacles .....	39
Partnership Obstacles.....	41
What is Intelligence?.....	42



The Intelligence Cycle .....	46
Misunderstandings of Intelligence .....	48
Brief History of Intelligence and the Police .....	49
Lessons Learned.....	53
Incorporating an Intelligence Function into Policing: Intelligence-led Policing.	55
Origins.....	57
Definition .....	58
Principles.....	60
Obstacles .....	60
The Current Rationale.....	62
Summary .....	64
<b>Chapter 3: Theoretical Framework .....</b>	<b>68</b>
Organizational Theories.....	68
Law Enforcement Agencies as Organizations .....	74
Innovation and Organizations .....	77
What is innovation? .....	77
Impetus for Innovations within a Social System .....	77
Diffusion of Innovation.....	79
Law Enforcement and Innovation.....	83
Forms of Law Enforcement Innovation.....	85
Summary .....	87
<b>Chapter 4: The Growth and Challenge of Fusion Centers .....</b>	<b>89</b>
Introduction.....	89
Fusion Center Predecessors .....	92
Genesis of Post-9/11 Information Sharing: Growth of the Fusion Center Function	
.....	95

The Role of DHS in the Nation’s Fusion Center Initiative.....	103
DHS State and Local Program Office (SLPO) .....	105
DHS’ Information Sharing Portals.....	107
Recent Assessments of DHS.....	108
Conceptual Similarities with Practical Differences .....	109
Conceptual Similarities.....	109
Practical Differences .....	111
Current Obstacles for Fusion Centers .....	113
Bureaucratic .....	113
Financial.....	114
Cultural .....	115
Technical.....	116
Civil Liberties and Civil Rights Controversy .....	117
Summary .....	119
<b>Chapter 5: Methodology.....</b>	<b>121</b>
Research Design.....	121
Data .....	122
Data Collection .....	122
Data Preparation and Analysis.....	124
Sampling .....	125
Sampling Settings: Research Sites.....	125
Sampling People: Research Participants.....	129
Protection of Data & Confidentiality .....	137
Methodological Weaknesses.....	138
Research Questions.....	141
Research Question 1 .....	142
Research Question 2 .....	142
Research Question 3 .....	144

Research Question 4 .....	145
Research Question 5 .....	147
<b>Chapter 6: Research Findings .....</b>	<b>150</b>
Introduction.....	150
Research Note on the Presented Descriptive Statistics.....	151
Research Question 1: What has changed in the law enforcement community since the 9/11 terrorist attacks and subsequent development of fusion centers? .....	151
Increased Information Sharing.....	152
Increased Awareness.....	154
Recognized Need for Information and Intelligence Capabilities.....	157
Fostering Interagency Relationships.....	160
Coordination of Services and Capabilities.....	160
Summary .....	162
Research Question 2: Are fusion centers fulfilling their intended purposes?.....	163
Increasing Information Sharing by Minimizing Physical and Technological Barriers.....	165
Collaborative Arrangements Minimizing Subcultural Barriers .....	168
An Absence of Robust Analytical Capabilities .....	172
Continuing maturation of the analytical profession.....	173
The Moderate Role of Counterterrorism in Fusion Centers .....	178
Marketing Fusion Centers.....	181
Summary .....	188
Research Question 3: Are fusion centers perceived to be effective at fulfilling their designated tasks? .....	190
Strengths .....	191
Facilitators of information .....	192
Facilitators of collaboration .....	193
Latitude of multiple missions.....	197
Weaknesses .....	198

Resource constraints .....	199
User's Shortcomings .....	200
Subcultural resistance persists .....	202
Poor Planning and Hasty Implementation .....	205
Latitude of multitude mission .....	207
The Importance of Management & the Significance of Personality.....	207
Managing Collaborative Environments .....	209
The Significance of Personality .....	215
Summary .....	220
Research Question 4: Are fusion centers' analytical services and products impacting how their consumers use information and intelligence? .....	222
Summary .....	228
Research Question 5: Are fusion centers innovative? .....	229
Degree of Innovation Diffusion .....	234
Summary .....	236
<b>Chapter 7: Conclusion.....</b>	<b>238</b>
Discussion .....	238
Policy Implications .....	247
Educational Component.....	248
Evaluation .....	253
Oversight.....	256
Limitations and Future Research .....	258
Summary .....	260
<b>References .....</b>	<b>266</b>
<b>Appendix: Descriptive Narratives of Sampled Sites.....</b>	<b>282</b>
Descriptive Narrative of Site A.....	282
Descriptive Narrative of Site B.....	293

Descriptive Narrative of Site C.....	298
Descriptive Narrative of Site D.....	300
<b>Vita .....</b>	<b>305</b>

## **List of Tables and Graphs**

TABLE 1: TOTAL SAMPLE BY SITE AND ROLE (N=49) .....	135
TABLE 2: SUBJECT’S REPORTED CHANGES POST-9/11 (N=49)* .....	152
TABLE 3: PERCEPTIONS OF FUSION CENTERS FULFILLING PURPOSES (N=49)* .....	165
TABLE 4: FUSION CENTER STRENGTHS AS PERCEIVED BY RESPONDENTS (N=49)* .....	192
TABLE 5: RESPONDENT’S PERCEIVED WEAKNESSES (N=49)* .....	198
GRAPH 1: COMMISSIONED VS. CIVILIAN PERSONNEL BY SITE (N=49) .....	136
GRAPH 2: PARTICIPANTS BY LEVEL OF GOVERNMENT BY WHICH EMPLOYED (N=49) .....	137

## **List of Illustrations**

FIGURE 1: THE INTELLIGENCE CYCLE.....	46
FIGURE 2: S-SHAPED DIFFUSION OF INNOVATION CURVE .....	81
FIGURE 3: CONVERGENCE OF FACTORS INFLUENCING INNOVATION DIFFUSION.....	82
FIGURE 4: MAJOR POST-9/11 LEGISLATION, INITIATIVES AND PUBLICATIONS TIMELINE	103
FIGURE 5: PROPOSED EDUCATIONAL COMPONENT TAILORED TO USER GROUPS.....	249

## **List of Abbreviations**

ACLU	American Civil Liberties Union
AOR	Area of Responsibility
ATF	U.S. Bureau of Alcohol, Tobacco and Firearms
CICC	Criminal Intelligence Coordinating Council
COINTELPRO	FBI's Counter Intelligence Program
COPS	Community Oriented Policing Services
CRS	Congressional Research Services
DEA	Drug Enforcement Administration
DHS	Department of Homeland Security
DOJ	Department of Justice
EPIC	El Paso Intelligence Center
FAMS	Federal Air Marshall
FBI	Federal Bureau of Investigation
FBINET	Federal Bureau of Investigation Network
FCFG	Fusion Center Focus Group
FIGs	Field Intelligence Groups
FINCEN	Financial Crimes Enforcement Network
GAC	Global Advisory Committee
GAO	Governmental Accountability Office
GIWG	Global Intelligence Working Group
GIWG	Global Intelligence Working Group
Global JXDM	Global Justice Extensible Markup Language Data Model
HIDTA	High Intensity Drug Traffic Area
HSAC	Homeland Security Advisory Council
HSC	Homeland Security Council
HSDN	Homeland Security Data Network
HSDN	Homeland Secure Data Network
HSIN	Homeland Security Information Network
HSIN	Homeland Security Information Network
IACP	International Association of Chiefs of Police
IC	Intelligence Community
ICE	U.S. Immigrations and Customs Enforcement
INTERPOL	International Crime Police Organization
IRTPA	Intelligence Reform and Terrorism Prevention Act of 2004
ISC	Information Sharing Council
ISE	Information Sharing Environment
ISE-PM	Information Sharing Environment-Program Manager
JTTF	Joint Terrorism Task Force
LEAA	Law Enforcement Assistance Administration



LEIU	Law Enforcement Intelligence Unit
LEO	Law Enforcement Online
MAGLOCLN	Mid Atlantic-Great Lakes Organized Crime Law Enforcement Network
MOU	Memorandums of Understanding
NCIC	National Crime Information Center
NCISP	National Criminal Intelligence Sharing Plan
NCTC	National Counter Terrorism Center
NGA	National Governor's Association
NIEM	National Information Exchange Model
NIM	National Intelligence Model
ODNI	Office of the Director of National Intelligence
OHS	Office of Homeland Security
RISS	Regional Information Sharing System
SARs	Suspicious Activity Reports
SBU	Sensitive But Unclassified
SLPO	State and Local Program Office
TSC	Terrorist Screening Center
TSDB	Terrorist Screening Database
UASI	Urban Area Security Initiative
XML	Extensible Markup Language

## Chapter 1: Introduction

To oversimplify, the September 11, 2001 terrorist attacks changed everything. However, the challenge lies in interpreting “everything” into literal, tangible, and measurable terms. What constitutes everything? For who has everything changed? Was this change truly significant and how do we know? While these generalized questions cannot be thoroughly addressed in a single exercise, nor should they, they do call to attention that after eight years since the 9/11 terrorist attacks, experts are still trying to determine what *really* has changed and whether we are safer because of these changes.

To say that nothing has changed and that 9/11 did not greatly impact the United States, or the rest of the world for that matter, would be careless and outright untrue. At the very least, 9/11 changed how we think about abstract concepts, like *security* and *risk*. Since the 9/11 attacks, a few details are unquestionable. The attacks were catastrophic; the most costly terrorist attack ever perpetrated on American soil or anywhere else for that matter (Looney, 2002).<sup>1</sup> The attacks also reinforced that the threat of terrorism, like the threat of crime, is not restricted geographically or temporally. In a post-9/11 environment, it is widely believed that terrorism-related threats, as other threats, while less probable, can happen anywhere at anytime, and those people and places in closest proximity to a threat, manmade or natural, are at the greatest chance of encountering a it than those farther removed (LaFree, Yang and Crenshaw, 2010). As such, all potential first-responders and the more newly minted *first-preventers* should be properly equipped and prepared to deal with a range of threats—a principle that has reverberated in the post-9/11 colloquialism of *hometown security*. Moreover, the attacks clearly demonstrated

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<sup>1</sup> MSNBC Fact File: 25 highest terrorist attack death tolls. Available at: <http://www.msnbc.msn.com/id/20287932/>

that our nation's local, state and federal emergency preparedness, response and coordination capabilities, as well as our intelligence production and sharing efficacy, were deficient, incompatible and outdated. A cascade of initiatives and policies have been proposed and implemented over the years across both the public and private sectors in a genuine effort to increase our sense of security and, thus, overall protection.

### **Identifying Our Weakness**

Since the September 11, 2001 terrorist attacks and on the coattails of former President Bush's declaration of a global "war on terrorism," practitioners, policymakers, and academics alike have acknowledge that counter terrorism activities, including those to counter again foreign threats, are not the exclusive responsibility of the federal government; rather, all sectors of society, including our state and local law enforcement communities, have, to some degree, critical roles to play in protecting the homeland. This is not to argue that the local patrol officer or corporate security officer should be focusing exclusively, or even primarily, on terrorism-related threats. Rather, it underscores the belief that law enforcement and security professionals have a well-developed skill set honed over years of experience that can, and should be, applied to countering an assortment of threats, including those related to terrorism (Riebling, 2006).

While most agree that subfederal agencies should be integrated into homeland security activities, it is still unclear and debatable what realistically are state and local law enforcement responsibilities and capabilities (Clarke and Newman, 2007; Kelling and Bratton, 2006). Historically, law enforcement's contributions to counterterrorist activities have been largely reactive; however, as new counterterrorism mandates have

crept into many organizations' list of duties, they wrestle with the task of defining these novel tasks and integrating them into their overall organizational structure and culture, while still fulfilling their traditional functions of fighting common crime, maintaining order, and assisting in non-criminal activities. While there is consensus that state and local law enforcement personnel are partially responsible for detecting, preventing, deterring and responding to all threats against their jurisdictions, including the threat of terrorism, there is less certainty concerning the most viable and lawful path available for law enforcement to fulfill productive counterterrorist functions.

While the police officers and emergency personnel who responded to the 9/11 terrorist attacks that fateful morning were undoubtedly fulfilling their occupational and patriotic duties, the question of whether or not the attacks could have been prevented, thus avoiding mass casualties, as well as catastrophic property and economic damage, has been repeatedly addressed. In 2002, the independent, bipartisan *National Commission on Terrorist Attacks upon the United States* (commonly known as the 9-11 Commission) was congressionally legislated and signed into law by former President Bush to investigate the September 11, 2001 attacks, to identify the Nation's exposed weaknesses and vulnerabilities, and to issue a series of recommendations aimed at preventing future attacks.

Among those recommendations, the 9/11 Commission concluded that the nation's intelligence agencies had failed to "connect the dots," demonstrating their inability to effectively share necessary information between security agencies, which upon speculation might have potentially prevented the attacks from occurring in the first place. Specifically, the *9/11 Commission Report* (National Commission on Terrorist Attacks,

2004) concluded that reformation of the Intelligence Community (IC) was necessary to minimize structural and cultural obstacles to information sharing and coordination efforts. Consequently, improving the information sharing capabilities within all levels of government, as well as revamping the nation's intelligence capacity, has been prioritized over the past several years. This, in part, requires the integration of the domestic law enforcement community into the nation's larger intelligence processes.

Many experts and politicians argue that a sophisticated, nationally-unified intelligence mechanism is one of the most useful ways for those entrusted to secure our persons and interests to be more effective. Intelligence work at the national level has traditionally focused on threats of international terrorism, and, therefore, has been largely excluded from domestic law enforcement activities. State and local law enforcement intelligence units have, in the past, focused largely on conventional organized criminal activity, including drug trafficking, gangs, the Mafia, and in some instances domestic terrorists, such as eco-terrorists and right-wing militia groups. However, after September 11, 2001 it became apparent that state and local law enforcement must be included to some appreciable degree within the nation's larger intelligence processes, expanding their purview to include international terrorism. It was clearly evident that there was no reliable mechanism bridging the intelligence and information-sharing gap between the federal agencies and their state and local counterparts was largely absent.

Prior to 9/11, Joint Terrorism Task Forces (JTTFs) were the primary means by which terrorism-related information and intelligence was shared between federal, state and local government, and they remain so. A JTTF is a multi-agency effort consisting of local, state and federal law enforcement personnel, analysts and other specialists led by

the U.S Department of Justice and Federal Bureau of Investigations (FBI). Other than JTTFs, interaction between the federal government, state government and local agencies largely often occurred on a provisional, ad hoc basis. The implementation and use of JTTFs has increased significantly since 9/11 from approximately thirty-five to over 100 in all fifty-six FBI field offices. In 2002, the National Joint Terrorism Task Force was established in Washington, D.C. to serve as the JTTF coordinating mechanism and focal point for sharing terrorism-related information and intelligence between the FBI and its partners. Also, the FBI's Field Intelligence Groups (FIGs) are the primary mechanism by which the FBI shares information with their state and local law enforcement colleagues in the FBI Field Divisions.

The JTTFs provide a valuable and important function; however, they are not intelligence entities; rather, they are operational investigative entities. Moreover, a number of challenges and problems have been revealed from the state and local law enforcement and public safety communities, specifically that they have not received timely and relevant threat information from their federal counterparts and that state and local personnel have played the proverbial 'second fiddle,' reinforcing the cultural hierarchy and turf wars historically embedded in law enforcement. These hurdles were reiterated in the 9/11 Commissions conclusions and recommendations. One solution, then, to better bridge the gap in the nation's intelligence infrastructure between the federal agencies and state and local organizations was the development and implementation of fusion centers. These centers, in part, are intended to complement and support the FBI's JTTFs.

As the *Fusion Center Guidelines* (2005, 2) explain, “A fusion center is an effective and efficient mechanism to exchange information and intelligence, maximize resources, streamline operations, and improve the ability to fight crime and terrorism by analyzing data from a variety of sources.” A fusion center is the physical location where information from a variety of sources is pooled together in a combined, interagency effort to identify public security threats, to generate intelligence and knowledge concerning the nature and status of those threats, and to coordinate solutions to prevent, neutralize, or prepare to respond to identified threats.

Fusion centers are one means of breaking down “the wall” that inhibits the flow of information among agencies. As of 2009, there are an estimated seventy-two local, state and regional fusion centers currently built and functioning, some in a more limited capacity than others. Fusion centers have been the first state- initiated effort to improve the country’s overall intelligence sharing capabilities at all levels of government, to improve interagency coordination, and to advance our information sharing capabilities at the sub-federal level. Since fusion centers are still relatively new entities and no two centers are identical, many continue to struggle with a number of obstacles and criticisms.

While it is clear that strides have been made over the past eight years, there is a paucity of research generally investigating terrorism and counterterrorism activities, let alone within the narrowed scope of law enforcement and intelligence activities. In fact, scholars have often criticized the dearth of empirical findings assessing any aspect of terrorism, let alone those specifically evaluating law enforcement responses to terrorism. Kennedy and Lum (2003) concluded that approximately 96% of terrorism research can be

classified as thought pieces, 3% can be classified as empirical studies and 1% as case studies. Lum, Kennedy and Shirley (2006) conducted a Campbell Systematic Review of the effectiveness of counterterrorism strategies, in which they concluded that law enforcement responses as the subject matter in terrorism research was found in approximately 2.5% of the peer-reviewed literature (N=4,486) and less than 1% was found to be empirical in nature (N=156). Moreover, the classification of research as “law enforcement responses” are not restricted to localized police, let alone the U.S. law enforcement community. While this figure may have marginally increased since the publication of the Lum et al. (2006) meta-analysis, it is unlikely that these changes are significant. Moreover, research exploring how law enforcement collects, analyzes, and shares threat-related information, particularly focusing on fusion centers as the mechanism for these activities, and whether these changes are perceived to be effective, is almost entirely absent.

### **Problem Statement**

Since September 11, 2001, improved information and intelligence collection, analysis and sharing among federal, state and local law enforcement agencies have become a top priority for the nation. A subfederal response to this priority has been the establishment of regional, state and large metropolitan fusion centers in an effort to facilitate these communication and coordination processes and activities. However, it is unclear to what degree intelligence activities and interagency communication activities have improved as a function of these institutions, and there is almost a complete lack of literature addressing this uncertainty.



The bulk of literatures available on fusion centers, specifically, are either thought-pieces, both from expert and journalistic perspectives, or descriptive narratives; virtually none of the published research has come from an academic perspective. Rather, it largely has been solicited and conducted at the request of federal watchdog agencies, such as the Governmental Accountability Office (GAO) or the Congressional Research Service (CRS), or other public policy and watchdog organizations, such as the National Governor's Association (NGA) or American Civil Liberties Union (ACLU). The literature, and thus subsequent discourse, tends to focus on the following areas: brief descriptive narratives of fusion centers' operational or technical stages, which becomes quickly outdated; the challenges they face; the appropriate role of the federal government in their operations; or the risks to privacy and civil liberties their activities potentially entail. While these matters are significant and should remain at the forefront of discourse and debate concerning the value and viability of these relatively new institutions, other areas should be explored to increase our overall understanding of these entities. Moreover, the available literature does not clearly indicate whether fusion centers appear to be achieving their designated tasks or if these activities are perceived to be effective by their stakeholders.

Fusion centers' primary goals are maintaining situational awareness within the state, identifying and anticipating both criminal and non-criminal threats, and facilitating interagency communication and coordination activities based on these assessments. The analysis and use of the information and intelligence lies at the heart of their activities, or should, enabling the organization to better define and achieve their goals. It is for this

reason that it is important to explore the use and effectiveness of information and intelligence within fusion centers, particularly when these centers' futures are uncertain.

The purpose of this study is to explore and better understand the efficacy of fusion centers by exploring how relationships both among and within agencies have changed, as well as how information and intelligence is used within fusion centers to prepare for and counter a range of threats, including the threat of terrorism and traditional criminal threats. It is hoped that the conclusions and policy implications derived from this study will be useful to politicians, homeland security policy advisors and law enforcement leadership responsible for developing and sustaining an integrated information infrastructure. The primary goal of this study is to examine what early evidence is available regarding fusion centers' ability to collect, analyze and share intelligence proactively across jurisdictional and interdisciplinary lines, and whether they are improving communication and relationships within government. Specifically, this research is interested in determining if a more systematic approach to information processes (i.e. information collection, analysis, retention and dissemination) is improving communication channels and genuinely changing the relationships within government. Are fusion centers fulfilling their intended purposes? Have they changed how law enforcement understands and uses information? Are they effective? There is currently a complete absence of research addressing these and related questions, and it is hoped that the findings from this research will begin to shed light on these matters. The conclusions drawn here may not be revelatory to those most involved with and dedicated to developing a fusion center's capability, nor is it expected that the study's conclusions will

impact every stakeholder equally; however, it is fully hoped that users will glean value from the conclusions herein for their own unique purposes.

It should be duly noted that this research study examined fusion centers from the subfederal level since they are fundamentally subfederal entities; thus, the perspective offered herein have a subfederal flavor. The findings to emerge from this study tend to address ‘nuts and bolts’ issues rather than broader philosophical issues. Typically, it is those leaders and other stakeholders at the subfederal level that must oversee and mitigate the ‘nuts and bolts’ issues of daily activity. This is not to insinuate that the study’s findings do not benefit stakeholders concentrated at the national level. In fact, quite the opposite is argued here. If the federal government is to continue to provide support in various forms to fusion centers, the findings and insights contained herein can better

### **The Structure of this Dissertation**

To clarify, this study is not an examination of terrorism, its correlates or its causes; rather, this research is an analysis of a particular response—that of fusion centers—implemented as a result of series of very explicit recommendations and actions. The 9/11 attacks served as the catalyst that prompted the nation’s investigation into our exposed weaknesses at all levels of government. Moreover, the 9/11 attacks provided the context and backdrop to examine our weaknesses and vulnerabilities and devise ways to try and overcome, or at least minimize, these limitations. Over the years efforts have extended beyond focusing on the threat of terrorism, and even crime, to focusing on the ability to better define and assess *risk* and prepare for both manmade and natural *threats* for the sole purpose of increasing our nation’s overall security capabilities.

The first part of this dissertation focuses on the background events and beliefs that have given rise to the current information sharing environment. The first several chapters will be devoted to presenting the practical realities and theoretical foundations for the present study, historically focusing on the circumstances and assumptions that have beget fusion centers. Since 9/11 played a pivotal role in bringing the issue of terrorism and counter terrorism studies to the forefront of domestic law enforcement, the event itself is treated as the springboard from which fusion centers largely emerged and, thus, this inquiry originated.

Chapter 2 reviews the relevant literature, addressing the issues implicit in the relationship between law enforcement, terrorism and intelligence—the three primary areas through which fusion centers are founded upon and justified. A number of perspectives and topics will be examined, including the criminality of terrorism, law enforcement’s counter terrorism roles, and post-9/11 changes that have occurred in policing. Furthermore, law enforcement’s experience with collecting and utilizing intelligence is briefly reviewed, particularly since state police organizations and large urban police departments are tasked with managing and operating fusion centers. Finally, intelligence-led policing as the implicit conceptual model for incorporating an intelligence function into policing is reviewed. Chapter 3 addresses the theoretical foundation and underlying principles of organizational behavior and innovation, relating it to the law enforcement profession. Chapter 4 introduces and reviews fusion centers, discussing their underlying concepts, their predecessors, and their ongoing development and progress. The role of the Department of Homeland Security (DHS) is touched upon,

followed by sections addressing fusion center's similarities and differences, as well as the obstacles they currently face.

The remainder of this dissertation describes the methodology employed for the present study, as well as a discussion of the research findings, conclusions and policy implications. Chapter 5 addresses the study's research design, data collection and analysis methods, sample and research sites, as well as methodological weaknesses. The study's five research questions are then presented. The research findings are discussed in Chapter 6, while Chapter 7 addresses the study's conclusions. The concluding chapter also proposes three primary policy areas deducted from the study's findings that the author argues should be more fully and systematically addressed as fusion centers continue to grow.

## **Chapter 2: Law Enforcement, Terrorism & Intelligence**

### **Introduction**

It was not until after the 9/11 terrorist attacks that America's attitudes changed regarding law enforcement's role in counterterrorism activities. This oversight has been attributable to a number of cultural, political, and historical factors in American life, while other countries attitudes regarding law enforcement's role in countering terrorism, such as the United Kingdom and Israel, differs due to enduring class, ethnic and/or religious conflicts, as well as the more centralized structure of their law enforcement community.

This is not to argue that the United States has been exempt from the presence and consequences of terrorist threats, both domestic and international; however, even after significant acts of terrorism were perpetrated on American soil, such as the first World Trade Center bombing in 1993 or the 1995 Oklahoma City bombing of the Alfred P. Murrah Federal Building, neither the police nor the public viewed terrorism-related threats to fall within the purview of state and local police agencies (Damphousse, 2010). The U.S. law enforcement community has traditionally focused on common crimes, and since the 1960s, the ensuing "war on crime" campaign has defined police officers' roles in criminal matters.

In 1965, President Johnson appointed the President's Crime Commission to comprehensively review the problem of escalating crime rates in America and to offer recommendations regarding how to reduce them. For years to follow, the "war on crime" became the political tool that shaped public policy regarding how the American criminal justice system, including the law enforcement community, could improve its ability to

control and reduce crime. This paradigm dominated the domestic agenda until the morning of September 11, 2001.

After 9/11, it became clear that U.S. law enforcement personnel were vulnerable to and ill-equipped to cope with emerging threats, including terrorism and other forms of transnational crime. Similar to 1960s, the so-called “war on terrorism” was constructed as a political tool to justify the slew of actions taken and initiatives implemented in an effort to develop America’s federal, state and local government’s capabilities to better manage both domestic and international threats. If state and local law enforcement agencies are assumed, and even expected, to share the responsibility of protecting the homeland from both manmade and natural threats, including terrorism-related threats, then it is not only proper, but necessary, to assume that terrorism is a form of crime, and that it converges with traditional crime in several ways (Hamm, 2007; O’Neil, 2007; Cornell, 2006; Sanderson, 2004; LaFree and Dugan, 2004; Shelly and Picarelli, 2002).

### **The Convergence of Crime and Terrorism**

In the years since the 9/11 terrorist attacks, scholars have increasingly examined terrorism from a criminological perspective, demystifying the sensationalism of terrorism by identifying both the ways criminals and terrorists are similar and under what conditions the common criminals and terrorists may collaborate with one another. A number of comparable characteristics between criminals and terrorists have been specified, which are further addressed momentarily. Furthermore, although many criminal statutes in the past have not defined terrorism specifically as a criminal offense, many of the activities undertaken in planning and perpetrating a terrorist act are done so

illegally, and are, thus, defined by criminal code (LaFree and Dugan, 2004). Not only is there a criminal nexus between criminal activity and terrorist activity, but terrorism is little more than an expression of crime with a political or ideological motive (Anarumo, 2005), and therefore, the law enforcement is partially responsible for preventing and responding to both crime and terrorism.

Terrorists are known to engage in a number of traditional crimes to support terrorist agendas. Hamm (2007) argues that terrorists will engage in drug trafficking, robbery, immigration violations, fraud, counterfeiting, and corruption to sustain a group, to fund operations, or to acquire other logistical support. Hamm (2007) argues that conventional criminal investigations are the most successful methods for detecting and prosecuting terrorism cases. Terrorist groups need a variety of resources to carry out their operations, such as documentation, safe havens, money, weapons and other supplies, and they acquire many of these resources illegally. If law enforcement leadership focuses resources on detecting and deterring these precursor crimes, then terrorist plans may be interrupted and thwarted prior to becoming operational (Smith, 2008).

Not only are precursory crimes often carried out in support of a terrorist group or in preparation for a terrorist event, but there has also been a growing area of interest on the presence and extent what has been termed “the crime-terror nexus” (Hutchinson and O’Malley, 2007; Gartenstein-Ross and Dabruzzi, 2007; Picarelli, 2006; Dishman, 2005; Makarenko, 2004). Some experts argue that criminals and terrorists will conspire and collaborate with one another if such relationships will beneficially propel each party’s objectives and goals; however, these bonds are superficial and episodic, rather than



robust and enduring, lasting only as long as both parties are benefiting from the arrangement.

Scholars argue that a number of factors have contributed to a global environment that enables these relationships to develop, increasing the likelihood that organized criminals and terrorist will collaborate with one another (Hutchinson and O'Malley, 2007). Factors leading to this cooperation include the collapse of the Soviet Union, increased international pressures to control state sponsorship of terrorism, porous international borders, and the presence of weak states unable to enforce the rule of law. Moreover, as the world becomes more interconnected and interdependent, opportunities increase for criminals and terrorists to both communicate and collaborate. As these opportunities increase so do law enforcements opportunities to identify and intercede these activities.

#### *Shared Characteristics between Crime and Terrorism*

As a type of criminal activity, terrorists share a number of characteristics commonly used to study traditional criminal activity. Both terrorists and criminals pose a threat to public safety. Criminals, including terrorists, are unevenly distributed in both time and place. Both terrorists and criminals exploit opportunities and use violence as a tactic to achieve a desired outcome. Terrorists, like other criminals, vary in their degree of sophistication and complexity. Finally, terrorists, like other criminals, can be prevented and deterred.

The threat of terrorism, like crime, poses a threat to public safety (Chermak, Freilich, and Caspi, 2010). Terrorist activities threaten our persons and property, as well

as undermine the rule of law. While the real and potential threats posed by international terrorists currently receives the greatest attention, homegrown threats of domestic terrorism are equally, if not more, pressing, particularly to our domestic law enforcement communities (Lafree, Dugan, Fogg and Scott, 2006). Domestic terrorists perpetrate a number of federal and state crimes, including violent criminal acts, resulting in property damage, economic losses and death (Smith and Damphousse, 2006; Freilich and Chermak, 2009). Interestingly, perpetrators of both crime and terrorism are perceived to be most dangerous by those least likely to be affected by them (Lum, 2010). Freilich, Chemrak and Simone (2009) found that there is a discrepancy between state police officials' perceptions of threats posed by terrorist groups and the actual danger posed by such groups. Islamic extremists/jihadists were perceived to pose a greater threat to both national security and state security; however, they were less likely to be involved in illegal activities.

Terrorist threats, like criminal threats, are not uniform; rather, they vary over time and place. There is a temporal dimension to both crime and terrorism, whereby threats change over time with social, political, economic, and technological changes, as well as the various prevention and intervention efforts of law enforcement and other security agents (Chermak, Freilich, and Caspi, 2010; Kennedy, 2010; Lafree, Yang, and Crenshaw, 2010). Rapoport (2005) argues that terrorism occurs in waves, whereby terrorist activity driven by a dominant features (or political turning points) cycles within a given time period, and that terror is deeply rooted in culture. He argues that there have been four separate, but overlapping, waves of terror: the "Anarchist" wave beginning in the 1880s, the "anticolonial" wave beginning in the 1920s, the "New Left" beginning in

the 1960s, and the “Religious” wave beginning in 1979. Rapoport’s waves are similar to Lafree’s (1999) empirical study of violent crime “booms” and “busts” in that both scholars approach terrorism and crime, respectively, from a longitudinal perspective acknowledging that various political and economic factors influence the onset, persistence and desistance from both.

There are similar geographic dimensions to both crime and terrorism (Smith, Cothren, Roberts, and Damphousse 2008). The planning and commission of both common crime, particularly that of organized crime, and terrorism can and often will traverse jurisdictional boundaries to carry out both criminal and non-criminal activities (White, 2006). However, while criminals and terrorist alike will cross jurisdictional boundaries, they are constrained by geography, often choosing targets that are close to their operational base. In other words, both crime and terrorism are largely local phenomena. Smith, Damphousse and Roberts (2006) found that on average a majority of terrorist’s preparatory activities, including target selection (approximately 60%) occur within 30 miles of the offenders residences. The geographic distribution of crime and terrorism occurs for a number of reasons, and a particular law enforcement agency is accountable for protecting the safety and interests of their jurisdictions. When a criminal incident occurs within their jurisdiction, they participate in investigating the crime, collecting evidence, apprehending suspects, and other prosecutorial obligations. Terrorists live and operate within the boundaries of law enforcement control, as do other types of criminals. Since the police are responsible for the crime in their jurisdictions, then it is necessary that they recognize that terrorist cells, as well as sympathizers, may be present in their jurisdictions. They reside, travel through, hold legitimate jobs, and

engage in criminal activities with some jurisdiction. Moreover, police forces from neighboring jurisdictions often assist one another since criminal activity is not geographically restricted.

Moreover, both criminals and terrorists exploit open opportunities to plan for and perpetrate acts; there must be the opportunity for any type of crime to occur, terrorist or otherwise (Clarke and Newman, 2006). Without an available opportunity, an offender is only left with his or her personal motivations. Although an individual may have the desire to commit a crime or engage in terrorist behavior, if the opportunity is absent then so will the context for the behavior to occur. While the motivation to commit crime lies within an individual, and hence beyond the control of any security measures, the context of opportunity is external the individual perpetrator, embedded in the interaction between the particular characteristics of the target and the target's surrounding environment. Therefore, opportunity for crime can be manipulated and controlled by different security measures.

Both terrorists and common criminals find ways to leverage gaps in security measures to exploit the opportunity so they may commit the criminal act (Shelly and Picarelli, 2002). The law enforcement community has a legal obligation to protect the people and property by identifying minimizing these exploitable gaps, and, thus, reducing offender opportunity. As the threat of terrorism changes over time, so must the U.S. prevention and response efforts. While the underlying motivations for engaging in terrorism have not changed, terrorist groups have adapted their organizational structures and tactics, recruitment strategies and pools to avoid detection, and thus increase their

probability of success (Jenkins, 2006; Gerwher and Daly, 2006; Jackson, Baker, Chalk, Craigin, Parachini and Trujillo, 2005).

Not only do criminal and terrorists alike exploit opportunities, but the use of, threatened use of, or capacity for violence is a defining feature of both serious crime and terrorism, and the primary means of exerting control over the targeted victim(s) in an effort to achieve some desired outcome (Hamm 2007; Shelley and Picarelli 2002; Hutchinson and O'Malley, 2007). Rosenfeld (2002) goes on further to distinguish violence perpetrated on *moralistic* grounds from violence committed on *predatory* grounds, arguing that moral violence, somehow perceived by the offender to be provoked by the victim, is used in times of self defense, deterrence or retribution. In contrast, he explains that in the commission of predatory violence the victim is not culpable, even in the eyes of the perpetrator, for provoking the violence. Rather, the victims are targeted for reasons unrelated to moral convictions. Rosenfeld argues that terrorism is unique in that it uses predatory violence as a means to attain moral ends. The police are responsible for ensuring public safety, maintaining public order, and aiding in the prosecution of criminals. As such, they are responsible for preventing violence from occurring and bringing to justice violent offenders, including terrorists.

Both criminal groups and terrorist organizations vary in their degree of sophistication and complexity, ranging from lone actors to loosely affiliated groups of like-minded individuals to the less prevalent, hierarchically organized enterprise. Regardless if (would be) terrorists are lone wolves, ad hoc associates or part of a larger, hierarchical structure, the law enforcement community, to varying degrees, is experienced in investigating and tracking criminals and criminal groups, including the

use of intelligence units and task forces, surveillance and informants. These same techniques can and should be applied to developing a proactive intelligence capacity to better prevent and respond to both traditional criminal threats and terrorist-related threats. Finally, terrorism, like crime, can be deterred and prevented (Chermak, Freilich, and Caspi, 2010; Kennedy, 2010; Trager and Zagorcheva, 2006; Dershowitz, 2002). Threats of both can be assessed and prioritized, although this is a challenging endeavor due to the dynamic nature of terrorist threat. Based on recent criminological research, prevention and deterrence strategies can be implemented; however, various intervention strategies have been found to have unintended consequences (Chermak et al. 2010; O'Neil, 2007; Lum et al., 2006).

### **The Realities of Post-9/11 Policing: Changes and Challenges**

The police will encounter terrorism, as they do crime, at a number of points in time, particularly since terrorism, like traditional forms of crime, is, at least initially, a local phenomenon. Although the effects of a terrorist incident are intended to ripple outwards to the larger world community, when an event does occur those persons at ground zero are most impacted.

Terrorist events, like criminal events, occur on a plane of time and space tied to a history of converging factors and a future of outcomes (Sacco and Kennedy, 2002). A terrorist event, like a criminal event, is an incident with a precursor phase, and occurrence phase, and a recovery phase. In the prevention phase, the police are involved in the detection, disruption, and deterrence of potential terrorist events or activities involved in the planning of such events. Police, ideally, may stumble upon potential terrorist threat

before it becomes operational. For example, in Torrance, California in 2005 two men were arrested for a convenience store robbery, and upon searching one of the offender's homes, jihadist's literature and plans detailing a pending attack was uncovered. This example demonstrates that there are occasions when law enforcement will have the opportunity to intercept a threat before it becomes viable or operational.

Law enforcement undoubtedly encounters the effects of terrorism during the incident and immediately after an attack, a lesson painfully relearned during any major incident. In a response capacity, agents of the state play a variety of critical roles in first response, as well as emergency coordination and management. Their activities include directing and assisting in evacuations, securing the scene to protect it from contamination or further casualties, as well as maintaining communication with the media and the public.

After a terrorist incident occurs on American soil, it then becomes a criminal investigation. In the recovery phase, law enforcement plays a collaborative role in the investigation, apprehension and prosecution of involved individuals. Subfederal law enforcement personnel may assist the federal law enforcement community in the process of an investigation. Moreover, state and local law enforcement personnel are responsible for restoring order, allaying the community's fears, and protecting particular segments of the population from backlash crimes. For example, after the 9/11 attacks, police vigilance of Arab community and cultural centers, as well as Muslim religious institutions, was prioritized to thwart retaliatory attacks against the Arab American and Muslim American communities for the 9/11 attacks.

The skills traditionally used to fight crime are applicable to fighting terrorism (Clarke and Newman, 2007; Bratton and Kelling, 2006; Henry, 2002). The law enforcement community is trained to systematically collect information from a variety of sources in an effort to reconstruct an incident or identify and root out a community problem. The patrol officer may encounter information useful for generating intelligence in a number of routine situations. The average police officer routinely patrols, responds to crime scenes, completes incident reports, collects witness statements, responds to domestic disturbances, investigates community complaints, and conducts routine traffic stops, all of which are potential sources of intelligence. Furthermore, the police are socialized to be cognizant of their surroundings and skeptical of suspicious persons and activities in their immediate environment. They are encouraged to facilitate trusting relationships with the members of their communities and to be receptive to input they receive from their community leaders (Brown, 2007; Pelfrey, 2005; Murray, 2005). Many argue that if police officers are proficient at these tasks, then they are better able to cope with crime, and likewise terrorism. While they have the skill set necessary to be more proactively-focused, the law enforcement community, as a whole, remains largely reactive, struggling to apply these skills to new problems and contexts.

In 2005, the International Association of Chiefs of Police (IACP) released a white paper expressing the organization's concern that in spite of the substantial money appropriated by the federal government to support homeland security initiatives, many state and local law enforcement communities were ill-equipped to prevent, mitigate or respond to threats of terrorism. The IACP concluded that if the United States is to truly develop and implement a *national* homeland security strategy, then five principles must



be incorporated into the nation's local and state law enforcement agencies. The IACP's five principles, all self-explanatory, advocate that all terrorism is local; prevention is paramount; hometown security is homeland security; homeland security strategies must be incorporated nationally, not federally; and that a ground up approach that recognizes, embraces, and values the diversity of state, local, and tribal public security communities in a non-competitive, collaborative fashion is vital.

Few would, or could, disagree that changes have occurred in policing since 9/11, not only in the U.S. but also abroad; however, there is still uncertainty regarding whether these changes are significant. In a fragmented law enforcement environment, such as the United States, this problem is compounded by the sheer number of police departments.

### *Changes in State and Local Police Agencies*

In 2003, the Council of State Governments and Eastern Kentucky University collaborated on an 18-month fifty state survey, conducting several case studies and consulting an expert work group. They specifically examined the impact of terrorism on state and local law enforcement agencies, including law enforcement's new roles and the conditions in which these changes were taking place. In the report, Foster and Corder (2005) concluded that while all levels of law enforcement have been affected, state police organizations have been most impacted by the abundance of homeland security initiatives stemming from 9/11.<sup>2</sup> A majority of state law enforcement agencies either spearhead of

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<sup>2</sup> Since the publication of the 2003 report, there has been some debate regarding whether state police organizations or major urban areas have been most impacted by homeland security initiatives, particularly since DHS has significantly funded various metropolitan area's homeland security initiatives through the

or have significant involvement in their respective state's homeland security initiatives, and as a result tend to allocate a greater proportion of resources to these programs compared to local agencies, including intelligence activities, critical infrastructure assessment and protection, and emergency response and management.

In their analysis of state and local intelligence functions, both state and local agencies reported increased participation in terrorism-related activities, but change was greater in state agencies compared to local agencies. Not only have new homeland security roles been thrust onto state police organizations, but they are also filling the vacuums left by the FBI's post-9/11 reorganization and reprioritization, and as a result State Police agencies have increased their investigations of organized crime, bank robberies, and financial crimes. Other homeland security roles for the State Police include coordinating homeland security initiatives and exercises; collecting, analyzing and sharing intelligence; protecting critical infrastructure and assets; securing borders, air and sea ports; collaborating on JTTFs; and acquiring better emergency response equipment, training, tactics and systems.

It is unsurprising that the state law enforcement functions and responsibilities have expanded greater than those of local agencies. Due to the drastically decentralized structure of America's law enforcement community, State Police agencies are in the best position to liaison between federal agencies and local departments. There are forty-nine primary State Police departments in the U.S., accounting for approximately 8% of the total sworn law enforcement personnel.<sup>3</sup> These figures stand in stark comparison to the

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Urban Area Security Initiative (UASI). Currently, there is no conclusive data to indicate which have been most impacted. Moreover, UASI funds have also supported fusion centers in varying degrees.

<sup>3</sup> Hawaii does not have a primary State law enforcement agency; rather, the State of Hawaii Sheriff's Office serves as the statewide law enforcement agency.

number of local law enforcement sworn personnel (totaling over 15,500 local and sheriff agencies), which accounts for approximately 85% (over 600,000) of the nation's total sworn personnel (Reaves, 2007). Communicating and coordinating with state agencies rather than local agencies is far less complex for the federal government due to the sheer number of agencies involved.

As a liaison, State Police agencies often provide both technical and emergency response training to their local counterparts. State agencies also act as the funnel through which funds from federal grants for terrorism-related initiatives are transferred to local departments. Moreover, since 9/11 local police agencies have increasingly enlisted State Police assistance in the following areas: emergency response, special weapons and tactics teams, bomb squads, aviation and marine assets, and forensic science and crime labs (Foster and Cordner, 2005; International Association of Chiefs of Police [IACP], 2008).

Other terrorism-related demands have increased since 9/11 for state agencies, including pressures to develop and implement state-run fusion centers; acquire and utilize more intelligence analysts, analytic tools; regionalize planning and training initiatives; increase participation in immigration law enforcement; and develop and foster partnerships with the private sector (Foster and Cordner, 2005). For example, private industry has increasingly sought after State Police support for financial crimes investigations, as well as for general and technical training.

Shortly before the 1995 Oklahoma City bombing, RAND released a 24-month nationwide study of state and local perceptions of and preparedness for domestic terrorism. In the study, local law enforcement officials, in addition to State Police and emergency management agencies, were surveyed and ten case studies were conducted.

Riley and Hoffman (1995) concluded that a community's size, resource availability and the nature of the terrorism threat it faces will influence an agency's tactical and strategic response to the threat. Moreover, they concluded that both state and local law enforcement define a wider range of activities as terrorist compared to the FBI. Approximately 80% (31 of 39) reported the presence of a terrorist threat in their states and 90% reported the presence of sympathizers in their states, particularly right-wing and special interest terrorist groups.<sup>4</sup>

The study also addressed three other areas of inquiry: planning and resources, specifically contingency planning and collaboration with federal law enforcement agencies; operational issues, specifically guidelines for investigating terrorist threats, as well as the presence of terrorism units and tactical or intelligence units; and tactical issues, namely training procedures and the existence of other operational units. While the majority agreed that the threat of terrorism to be a viable threat, there was little agreement regarding how to address the problem. Moreover, while a most agencies welcomed and valued the opportunity to better develop their strategic ability to deal with terrorism-related threats, a majority of agencies were lacking in their own preparedness to respond to domestic terrorism. Generally, there was poor communication and partnerships between the federal government and state and local law enforcement agencies. Moreover, non-federal agencies received little or no training, had little intelligence or strategic threat assessment capabilities, and minimal expert review of plans and training exercises.

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<sup>4</sup> The study further disaggregated by types of terrorist groups: right-wing 87%, left-wing 21%, international 13%, ethnic 33%, issue specific 59%, other 10%.

In 2002, the 1995 study was replicated to assess the United States' level of terrorism preparedness since a number of historical events had occurred, namely the 1995 Oklahoma City bombing, September 11, 2001, and the creation of the Department of Homeland Security (DHS), the largest governmental reorganization in United States since the establishment of the Department of Defense in 1947, was on the horizon (Davis, Riley, Ridgeway, Pace, Cotton, Steinberg, Damphousse, and Smith, 2004). The study concluded that there is significant variation between state agencies and those in large metropolitan counties, and those in smaller counties in their reported perceptions of and preparedness for terrorism-related threats. The post-9/11 changes in state and large municipalities more closely mirrored one another and were more proactive in their approach compared to agencies in smaller jurisdictions, which remained largely focused on reacting to traditional criminal activity. In regards to law enforcement preparedness for domestic terrorism, Davis et al. (2004) published the following conclusions:

- There is a positive relationship between perceived risk, size of jurisdiction, receipt of funding and preparedness activities. Those jurisdictions that perceived the risk of an attack in their jurisdictions as high were more likely to receive external funding post-9/11, and thus were more likely than other agencies to improve their preparedness activities. The size of jurisdiction was not related to perceived risk or the receipt of external funding.
- Most state agencies and approximately 20% of large local law enforcement agencies assessed the threat of another terrorist attack within five years as relatively high.

- Since 9/11, both state and large local agencies have assigned greater financial and human capital to emergency response planning, including updating contingency plans, standard operating procedures, and mutual aid agreements.
- Both state and local agencies in larger counties have reported needing greater support than agencies in smaller counties, which is consistent with the finding that state and larger local law enforcement agencies have higher threat perceptions and more proactive orientation towards preparedness activities.
- Both state and large local agencies reported the desire to receive greater information and intelligence regarding terrorist threats and capabilities.
- While state police agencies have more experience in surveillance, investigation and evidence collection of terrorist events prior to 9/11, these activities for state and large local agencies increased post-9/11, including their participation in responding to terrorist-related hoaxes and anthrax incidents.
- All levels of law enforcement also reported improved communication with FBI, and large local agencies reported receiving counter-terrorism training from FBI-JTTFs.
- Smaller agencies reported relying more heavily on multi-agency task forces for planning, assessment, and training activities. Those agencies with terrorism units conducted joint training exercises more so than prior to 9/11.

The little research that is available does reveal that there have been a number of changes since 9/11 in the country's domestic preparedness for terrorism from a law enforcement perspective; however, it is unclear if these changes have been successful.

Contingency plans have been rewritten, safety equipment purchased, training exercises ensured, all levels of law enforcement have reorganized to varying degrees by creating specialized counter-terrorism and/or intelligence units, risk assessments have been conducted and documented, participation in JTTFs has expanded, and so on, but the question still remains whether or not we are safer.

It is difficult to measure the success of these changes since there is significant variation in the degree, scope, and quality of these changes geographically. Some accommodations have been at the behest of the federal government as a stick-and-carrot for funding, while ambitious and progressive Police Chiefs with large purses have spearheaded other changes from the ground up. There is an overwhelming amount of variation in the U.S. law enforcement community; in fact, it is not a unified community, but a pool of agencies that have similar concerns but very different approaches, resources and needs. It is clear that organizational and cultural shifts are occurring in U.S. policing, however, these shifts are not occurring proportionally across police departments. While one cannot compile an exhaustive list of every adjustment that has been made in every American police department, several overarching conclusions can be drawn regarding post 9/11 policing. However, with change comes challenge.

### *Challenges*

The demands of developing and incorporating new occupational responsibilities and expectations capable of successfully addressing a wider scope of threats, including terrorism-related threats, have carried with it a number of challenges for many law enforcement agencies at all levels of government. The discussion presented here is

organized along seven general themes, each containing a number of related difficulties, specifically *conceptual* obstacles of terrorism; the *structural* make-up of U.S law enforcement community as a whole; *organizational barriers* within a police organization; *cultural barriers* between and within law enforcement agencies; *technological barriers*; *legal barriers* related to the delicate and balance between national security and civil liberties; and *barriers to building partnerships* between agencies and industries.<sup>5</sup>

### Conceptual Obstacles

One of the most fundamental and exigent obstacles to overcome is that of conceptualizing both the threat, its forms and characteristics, as well as how law enforcement must respond to it, particularly since new problems are emerging in a dynamic environment amid social transitions, competing demands, and technological changes. Law enforcement, as a profession, is operationally changing to better adapt to the paradigm shift that has slowly been occurring since 9/11, trying to incorporate and manage a host of additional roles and practices into their existing duties. This complexity is compounded by the fact that law enforcement as a profession generally lacks a thorough understanding of the threat of terrorism, and how it fits within the larger, and more abstract, context of managing risks.<sup>6</sup>

Moreover, there is no universal definition of terrorism (White, 2006); rather, terrorism is a subjective concept that changes over time and place. Moreover, as a

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<sup>5</sup> While the obstacles identified here are sorted into seven separate thematic categories, in practice they are not necessarily exclusive; rather, one type of obstacle is often related in some degree to other obstacles. The general categories should be viewed as a framework for the discussion presented here.

<sup>6</sup> Conceptual misunderstandings of intelligence, specifically, will be addressed in the following section, titled *What is intelligence?*



relatively rare event, particularly for U.S. law enforcement community, a substantial degree of uncertainty hinders law enforcement's ability to gauge whether their efforts are effective or efficient. If a threat is to be successfully countered it must first be reliably identified. The police should have the capacity to identify suspicious activities or persons and assess whether there could be a potential connection to terrorism. The police need not be terrorism experts, but depending on their job functions within the organization, some should have an appreciable degree of knowledge of various factors, such as the tactics, ideology, organizational structures, and recruiting practices of different types of terrorist organizations, as well as how they change over time, since these types of factors will affect how law enforcement operationalize strategies to prevent and deter threats (Clarke and Newamn, 2007; Hamm, 2007; Anarumo, 2005).

Similarly, the police often conceptually misunderstand how to define, assess and manage risk as it applies to their duties and activities. The concept of risk is abstract and fluid, and therefore, can only be estimated—a potential problem for many police officers accustomed to working with more tangible information. There are no defined parameters of risk, and risk changes as motives, capabilities, and suitable targets adapt to risk-mitigation efforts. As such, different stakeholders often refer to different concepts of risk depending on their needs and concerns.<sup>7</sup> Moreover, there are no universal methods or standardized tools for estimating or monitoring changes in the level and nature of terrorism risk (Leson, 2005); therefore, risk assessments may vary widely and even contradict one another, affecting the decisions about where and how to best deploy protective resources.

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<sup>7</sup> Here, risk is the product of threat, vulnerability and consequence (i.e. Risk= Threat x Vulnerability x Consequence).

## Structural Obstacles

A second fundamental obstacle is the decentralized and structurally fragmented arrangement of the U.S. law enforcement community. The sheer number of law enforcement agencies in this country is staggering, a fact that complicates coordination and cooperation of intelligence gathering and sharing efforts, training exercises and initiatives, and critical infrastructure assessments. Although depicted as monolithic community, it is really a cluster of thousands of communities, each influenced by their own immediate social and political environments.

Law enforcement agencies in the U.S. have traditionally operated as largely autonomous, reactive organizations (Innes and Sheptycki, 2004). A homeland security mission traditionally fell under the responsibility of the federal government and not that of local and state law enforcement, except to the degree particular incidents interfered with state laws.<sup>8</sup> Since 9/11, while there is general consensus that local and state law enforcement should contribute to providing homeland security, there still lacks a clear intergovernmental division of labor (Nelson, 2003), which is complicated by the uneven distribution of threats and inherent vulnerabilities, agency needs, and organizational resources. The police have a number of inherent functions in society, not all of which are necessarily compatible (Bittner, 1970).

Determining how to go about coordinating a number of counterterrorist initiatives is cumbersome, some arguing for a federally mandated, top-down approach while others argue for a state and/or local directed, bottom-up approach. The federal government has

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<sup>8</sup> Most domestic terrorist incidents in the United States were not classified as terrorist, but as ordinary crimes, particularly in the 1960s and 1970s.

historically underestimated and underutilized local and state law enforcements assets, often peripheralizing their state and local counterparts, rather than incorporating them as active participants in the larger decision-making structure (Safer Cities Project, 2005; Brito, Toliver and Murphey, 2005). While national coordination planning efforts are currently underway in regards to training standards and critical infrastructure assessments, it has been criticized that there is absence of an intelligence gathering, sharing, and monitoring system to track what changes occur, where they occur, and when they occur (Riley et al., 2005). What oversight does occur is conducted largely internally, thus raising question to the validity of these assessments (Ratcliffe, 2002).

### **Organizational Obstacles**

Not only are differences between agencies difficult to reconcile, but there is a substantial amount of variation with a single agency. If an organization's leadership cannot minimize intra-agency obstacles, then inter-agency obstacles may be even more difficult to achieve. Many of the organizational changes that have been instituted have been done so on supplemental basis, rather than truly integrating new architectural arrangements intended to address new and emerging threats within the organization. Achieving success is difficult, particularly in bureaucratic institutions, which are notoriously slow or outright resistant to change (Lingamneni, 1979). Scholars and practitioners question the sustainability of new terrorism prevention and response programs and policies, particularly since there is a dearth of research on the differential costs, both financial and social, of these plans and procedures. Resources allocated to new organizational units or initiatives are often allocated from the internal budget, thus

removing resources from other organizational components, which in turn creates departmental tension.

Similar to the monolithic misperception of the law enforcement community as a whole, there is substantial variation in the occupational functions within a single department. A police department as a professional organization is composed of a number of different types of professions, such as analysts, administrators, street officers, specialized officers, support personnel, etc. Ericson and Haggerty (1997) refer to this as a ‘division of expert knowledge’ where a collection of experts process abstract knowledge and develops it into practical knowledge for the overall functioning of the institution. Each position has specific occupational duties and demands, which at times are incongruent or in outright opposition of one another.

Law enforcement agencies are known for their hierarchical nature, and rigid hierarchy is known to inhibit the free flow of information and ideas. Many units within an organization are isolated; therefore, information sharing may be inconsistent, both intentionally and unintentionally, which in turn contributes to isolated thinking and information silos (Ratcliffe, 2007; Sheptycki, 2004). Moreover, civilian analysts hired into the system further complicate this obstacle.<sup>9</sup> Crime and intelligence analysts are relatively new additions to police departments, and, as such, they have not been fully integrated in the hierarchy or subculture of the organization. Not only are their duties and rank not clearly defined within the organization, but also an overwhelming majority of police departments lack the analytic capacity, or the perceived need it, to contribute

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<sup>9</sup> There is a large amount of variation in the types of, roles of, and training levels of analysts in a particular department, which is a significant obstacle not elaborated on here.

meaningfully to identifying and tracing terrorist-related threats (Innes et al., 2005; Sheptycki, 2004; Cope, 2004).

Finally, training and equipping a decentralized police force is notoriously difficult. If the police are expected to fulfill a counterterrorism role, training is the fundamental vehicle by which they will receive the instruction to modify their skill sets to successfully fulfill these tasks. Coordinating training initiatives is problematic and costly, as well as is the absence of mandated training standards. The agency's top brass must not only wrestle to reconcile how to uniformly train incoming recruits and civilians, but also how to train those preexisting employees in the organization.

### **Cultural Obstacles**

Tensions arising between different occupational cultures are notoriously difficult to overcome in any organization due to the deeply embedded and enduring nature of culture (Chan, 1997). Subcultures are the implicit framework on which organizations function, and they are present in every institution. Culture defines both individual and group identity, and compromising and altering one's identity is a difficult task for an individual much less a complex system, like an organization or community. Incorporating counterterrorism tasks and mandates into policing, primarily at the municipal levels, challenges the norms and practices incumbent to policing.

Turf wars have long been identified as a mainstay of police work, as well as jealousy, the pursuit of improved occupational status, external funding and public

recognition, as well as a general distrust of outsiders.<sup>10</sup> The inherent lack of trust between agencies and units generally stems from competition for resources, the secretive nature of the job, and a fear others will leak or misuse sensitive information. This often times results in officers hoarding information inside their heads, creating a distinct information silo. This is problematic since not only is valuable information intentionally withheld, but when that particular individual is not no longer with the organization, the information is lost potentially forever (Sheptycki, 2004).

Policing is renown as an occupation composed of a tight knit group of individuals, as evident by the sayings like “the thin blue line” and norms such as the “badge of silence.” The subcultures of administrative officers, street cops, specialized police units, and civilian analysts often clash due to their different functions and predispositions within the organization. While the subcultural differences between executive police leadership and the street-level cop has been investigated (Reuss-Ianni, 1983), there is considerably less research identifying and exploring other organizational subcultures that develop in policing, particularly within the department’s civilian personnel (Cope, 2004).

An “us vs. them” mentality is fostered and reinforced over the years of occupational socialization, beginning when the cadet first enters the academy and enduring throughout their law enforcement career. Civilian personnel are largely removed from these processes, and as a result are perceived as inferior to, or at least different from, their sworn colleagues. This problem can be partially attributed to the belief that civilians, analysts in particular, do not understand commissioned officers job duties and routines, and commissioned officers likewise misunderstand and undervalue analysts’ duties and activities. If neither group understands and values the other’s job

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<sup>10</sup> “Outsider” may be defined in a number of ways.

functions and responsibilities within the larger organization, their expectations of one another will be incongruent and frustration within the unit or department may develop.

A successful law enforcement intelligence function, in part, depends on the practical implementation of successful information-sharing mechanisms, as well as full leadership commitment, organization-wide dedication, and enforced accountability mechanisms (Ratcliffe, 2007; Maguire and John, 1995; Loyka et al., 2005). Historically, information sharing has not been rewarded in law enforcement; rather, reactive activities that could be easily measured have been rewarded. Changing the incentive system has been identified as a difficult undertaking largely due to the abstract, and at time immeasurable, goal of prevention.

### **Technological Obstacles**

Technological impediments of using information management and communication systems to record, analyze, store and share law enforcement intelligence, while present, have been mitigated over recent years. The decentralized nature of U.S. policing, as well as the short lifecycle and abundance and cost of software and technology available, makes the task of establishing a truly technologically coordinated network of law enforcement information a challenging pursuit. Due to the number of systems available, a nationally integrated information sharing system is missing (Henry, 2002).

Law enforcement information management systems were created at different times for various purposes, and these systems continuously undergo uncoordinated upgrading (Sheptycki, 2004); thus, they are largely incompatible. Integrating data from

multiple sources is burdensome due to an absence of standardization in data quality, data coding and data management between departments and personnel within an agency. The delay in information input is slow, at times taking several weeks. Moreover, utilizing these systems is problematic for some police officers, particularly if they are not adequately trained in computer applications, such as navigating the system or retrieving information. They may also fail to properly record or report important information. Furthermore, most police departments are relatively small, and may not have the resources available to invest in information and communication technology or to continually upgrade it.

### **Legal Obstacles**

An often-cited concern about police intelligence collection and sharing is the viable potential for violation of citizens' civil liberties and civil rights, particularly the right to privacy and protection from arbitrary search and seizure. In the homeland security era, the balance between the individual rights of citizens and the collective security of the nation is a fine one, and the fulcrum of this balance shifts depending on the historical context in which it is being questioned. Since the hastened passing of the Patriot Act immediately after 9/11, law enforcement's surveillance powers have been expanded, much to the discomfort and outright opposition of civil rights advocates and watch dog organizations. The violation of a citizen's right to privacy must be outweighed by the purpose the violation intends to serve (Maguire, 2000). Specifically, the violation must be legal; it must detect and prevent a proportionally serious enough



crime; and it must be the least intrusive means to achieve the necessary purpose.

Moreover, transparent process whereby citizens are informed of the types of circumstances that the violation may be used, as well as ensuring that accountability mechanisms are in place to oversee the proper application of power, is necessary but lacking.

Law enforcement's ability to conduct intelligence activities on the nation's citizenry is based exclusively on their statutory authority to enforce criminal law and investigate known or suspicious violators of the law (Carter 2008b), thus there must be criminal predicate or reliable, fact-based support that a crime has occurred, is occurring or will occur. The police are restricted to the type of information they may collect and store on individuals, guided by *reasonable suspicion* and *probable cause* standards, an issue addressed shortly. Any information collected regarding an individual must be done so in a lawful manner. Any information collected about an individual or organization cannot be retained indefinitely, rather there must be evidence that the criminal activity is sustained, otherwise, after a finite time period the records must be purged from the intelligence system.<sup>11</sup>

While there are federal policies guiding the collection, storage and exchange of a citizen's personal data between agencies, specifically Criminal Intelligence Systems Operating Policies (also known as 28 CFR Part 23), they are only enforceable if a department operates a federally-funded multi-jurisdictional criminal intelligence system.<sup>12</sup> Nevertheless, 28CFR Part 23 has become the *de facto* standard that most agencies accept and adhere to as the national professional standard (Carter, 2008b). The

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<sup>11</sup> Typically a five year review and purge requirement.

<sup>12</sup> For more information on CFR 28 Part 23, see <http://www.iir.com/28cfr/Overview.htm>.

current “best practices” regarding the management of intelligence records systems rests on 28CFR Part 23, together with the Law Enforcement Intelligence Unit (LEIU) File Guidelines, established law of criminal evidence and procedure, and case precedence (Carter, 2008b).

Law enforcement agencies may only maintain data collected for specific and lawful purposes. Moreover, the data cannot be held longer than necessary, used, or disclosed for any reason other than which it was originally collected and stored. Information can only be shared based on the *right to know* and *need to know* principles; that is, sensitive and protected information can only be shared with individuals who have the authority and/or security classification clearance, as well as a necessity, to be informed of such information.

### **Partnership Obstacles**

Increasing and strengthening partnerships between both government agencies and private sector industry has been equally well-recognized and met with several obstacles. There have been a number of similarly identified barriers to partnership building between the law enforcement community and public health agencies (Eyeman and Strom, 2005), such as an absence of information sharing mechanisms, absence of guidelines for a coordinated response plan, dissimilar agency structures, an absence of a clear chain of command between local, state and federal responders, and absence of universal terminology.<sup>13</sup>

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<sup>13</sup> As of March 2008, the National Response Plan was replaced with the National Response framework, which seeks to minimize some of the aforementioned barriers. More information available at: [http://www.dhs.gov/xprepresp/committees/editorial\\_0566.shtm](http://www.dhs.gov/xprepresp/committees/editorial_0566.shtm)

The primary mechanism for terrorism-related information sharing between the levels of law enforcement has been FBI-led JTTFs; however, a number of problems have been identified with such interagency arrangements (Murphey and Plotkin, 2005). They have been criticized for lacking structure, consistency, and appropriate staffing of necessary personnel, including analysts, to support investigators and resources, which is partially a funding issue. Local police criticize that they are treated as peripheral players by their federal counterparts, rather than key investigators, indicating that an imbalance of power remains between federal agencies and their subfederal partners. As a result, state and local law enforcement officers criticize that the quality and quantity of information they receive are less than desirable. Finally, the intelligence processes at the federal and state levels are not identical, thus it has been difficult to create a unifying national plan when processes, purposes and products differ, although efforts to standardize this are currently underway.

### **What is Intelligence?**

Literature on intelligence largely focuses on intelligence as a process; however, to the consumer, intelligence typically is envisioned as a product generated within this larger process (Warner, 2002). Intelligence as a product is data that has been collected, analyzed, and interpreted to inform future actions against an identified target (Innes, Fielding and Cope, 2005; Peterson, 2005). Prior to analysis, the information is simply raw data devoid of meaning and relevance. Raw information is collected, collated and analyzed as defined by collection requirements, and a product is developed as specified by the request or need. A finished intelligence product with clear conclusions and

actionable recommendations should then be disseminated to appropriately targeted consumers. Ideally, the finished intelligence report should be evaluated and feedback supplied back into the system to evaluate if a product was relevant, timely, and useful for the decision-maker. Intelligence is not an end in itself; rather, it is only a means to an end.

While there are various types of intelligence, the most basic is the differentiation between *tactical* and *strategic* intelligence (Godfrey and Harris, 2001). Tactical intelligence is distinguished from strategic intelligence temporally (Peterson, 2005; Godfrey and Harris, 1971). While tactical intelligence is investigation-specific, short-term, and operationally-based, strategic intelligence is long-term focusing on larger scope issues, trends and solutions. Strategic intelligence should better enable a decision-maker to anticipate risks and make well-informed choices, for both administrative and operational needs, based on the reliable and valid synthesis of information (Ratcliffe, in press). Intelligence should be reliable, valid, timely, and utilized if it is going to have an impact (Her Majesty's Inspectorate Constabulary [HMIC], 1997). For maximum effectiveness, it should flow vertically and horizontally both between and within organizations (Innes and Sheptycki, 2004).

The Intelligence Community (IC) refers to “a federation of executive branch agencies and organizations that work separately and together to conduct intelligence activities necessary for the conduct of foreign relations and the protection of the national security of the United States.”<sup>14</sup> The Director of National Intelligence, as ordered under the Intelligence Reform and Terrorism Prevention Act of 2004, manages the intelligence

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<sup>14</sup> United States Intelligence Community. *Definition of the Intelligence Community*. Retrieved on October 14, 2008 from <http://www.intelligence.gov/1-definition.shtml>

community. Although the genesis of the modern intelligence community can be traced back to the National Security Act of 1947, the IC was not defined by law until the passing of the Intelligence Organization Act of 1992. The National Security Act created the National Security Council, whose purpose is to advise the President on integrating and coordinating domestic, foreign, and military policies as they relate to national security issues. While the FBI is a member of the IC, local and state law enforcement agencies are statutorily denied membership to the IC. Rather, the FBI has typically served as the primary liaison between the federal government and sub-federal law enforcement agencies and their intelligence activities, although DHS is currently realigning their missions and structure to become the federal intelligence liaison between the IC and subfederal public safety communities.

There is a well-established intelligence process, defined and developed over the decades by the federal intelligence community. It is a roadmap that non-federal law enforcement agencies and institutions are adopting to recalibrate their intelligence capabilities. Law enforcement intelligence activities should be used to identify which criminals are active and connected; which crimes are linked; where short-term and long-term resources should be allocated; whether operational interventions were effective; where problems are likely to arise; as well as current challenges, emerging trends and future threats (HMIC, 1997).

The law enforcement community does not collect intelligence on national security issues unless there is a criminal nexus within an agency's jurisdiction. If a threat related to national security were identified, that information is passed along to the appropriate federal agency. Federal agencies are responsible for collecting and using *national*

*security intelligence*. The federal intelligence community collects information and intelligence to monitor foreign and domestic threats, determine what impact international developments will have on national security, as well as assist with governmental planning of economic, diplomatic and military policies and strategies (Sloan, 2004).

Law enforcement intelligence, rather, has two primary purposes, both ultimately serving the police executive and administrator: prevention and planning and resource allocation (Carter, 2004). The intelligence that law enforcement should seek to collect, store and use is *criminal intelligence*. Criminal intelligence is data that has been collected and evaluated to determine whether there is reasonable suspicion to believe an individual or organization is involved in criminal activity, and as such criminal intelligence is used to anticipate, prevent, and monitor criminal activity (IACP National Law Enforcement Policy Center, 2003). Thus, there must be reasonable suspicion that the persons or activities in question are criminal.

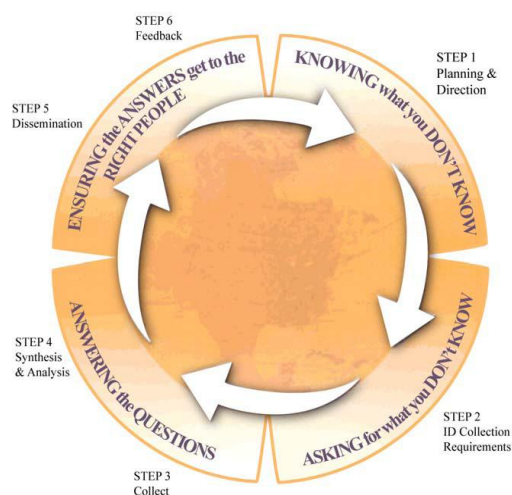
Where the boundaries between federal and subfederal intelligence activities become less clear, and a hot plate for debate, is within the realm of the comparatively new homeland security intelligence. While homeland security *intelligence* is not yet defined by law, and thus left largely open to interpretation and perception, homeland security *information* was defined by the *Homeland Security Act of 2002*, whose definition is clearly counterterrorism centric (Randol, 2009). This is problematic since homeland security extends beyond the federal government's counterterrorism focus to protecting all American interests from any hazard, manmade or natural, using local, state and federal resources. The currently is no consensus regarding what statutory authority or social obligations subfederal entities, including the domestic law enforcement community, has

regarding their appropriate role in engaging in homeland security intelligence and information activities.

### *The Intelligence Cycle*

Intelligence as a process refers to the cyclic nature of collecting and utilizing intelligence (see Figure 1). The five steps of the perpetual intelligence cycle are planning and direction, collection, process and exploitation, analysis and production, and dissemination.<sup>15</sup> The steps of the intelligence cycle are conceptually fluid, rather than compartmentalized, and seamlessly flow into one another.

**Figure 1: The Intelligence Cycle**



Source: Rollins, 2008

Policymakers and organizational decision-makers are responsible for setting an intelligence agenda and defining the collection requirements as they relate to particular

<sup>15</sup> These stages of the intelligence process are adopted from the U.S. federal intelligence community. For more information see <http://www.intelligence.gov/2-business.shtml>.

stakeholder's needs. Intelligence analysts and agents are responsible for collecting information from a variety sources, analyzing that information for the purposes of developing intelligence reports and integrating it with other known information, and communicating the resulting analytical product(s) to appropriate decision-makers and consumers. Setting an intelligence agenda is needs and resource driven.

Law enforcement intelligence can be collected from a number of sources. Information can be gleaned from open-source media outlets, such as the Internet and newspaper that influences or sheds light into current area of interest; however, a significant portion of the information comes from other sources of data, both criminal and non-criminal in nature. Other sources of information may be collected from electronic surveillance techniques like wiretapping and closed circuit television, physical surveillance, informants, undercover policing, financial investigations, repeat victimization records, collaboration with the scientific community, the general community, or simply transactions that occur in everyday policing, such as traffic stops. Moreover, information can be collected via overt collection methods and covert collection methods. Overt collection methods are readily carried out uninhibited by laws, rules or regulation, whereas covert collection methods are clandestinely carried out, requiring more attention, expertise and statutory specification.

Once raw data has been collected, the information must be processed or cleaned, a labor-intensive task due to the large amount of information available for collection. Before information can be analyzed and integrated into existing knowledge base and an intelligence product generated, it must be synthesized. Intelligence reports are the end product of the intelligence process. They may take a number of forms depending on the



customer's needs—written or oral, complex or simple, strategic or tactical. Analysts evaluate the data and produce various products describing the criminal environment, including the types of offences occurring, the geographic distribution of the offenses, their frequency and magnitude, key criminal players, as well as the responses of the police and other institutions to counteract these factors. Moreover, analysts are expected to develop conclusions, forecasts, and estimations of the criminal environment, so police administrations may make informed decisions regarding where and how to best deploy resources and enforcement efforts (Anderson, 1997).

Products are distributed to targeted consumers based on principles of *need-to-know* and the *right-to-know*. Some intelligence products may be classified, thus few select individuals are privy to their contents, while others may be unclassified, thus available to a wider range of consumers. Intelligence products are intended to influence the organization's decision-makers, whose decisions impact, and theoretically alter, the criminal environment, upon which police officers then operate in and continue to gather information.

### *Misunderstandings of Intelligence*

Although intelligence is not new to law enforcement, there have been enduring misunderstandings and misconceptions' regarding what constitutes intelligence and how it should be properly used by subfederal law enforcement agencies. Inaccurate perceptions of intelligence as both a process and a product have resulted in substantial uncertainty regarding how to creatively use or reuse intelligence products. For example, in her research on the topic, Cope (2004) noted that commissioned police officers

anecdotally refer to intelligence products as *wallpaper*, signifying that the law enforcement community incorrectly uses intelligence products largely for investigative or prosecutorial purposes or to summarize and justify operational outcomes, rather than to guide operational planning (Cope, 2004; John and Maguire, 1995). Moreover, operational officers often assume that intelligence reports are accurate, rather than partial, representations of a problem (Innes et al, 2005; Gill, 2000), thus fostering an illusion of objectivity.

Finally, many police personnel incorrectly assume that the *quantity* of information collected is related the successful identification of potential threats. On the contrary, an over abundance of information overloads the system. Organizations often exhaust already limited resources on processing the information rather than analyzing it, which is the focus of a proactive intelligence function. The more information fed into the system the more difficult it is to uncover *relevant* information. While the police capture a great deal of information in various ways, they may fail to report, record or correctly enter a large amount of *relevant* data. A majority of information collected is useless; hence, the over abundance of noise in the system increases the probability that errors will occur when attempting to extract useful information (Sheptycki, 2004).

### **Brief History of Intelligence and the Police**

Traces of domestic intelligence activities can be identified as early as the 1920s and through to the 1950s, particularly in response to the rise of communism and the resulting Red Scare in the United States (Carter, 2004; Bouza, 1976). Early intelligence activities focused largely on the creation of dossiers of raw data on individuals and

groups thought to be engaging in criminal activities or sympathizing with such criminals. The analytical component of the intelligence, the cornerstone of a successful intelligence function, was largely absent.

Prior to the 1950s, police agencies independently investigated and responded to criminal activity; however, confronted with the challenge of organized crime and criminal networks that spanned jurisdictional boundaries, the need for a coordinated system for information sharing emerged. From this need resulted the voluntary establishment in 1956 of the Law Enforcement Intelligence Unit (LEIU), a professional association of state and local police departments. The LEIU assisted in gathering, storing and exchanging criminal information between jurisdictions.<sup>16</sup>

The 1960s marked the beginning of dramatic shifts in the social and political landscape of the U.S. extending into the 1970s. A number of co-occurring social movements and activities defined this time period, such as the Vietnam War, major social movements for women's rights and racial equality, political scandal, public dissent, riots, and historically high crime rates. In an effort to track and manage many of these changes, a number of recommendations were advised in an effort to further develop the efficiency and effectiveness of intelligence among both federal and sub federal agencies.

In a 2008 statement on the progress of fusion centers to United States Senate Subcommittee on State, Local and Private Sector Preparedness and Integration, Russell Porter reviews a number of historical milestones of police intelligence units. In the President's Commission on Law Enforcement and the Administration of Justice 1967 report, *The Challenge of Crime in a Free Society*, the committee advised that an intelligence capacity, as well as systems to disseminate such information to the larger law

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<sup>16</sup> See <http://leiu-homepage.org/about/historyPurpose.php> for more information.

enforcement community, be developed in every major city police department. In 1968, the National Advisory Commission on Civil Disorders advised that police departments develop an intelligence system to assist in preventing civil disorders, as well as crime control responses should riots occur. At the same time, the Law Enforcement Assistance Administration (LEAA) was created as a federal funding mechanism, to support these and other changes within America's police departments.<sup>17</sup>

In 1973, with the proliferation of a domestic intelligence agenda, the National Advisory Committee on Criminal Justice Standards recommended that every police agency and every state develop and sustain an active and collaborative intelligence capacity that protects an individual's right to privacy. In 1974, the country's first major Regional Information Sharing System (RISS) was established in response to regional crime problems, the recognized need for increased cooperation within the law enforcement community, and the necessity for secure information sharing mechanisms.<sup>18</sup>

During the 1970s, U.S. domestic intelligence activities were intensely scrutinized due to a number of highly publicized violations. It was due to this scrutiny that a number of law enforcement intelligence activities were either drastically scaled back or totally abandoned. The most noteworthy of exposed domestic intelligence activities was the FBI's Counter Intelligence Program (also known as COINTELPRO), a campaign of counterintelligence initiatives that lasted from 1956-1971. The program targeted political dissidents using covert means and often-illegal investigative procedures.

While early intelligence reform called for improving the effectiveness and efficiency of the intelligence community (for example the Dulles Report, 1949),

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<sup>17</sup> The LEAA was eliminated in 1982. The Office of Justice Programs is currently its functional equivalent.

<sup>18</sup> See <http://www.riss.net/> for more information on Regional Information Sharing Systems (RISS).

intelligence reform of the 1970s focused on clarifying and improving the legality and ethical standards for domestic intelligence operations (Carter, 2004). One of the most distinguished investigations into the country's domestic intelligence activities was the 1975 United States Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities, commonly referred to as the Church Committee.

The Church Committee reviewed the formation, operation and abuses of domestic intelligence activities and released 183 recommendations intended to improve the U.S. domestic intelligence activities by emphasizing the separation of national security intelligence activities from law enforcement intelligence activities. Although the Church Committee's reports did encourage various intelligence agencies to continue to lawfully and ethically coordinate their activities and share information, the metaphorical "wall" was constructed shortly after the Church Committee's reports were released. The wall resulted in compartmentalization, or *stovepiping*, of intelligence activities and products, and such structures were not greatly reexamined until the publication of the 9/11 Commission Report.

It was largely from these intelligence violations that it became paramount that intelligence must be collected, stored and disseminated in compliance with both legal and ethical standards. In 1976, the Attorney General Edward Levi issued the FBI guidelines to steer domestic intelligence activities.<sup>19</sup> The same year, the LEIU also released file guidelines in an effort to curtail and control intentional and unintentional police abuses of power in intelligence matters. In 1980, The Department of Justice issued 28 CFR Part 23, a federal regulation governing the collection, storage, and distribution of criminal

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<sup>19</sup> Federal Bureau of Investigation. *Timeline of FBI History*. Retrieved October 14, 2008 from <http://www.fbi.gov/libref/historic/history/historicdates.htm>.

intelligence information for the purposes of protecting individual's constitutional and privacy rights.<sup>20</sup>

### *Lessons Learned*

Policing executives and administrators must learn from the failures of past law enforcement intelligence activities if local and state law enforcement is to develop and integrate successful intelligence practices into their current repertoire of tools (Carter, 2004).<sup>21</sup> Carter (2004) advocates for the separation of national security intelligence from law enforcement intelligence, arguing that when the two are conceptually separated, each participant's responsibilities become clearer. However, the nature of threats facing local and state law enforcement changed, blurring the boundaries between national threats and localized threats. Carter (2004) states, "While there is information that can support the goals of both forms of intelligence, the competing methodologies and types of information that may be maintained in records mandates that the distinction remain clear and that overlap occurs only for clear purposes of public safety" (35-36).

Second, the analytical component of the intelligence process is paramount; simply collecting raw data is insufficient and rudimentary. Without an analytical component, information collected lacks context and relevancy, thus its utility is drastically minimized. As such, a successful law enforcement intelligence function must have a strong analytical backbone on which the organization's intelligence activities are fostered and supported.

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<sup>20</sup> See <http://www.iir.com/28cfr/> for more information regarding 28 CFR Part 23. The regulation was revised in 1993 and clarified in 1998.

<sup>21</sup> See Carter (2004) for in-depth discussion on lessons learned from failures of past law enforcement intelligence activities.

Third, ethical standards and legal mandates of information and intelligence collection, sharing, and storage must be upheld. The *National Criminal Intelligence Sharing Plan* (NCISP) is revered as a milestone document, a concerted attempt to standardize the development and management of an agency's intelligence program.

Moreover, 28 CFR Part 23 defines federal regulatory code for criminal intelligence system's operating policies. There must be lawful justification, namely reasonable suspicion and criminal predicate, to target an individual or a group for intelligence activities. Intelligence can only be disseminated to parties that have both a *need to know* and a *right to know*. Furthermore, there must be regular evaluations and oversight to ensure lawful behavior. Finally, a successful intelligence program requires strong leadership support and direction, as well as a well-trained, cooperative staff who are knowledgeable in all areas of the intelligence process and the nature of threats. Communication is essential; thus, reliable information sharing processes and timely dissemination of intelligence products is vital.

Carter (2008b) clearly articulates that the *potential* for abuse does not guarantee that abuse will occur. He further argues that with the proper control factors in place, namely clearly defined policy, effective training, and responsible supervision and accountability, the opportunity for abuse within a particular agency can be greatly reduced and prevented. Moreover, agency leadership should clearly define their expectations for personnel performance with proper rewards and sanctions, and be mindful of the type of individuals hired into the organization.

### **Incorporating an Intelligence Function into Policing: Intelligence-led Policing**

Choo (1996) argues that organizations use information in one of three ways: to explain change in its environment, to create new knowledge to support innovation, and to make decisions about future course of action. Intelligence-led policing offer police executives a framework to guide their decisions-making about when, where and how to allocated limited resources based on their knowledge of their operating environment at a particular point in time. While information and intelligence activities of law enforcement, and the general role of knowledge, rank as the one of most disregarded topics in the policing literature, the police increasingly are becoming identified as knowledge managers (Gill, 1998; Brodeur and Dupont, 2006; Collier, 2006; Chavez, Pendleton and Bueerman, 2006). As knowledge managers, the police are active and significant participants in how information is collected, managed, and communicated within larger society (Ericson and Haggerty, 1997).

Knowledge is developed by systematically collecting information, or raw disparate data, contextualizing and analyzing it to develop intelligence products via the intelligence process, whose added value together adds to a larger body of knowledge. There is growing recognition, especially in fiscally tight times, that law enforcement, like other industries, should objectively deploy their administrative and operational resources based on defined needs rather than haphazard intuition; thus, the organizational leaders will have a more thorough awareness of their operating environment, using this knowledge base to inform both strategic and tactical decision-making. Theoretically, evaluating and utilizing objectively derived knowledge, versus officer intuition and



subjective judgments, should improve the organization's overall ability to reduce crime, as well as monetary costs.

Moreover, national polices and standards explicitly advocate adopting and utilizing intelligence-led policing philosophy and practices to improve a department's intelligence capabilities. The Global Intelligence Working Group (GIWG) envisioned the *National Criminal Intelligence Sharing Plan* (2003) as the mechanism to promote the adoption and integration of intelligence led policing at the state, local and tribal level. The *Fusion Center Guidelines* (2005), the *Baseline Capabilities for State and Major Urban Area Fusion Centers* (2008), as well as *Law Enforcement Analytic Standards* (2004) each endorse and promote intelligence-led policing model for further developing law enforcement intelligence analytical capabilities.<sup>22</sup>

Intelligence-led policing is a proactive, future-oriented management philosophy and business model for law enforcement collection and enforcement activities to counter a range of threats, including terrorism (Peterson, 2005; Ratcliffe, 2008, 2003, 2002; Tilley, 2003). Some fusion centers explicitly advocate their adoption and use of an intelligence-led policing model, while others have implicitly incorporated the philosophy or principles of an intelligence-led approach. While conceptually similar to problem-oriented policing, intelligence-led policing aims to capture the "big picture" of the criminal environment at all times, rather than focusing on specific problems at a particular point in time. Moreover, problem-oriented policing is a decentralized policing strategy driven from the bottom-up, whereas an intelligence-led policing model is a centralized, top-down driven strategy. Currently, some Police Chiefs are trying, with

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<sup>22</sup> The IALEIA's *Law Enforcement Analytical Standards* (2004) is available at: [http://it.ojp.gov/documents/law\\_enforcement\\_analytic\\_standards.pdf](http://it.ojp.gov/documents/law_enforcement_analytic_standards.pdf)

varying degrees of success, to formalize their department's use of intelligence, extending its strategic and tactical utility in their planning and resource allocation, rather than relegating it to a reactive, investigative role.

### *Origins*

Intelligence-led policing originated in the United Kingdom towards the end of the 20<sup>th</sup> century due to the intersection of a number of co-occurring factors (Ratcliffe, 2008, 2003). There had been a growing disparity between the public's demands from the police and the traditionally reactive nature of policing services. Increased crime levels and perceived sense of insecurity contributed to the public's demand for greater assistance from the police, who were simultaneously experiencing the constraints of limited and diminishing resources. Police executives increasingly acknowledged that if they were to keep up with the public's escalating demands then they would need to adopt more proactive policing strategies.

In 1993, the Audit Commission published a report, *Helping with Inquiries: Tackling Crime Effectively*, highlighting the deficiencies of the public police. The report argued that the police services in the U.K. lacked efficiency and accountability, as well as the recognition that police resource allocation and consumption was not proportionally counteracting the prevailing crime problems. Furthermore, the report argued that targeting chronic offenders and criminal networks that commit a greater proportion of crime, rather than focusing their efforts on targeting individual crimes, would be a more effective crime reduction strategy since a relatively small number of recidivist offenders commits a majority of crime.

The formal adoption of the intelligence-led policing model in the U.K. was signaled by the 1997 publication of *Policing with Intelligence*. The subsequent implementation of the National Intelligence Model (NIM) was, theoretically, a coordinated attempt to standardize and improve the integration of intelligence processes and products into the existing policing practices in the United Kingdom (John and Maguire, 2004).

Moreover, enhancements in information technology and management systems have enabled various organizations, including law enforcement, to better document, catalogue, retrieve and share information. Many organizations have increasingly hired crime analysts and, to a lesser degree intelligence analysts, into their agencies to improve their use of information for better policing (Ratcliffe, 2008).<sup>23</sup> Finally, increasingly porous physical and technological borders have enabled both legal and illegal markets to flourish. With new and open opportunity structures for criminals to navigate, pressures on the law enforcement community to meet these challenges have also increased.

### *Definition*

Ratcliffe (2008) defines intelligence-led policing as,

a business model and managerial philosophy where data analysis and crime intelligence are pivotal to an objective, decision-making framework that facilitates crime and problem reduction, disruption and prevention through both strategic management and effective enforcement strategies that target prolific and serious offenders (89).

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<sup>23</sup> Although there is a distinction between the two, the labels intelligence analyst and crime analyst often are used interchangeably, particularly in the policing community.

As such, a successful intelligence function should assist police administrators in determining how to strategically prioritize and manage competing demands facing the organization, as well as how to best allocate resources to achieve their goals of crime prevention, disruption, and reduction (HMIC, 1997). An intelligence-led policing model should better enable police administrators and practitioners to establish strategic, long-term goals and plans, as well as tactical, short-term goals and plans that are case or problem-specific. Moreover, as an objective approach to crime control, intelligence-led policing focuses on analyzing crime incidents, criminal actors and criminal networks.

Intelligence-led policing is a top-down model; while the information entering the system is generated at the bottom and flows up to decision-makers, the leadership at the top determines how and where resources will be deployed (Ratcliffe, 2008). Intelligence-led policing operates within a multi-jurisdictional, threat-driven framework that necessitates balancing competing priorities. Successful use of intelligence-led policing strategies requires, in part, organizational flexibility, consistent and timely information input, and significant analytical commitment (Carter, 2004).

While traditional, reactive policing will not be wholly replaced, nor should it be, intelligence-led policing advocates a proactive orientation to crime control. Rather than utilizing an ad hoc and reactive approach, the police should investigate and mitigate potential problems before they occur. Moreover, the police should try to develop and use intelligence to better understand who the major criminal players are, how said actors are connected to one another, how series of criminal activities are linked, and how to strategically implement enforcement strategies based on the combination and understanding of these factors (HMIC, 1997). While intelligence-led policing is not

limited to investigating and disrupting criminal enterprises and terrorism-related threats, these issues are placed rather centrally within the framework.

### *Principles*

The core principles of an effective intelligence-led policing model were derived from the 1997 HMIC report, *Policing with Intelligence*. Successful implementation and use of intelligence-led policing are, in part, dependent on the following principles:

- Enthusiastic and energetic leadership to reflect the organization's endorsement, commitment and ownership of an intelligence-driven approach to policing;
- A published strategy that establishes the organization's agenda with clearly defined mandate and organization objectives outlined;
- An integrated intelligence structure equipped with analysts and information technology systems to facilitate the intelligence process and communication of intelligence products and decisions made based on those products;
- Performance indicators allowing for the monitoring and evaluation of instituted changes; and
- Effective partnerships forged between other entities that contribute resources to reduce crime and disorder

### *Obstacles*

Like any new philosophy, model or strategy, there are obstacles a department faces when defining its core concepts and tenets into operational and administrative

activities with measurable outcomes. As a relatively new concept, there still remains a lack of clarity and understanding of intelligence-led policing, particularly in regards to what is defined as ‘intelligence’ within the larger law enforcement community (Carter and Carter, 2009).

Intelligence-led policing cannot be measured directly since it is neither a specific tactic nor a crime reduction strategy, but rather a business-model and information management process (Ratcliffe, 2008). Thus, outcome evaluations are difficult to design and conduct, but process evaluations are better suited to investigate why programs succeed or fail. By examining the underlying processes of a program, a researcher can better understand how a program’s processes interact with both the organization in which it is being implemented and the larger environment to impact change.

Moreover, while scientifically unsound, there are a number of proxy measures that may indicate whether or not intelligence-driven policing is occurring, and if it is useful in executive leadership’s decision-making processes. One measurable indicator is whether an agency has reorganized structurally to inculcate an intelligence function, including the addition of analysts and IT systems. Unfortunately, this measure does not indicate the degree of success or utility in using intelligence for law enforcement purposes. Other measurable outcomes are the *quantity*, and more importantly *quality*, of intelligence products generated by an organization and those products’ role in the organization’s decision-making processes; the frequency with which intelligence products are developed and disseminated; whether or not information sharing is occurring between and within agencies and how analytical products are requested and intelligence requirements defined.

## **The Current Rationale**

The current rationale for inclusion of the domestic law enforcement community into counterterrorism intelligence activities is multifaceted. First, local and state law enforcement agencies are contextually situated within their environments; they are the “eyes and ears” of the larger U.S. security structure, and as such they are potentially valuable intelligence assets. Moreover, they are responsible for ensuring the safety and protection of the public and critical infrastructure located within their jurisdiction. Intuitively, this suggests that the police are most knowledgeable about their local environment, including the criminal components; therefore, they are in the most beneficial position to gather useful information (Sloan, 2004). If a precursor incident or crime occurs, those most likely responsible for its detection and initial intervention are local, county, and/or state law enforcement officials. Moreover, the police are believed to be responsible for both *actual* and *perceived* sense of public safety and security (Henry, 2002).

Second, since threats are often not restricted to jurisdictional boundaries, law enforcement personnel should have the capacity to reliably communicate and coordinate within and between departments, and federal law enforcement authorities if need be. In theory, a successful law enforcement intelligence capacity will facilitate both interdepartmental and intradepartmental collaboration and cooperation.

Third, participating in the intelligence process is not radically new position for the police since they have engaged in intelligence collection and analysis in the past, albeit often in an unsystematic, peripheral, informal and evidentiary capacity (Ratcliffe, 2007; Loyka, Faggiani, and Karchmer, 2005). Typically, specialized units and bureaus

performed intelligence functions, and many continue to do so, a strategy that grew in dominance during the 1960s and 1970s due to dramatically shifting social, political and criminal structures. Attempts to integrate systematic intelligence function into law enforcement duties are now underway due to a number of external pressures on law enforcement agencies, advances in technology, as well as the recognition that globalization has diminished the isolation once inherent in local policing.

Fourth, any given police organization has access to a variety of potential intelligence sources, including incident reports, surveillance technology, such as CCTV and wiretaps, the use of informants, including both the public and known criminal actors, financial investigations and undercover policing (HMIC, 1997). The average patrol officer may encounter information useful for generating intelligence in a number of routine situations. For example, an Oklahoma State Trooper during a routine traffic stop apprehended Timothy McVeigh, who was responsible for the 1995 Oklahoma City bombing, hours after the incident occurred.

Finally, the law enforcement community is responsible for implementing, regulating, and monitoring various risk reduction measures. Situational crime prevention and target hardening strategies better enables law enforcement to protect critical infrastructure. Intelligence can assist law enforcement in determining which targets are attractive to criminals, including terrorists, how vulnerable they are to an attack, how risk changes over time, as well as a number of other considerations (Leson, 2005).

With the current focus on domestic law enforcement intelligence, it may appear that it has historically been absent from law enforcement activities. It mistakenly seems that the 9/11 attacks marked the beginning of our country's journey to improve our



collective ability to gather, analyze, and share threat-related information. In fact, the U.S. law enforcement community has a rather lengthy history of using, and at times abusing, intelligence, particularly in response to organized crime and political dissent. The popularity and support of a domestic intelligence function has ebbed and flowed over the decades, depending largely on the historical events of the time. While security professionals have regarded the production and sharing of intelligence as necessary for protecting our national interests, a widespread domestic intelligence function has developed slowly over the years, and recommendations to improve our domestic intelligence capabilities have been ongoing since the 1970s.

What is lacking, however, are published accounts of intelligence activities or research evaluating state and local intelligence mechanisms, particularly at the sub-federal level. Dr. David Carter (2004) wrote *Law Enforcement Intelligence: A Guide for State, Local and Tribal Law Enforcement Agencies*, providing the most comprehensive examination of a modern-day intelligence function at the sub-federal level. His report successfully accounts for lessons learned from past failures in law enforcement intelligence, recent developments in the field, and future directions for developing a sustainable law enforcement criminal intelligence function.

## **Summary**

Since 2001, the United States' "war on crime" has merged with the "war on terror," and the domestic law enforcement community is expected to both understand and incorporate counterterrorism roles into their existing cultures and practices. With this expectation has come the need to re-conceptualize the concept of terrorism as little more

than a form of crime with an underlying political or ideological motive. The immediate discussion has argued that terrorism is not only a form of crime, but it also intersects with traditional forms of crime in several ways.

It has been argued that domestic security professionals can apply their skills and knowledge to prepare for, mitigate, and respond to a wider scope of threats, including those related to terrorism. While there are a number of benefits to incorporating our state and local law enforcement personnel into these activities, there are a number of daunting obstacles that must be negotiated. Nevertheless, law enforcement can meaningfully contribute to this effort through the collection, analysis and dissemination of criminal intelligence.

There is a largely unacknowledged history of the law enforcement community's involvement in intelligence programs and activities. While those unfamiliar with the field may believe that intelligence activities are new to local and state police organizations, they, in fact, have a rather long history, with varying degrees of utility and success. This unappreciated history of domestic intelligence is a direct result of questionable and outright unlawful practices of intelligence activities, particularly stemming from investigations into the political, cultural and social movements of the 1960s and 1970s.

Regardless, as new threats emerge and old ones persist, the time has come to remove the stigma and secrecy of intelligence activities as it applies to non-federal agents and to reexamine and redefine how intelligence activities fit within the current models of policing. Many police agencies continue to struggle with defining intelligence and deciding how that definition shapes their current occupational identities and functions.

Moreover, increased demands for effective policing and resource allocation, coupled with increased volumes of data, improved information management systems, and evolving criminal environments the law enforcement community is expected to become better managers of these and other priorities. In order to meet these challenges, law enforcement agencies are pressured by a number of internal and external forces to identify objective decision-making strategies to improve how crime problems are prioritized and addressed.

The aforementioned factors, taken together, were conducive to creating an environment supportive of intelligence-led policing principles in the U.K. The same factors can be applied in the context of American policing, but the diffusion and acceptance of such ideas into American policing practices has been markedly slower in the United States. However, the events of September 11, 2001, coupled with the political and public pressures that followed, have provided a strong catalyst for the expansion of an intelligence-based policing model in the United States. It has been noted that the rhetoric of intelligence-led policing principles has been largely adopted by law enforcement organizations, rather than the absorption and implementation of the model's central tenets (Ratcliffe, 2001).

While there are clearly logical justifications for integrating an intelligence-led policing model into American policing practices, a number of uncertainties and obstacles remain, many of which mirror the obstacles fusion centers currently face, which will be addressed in a future chapter. Additionally, implementing and evaluating novel principles and practices of new policing models is an often elusive and difficult task for

most organizations, translating the ideals and principles of intelligence-led policing into practical and measurable activities is both burdensome and controversial.

## **Chapter 3: Theoretical Framework**

### **Organizational Theories**

Organizational theories seek to explain how and why organizations form, function, and change. This research study is, fundamentally, an inquiry into how fusion centers, which currently are extensions of law enforcement organizations, are perceived to be functioning and achieving their expected tasks. Fusion centers are interesting organizational structures in that they are the location that multiple agencies from all levels of government converge. They are staffed by both civilian and sworn personnel, and they are intended to be based on principles of collaboration and mutuality. While they are primarily staffed and managed by law enforcement agencies, namely State Police organizations, some centers wish to be considered as state entities rather than extensions of their host agencies. They are relatively new structures in concept and practice, and as newer entities they embody a number of organizational issues that have yet to be ascertained. Different strains of organizational theory are cursorily presented here since their principles theoretically apply to the current research, specifically classical organization theory, neoclassical organization theory, contingency theory and systems theory.

Beginning in the late 19<sup>th</sup> century amidst the Industrial Revolution, organizational and managerial theories began to receive attention from the academic and professional world in an effort to systematically study and explain industrial efficacy through industrial management. Since classic theorists, namely Frederick Taylor and Max Weber, penned the foundational tenets of organizational theory, which is implicitly founded on the concept of rationality, various theoretical developments throughout the

years have been proposed, each criticizing their predecessors for having weak explanatory power or for outright ignoring crucial variables and relationships within organization themselves and between an organization and its environments.

In its most basic form, organizational theories posit that organizations are composed of collections of sub-groups, each of which are comprised of individuals who specialize in their particular assigned task(s). Collectively, these sub groups function towards a set of common, unifying goals of the overall organization. This collection of subgroups, each with their assigned tasks, *in part* influences how an organization structurally develops and behaves.

The classical theorists, namely Frederick Taylor and Max Weber, are credited with establishing the groundwork for the future development and refinement of modern organizational theory. While too extensive a topic to address fully here, their principles, respectively, of *scientific management* and *bureaucracy* are core concepts in traditional organizational theory. Taylor's scientific management (1911) is a management theory positing that uniform principles derived from careful observation, measurement and study will best direct managerial decision-making and will improve efficiency and thus productivity, rather than unscientific, rule-of-thumb practices.

Weber (transl. 1947), too, argued that a bureaucracy is the best way to arrange an organization's structure and dynamics. Weber theorized that since knowledge is power, by controlling the organization's knowledge, the organization's managers have the primary means to exert power. Power and authority are necessary to maintain control in an organization, particularly within a hierarchical command structure. However, out of the necessity of legitimacy, the organization's administration does not have the ability to

wield absolute, personal power; rather, it has the capacity to exert impersonal authority over the organization as a whole, an authority accepted and deemed legitimate by those subordinated. This legitimacy is exerted through Weber's classification of *rational-legal authority*, that is, authority based on lawful rules and standards.

According to Weber, bureaucracy, the most efficient form of organization, is used to attain rational-legal authority. A number of similar attributes characterize bureaucracies (Parrow, 1986), including a hierarchical or pyramidal structure with clear lines of authority and chain of command, by which information flows up and directives flow down. Labor is divided into specialized units or "bureaus" tasked with specific responsibilities. Each bureau's responsibility fulfills a portion of the organization's overall goals, and promotion within the organizations is based on individual qualifications and achievement. Moreover, there are written rules, regulations and procedures to ensure proper exercise of authority, conduct and uniformity within the organization as a whole.

Taylor's principles of scientific management and Weber's concepts of bureaucracy and authority have long influenced the development and management of various institutions; however, over the years the influences of more recent theoretical developments have influenced how many organizations are managed depending on the services they provide and the customers to whom they provide such services. However, their fundamental influences may be most evident in traditional organizations that uphold conformity via rigid structures and value hierarchical, command-and-control arrangements, such as police agencies. By the 1930s, the bureaucratic model had taken hold as the organizing model of American policing (Wilson, 1950).

Together, Taylor and Weber influenced the managerial belief that hierarchical power structures, controlled processes, defined procedures, and clear divisions of employee labor will create more efficient organizations. However, their foci on the goals and motivation of the overall organization dismissed the influence employee's goals and motivations have on the organization's ability to achieve set goals.

Neoclassical organizational theory began to emerge in the 1930s alongside the human relations movement. The neoclassical theorists argued that classical organizational theory was too mechanistic and hierarchical, ignoring the influence the human elements of psychology and the collection of individual personalities workers bring to the work environment (Mayo, 1933; Simon, 1945; Bernard, 1968). The neoclassical theorists sought to incorporate how individual employees' goals and motivations influence overall efficiency and effectiveness. The neoclassical theorists brought forth the importance the human element plays in an organization's overall functioning and success. Employees are not machines and their motivation and productivity are affected by the environments in which they work and they are treated by management. Managerial goals are then maintain workplace equilibrium by manipulating the workers and their environment.

In the 1960s, contingency theorists criticized classical and neoclassic theorists' implied assertion that there is one best form of organization and their focus on the internal dynamics of an organization. Instead, the contingency theorists argued that an organization's form and management style is contingent on both various internal and external environmental factors (Chandler, 1962; Lawrens and Lorsch, 1969).



Organizations constantly interact with their environment and their effectiveness is dependent on management's ability to adapt to environmental changes.

Systems theory, though originating in the biological sciences, posited by biologist Ludwig von Bertalanffy in the 1920s, has been widely applied to both the social and computing disciplines. Systems theory posits that organizations are open systems that continually interact with their environments. While contingency theorists, too, acknowledged the influence environments exert on organizational structures and functioning, they failed to sufficiently account for the reciprocal influence that organizations exert on their environments (Kast and Rosenzweig, 1972; Scott, 1981). The systems theorists theoretically integrated this oversight, arguing that organizations are complex systems of nonlinear, interdependent relationships, whereby both the organization and the environment exert influence on one another (Walton, n.d.). Since they are complex, interrelated systems, they are not easily measured and empirically manipulated.

Collectively, classical, neoclassical, contingency and systems theories highlight that daunting fact that there is no one best way to study organizations. When investigating such structures and processes, a researcher must remain cognizant the formality of organizations, such as how labor is divided and power is structured. The human element should also be factored in to how well the overall organization functions, and thus its effectiveness. Moreover, one should also account for the other unique internal and external factors on which their effectiveness is contingent, such as management styles, occupational cultures, resource availability, and environmental

demands of the public. Organizations continually interact with their environments, and thus relationships are non-linear and thus difficult to predict or control.

This very brief and truncated overview of the original schools of organizational theory is presented here to demonstrate that that when exploring an organization's functions, processes and outputs, there are a number of dynamic and uncontrolled factors that should be accounted. Moreover, there is no one best way an organization should develop and change, rather, their functions and processes will change in accordance to the demands and constraints placed on them. Even within a single industry or profession, an organization's development and performance will be a function of an interaction of all these numerous factors. Law enforcement community is no exception.

Few, if any, would argue that the law enforcement agencies are one of the most fundamental and necessary organizational structures in our society, particularly since their expected tasks include order maintenance, crime control, law enforcement, emergency response as well as a range of other social services, each of which are competing priorities. Within a single agency, there are a number of semi-autonomous units or departments each charged with a specific set of duties, which together make-up the overall agency. Moreover, a particular law enforcement agency fits within not only a larger system of its fellow law enforcement agencies at the municipal, state and federal levels, but also within local, state and federal system of additional government agencies. For an organization to meet such diverse and changing needs, they develop, function, and change—sometimes successfully, sometimes not—like other organizations. The history of American law enforcement is filled with examples of how the institution and management of policing has evolved in response to social and political factors both

internal and external to the department. While the bulk of criminological research on the police study what they do, considerably less investigates what they are (Maguire, 2003). Most criminological research focuses on their performance on the aforementioned activities, while less investigates their processes and structures.

### **Law Enforcement Agencies as Organizations**

Law enforcement is inarguably one of the most fundamental organizational structures in our society (Zhao, 1996), but it is also one of the most complex and flawed structures (O'Hara, 2005). Law enforcement agencies are complex, quasi-military bureaucracies characterized by hierarchical organizational structures and an authoritarian style of control (Maguire, 2003). They have organized themselves as a conglomeration of bureaucratic parts so labor may be divided by specialized units and subunits in a concerted effort to achieve common goals (Walker and Katz, 2005). While, in principle, they are modeled after the ideal of bureaucracy, in reality they encompass the problems often present in bureaucracies, including inefficiency and arbitrariness (Wilson, 1989).

Police organizations are often rigid structures that resist change, particularly forced change (Lingamneni, 1979). Research indicates that policing organizations often have a difficult time incorporating changes into their existing organizational structures. For example, Zhao, Lovrich and Robinson (2001) found in a longitudinal study of community policing in over 200 municipal police organizations that the core functional priorities of American policing adhere to a professional model of policing and priorities were not significantly affected by changes. Their findings support Thompson's argument (1967) that organizations create buffers to shield their core mission processes and

activities during uncertain times. Thus, organizational innovation develops along the organization's boundaries in times of crisis, while the core functions and priorities remain insulated from the influence of an unstable environment.

Moreover, law enforcement organizations have conflicting goals, and they must answer to a number of demanding and competing audiences (Manning, 1997). While clear rules and formal procedures theoretically dictate how those within the organization are to behave, depending on their occupational position within the organization, informal cultures, office politics and individual personalities oftentimes direct organizational behavior. Communication does not flow as theory postulates it should; thus, the correct information does not necessarily reach the right people, and bad decisions may frequently result. Moreover, like other organizations, police agencies tend to become isolated from the people they serve, thus increasing the likelihood that conflict will arise, which in turn affects the organization's overall functioning and likelihood of success.

The organization of the police can be analyzed in a number of different ways depending on one's purpose. Dantzker (1999) advocates that there are four lenses with which to examine police organizations, one of which is the structural framework.<sup>24</sup> The structural lens is the most relevant in this examination since focus is placed on the organization's goals, technology, and relationships. Specifically how the organization's structure best fits the organization's purposes, and how the organization relates to its external environment, since organizations impact their environments in which they are situated. Likewise, a number of complex interactions between social, cultural, economic, institutional and political forces influence organizations (Maguire, 2003).

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<sup>24</sup> The other structures to examine police organizations being symbolic, political, and human resource. See Dantzker (1999) for more detailed discussion on other frameworks.

Organizations must operate in accordance to their internal and external environments; thus, as their environments change, an organization must adapt in order to address these changes successfully, or at least appear to be adapting (Manning, 2003); however, adaptation does not necessarily imply organizational learning, but rather unreflective change (Fiol and Lyles, 1985). As a direct result of 9/11, threats previously misunderstood or outright ignored, including terrorism, were thrust onto law enforcement's list of priorities, or at least were expected to be. This has compounded the tension between law enforcement's traditional demands to respond to crime and calls for service, as well as to focus on quality of life issues, with new demands to proactively anticipate and prevent crime before it occurs.

Fusion centers are unique in that they are primarily managed by and serve law enforcement agencies at this time, but they place greater emphasis the collaboration of multiple agencies across levels of government and disciplinary boundaries, which carries a great deal of organizational challenges. Furthermore, they theoretically place greater emphasis on the role of analysis, and thus the analytical profession. A previously addressed, the analytical profession is largely composed of civilian workers, whom have historically been subjected to occupational tensions with their sworn colleagues. Thus, fusion centers are subject to the organizational realities that traditional law enforcement agencies must learn to reconcile, as well as challenges unique to their purposes and composition. As the following chapter discusses in greater detail, they continue to seek out an organizational identity capable of adjusting to both internal and external demands while still successfully fulfilling their intended functions within a lawful manner.

## **Innovation and Organizations**

### *What is innovation?*

Innovation in its most basic form, as defined in the Merriam-Webster dictionary, is “the introduction of something new.” An innovation is a behavior, an instrument, a policy, a technology, or an idea that is perceived as new by those introduced to the innovation—i.e. the users or the audience within the social system exposed to the change (Robinson, 2009). In the 1960s, Everett Rogers, a prominent innovation theorist, began studying how innovations are introduced and absorbed into social contexts. He theorized that in studying the diffusion of an innovation into an existing organization, four major elements are most relevant, specifically the innovation itself (i.e. the what), communication channels (i.e. the how), the rate of adoption (i.e. the when), and the social system (i.e. the where). He argued that innovations diffuse into a social system, whereby the innovation is communicated over time through different communication channels, namely mass media and interpersonal contacts (Rogers, 1995). Rogers (1995) defines a social system as, “a set of interrelated units that are engaged in joint problem solving to accomplish a common goal” (23).

### *Impetus for Innovations within a Social System*

Change does not occur in a vacuum; rather, a dynamic set of interactions occur over time, influencing the likelihood that something new—an innovation—will emerge in response to the perceived need for it. The source of these interactions can be an infinite number of possibilities, some internal and others external to the social system within which the innovation is diffusing. The culmination of these influential factors at a

particular time creates the context and the motivation within which the innovation will emerge (Weisburd and Braga, 2006).

The innovation literature suggests that the perceived need for an innovation emerges when the social system is presented with a *crisis* and/or a *challenge* since it is during these times environmental instability, and thus uncertainty, is greatest. The greater the environmental instability and uncertainty, the less predictable is the environment (Weisburd and Lum, 2005; Pierce and Delbecq, 1977; Dynes, and Aguirre, 1976). The greater the system's environmental instability, the more inclined the system is to find new ways to manage this uncertainty.

As Dampanpour and Gopalakrishnan (1998) note, systems seek out ways to establish and maintain a state of equilibrium, and they will alter their structures, processes and strategies to respond to and coordinate with their external environment to regain this balance. In other words, action will be taken in an attempt to restore an acceptable degree of environmental stability, and thus certainty. Thus, while the introduction of the innovation into the system is intentional, it may be a rather fluid, natural progression or a forced change. If forced the system's dominant beliefs are challenged, and the system will often resist the innovation. As Sparrow, Moore and Kennedy (1990) remind us that, "[e]ven where the necessity for change is recognized, there is a strong tendency to reject the unpredictable, messy and experimental way in which innovation takes place" (203).

Moreover, it takes time for an innovation to integrate into a system and its effects become detectable; however, if the pace of change is too gradual or too rapid the innovation may be rejected (Roberg and Kuykendall, 1990). If too quick, the user groups

may not have the opportunity to understand the purpose or intended consequences of the innovation. The more uncertain users are regarding the purpose and consequences of an innovation, the more likely the innovation will be resisted. On the other hand, if the pace in which the innovation diffuses into the system is too slow, then users may be unable to detect its presence or utility. As Rogers postulated, if the users cannot observe the innovation's utility and advantages then they are less likely to accept it.

### *Diffusion of Innovation*

Rogers (1995) theorized that the decision to accept or reject a particular innovation is a process that consists of a series of decisions and actions. He described the innovation-decision process as consisting of five stages: knowledge, persuasion, decision, implementation and confirmation. The decision-maker or the decision-making unit is exposed to the innovation, and who in turn forms either favorable or unfavorable attitudes towards the innovation. At this point, decision-makers choose to either accept or reject the innovation. If accepted, the innovation is implemented and confirmation is sought from other groups within the system regarding its utility. The decision is then to continue or discontinue use of the innovation. The innovation is communicated throughout the system via different channels, namely mass media and interpersonal contacts. Mass media encompasses both commercial media and professional media, such as academic and practitioner journals and government publications. Unsurprisingly, interpersonal communication channels are often more influential than mass media on the decision process to adopt or reject an innovation (Weiss, 1997).



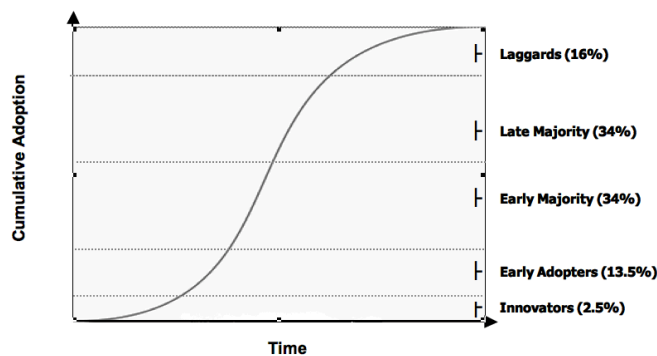
Innovations emerge and spread in response to a number of factors, and not all users in a social system adopt the innovation simultaneously; rather, different user groups accept the innovation over time. The rate of adoption is the speed with which user groups accept and integrate the innovation into the system. The rate of adoption follows an S-shaped curve, in which the process of adoption begins slowly, quickening as the innovation is more widely accepted only to flatten and level off, indicating a small group of users that do not willingly accept the innovation. At some point within this process the point at which the diffusion process becomes self-sustaining, termed the *critical mass*. Once critical mass is reached, the remainder of the diffusion process gains momentum and is likely succeed.

Rogers theorized that a population of users can be categorized into different groups based on their propensity to adopt the innovation, thus this propensity occurs on a spectrum. The *innovators* make up approximately 2.5% of the population, and the *early adopters* make up approximately 13.5% of the population. The *early majority* and the *late majority* together make up another 68% of the population, while the *laggards* consist of approximately 16% of the population (see Figure 2).

*Innovators* are progressive, pioneering individuals. They typically are the visionaries that have the resources, knowledge and occupational stability to seek out and explore the limits unhampered by uncertainty and potential setbacks. The *early adopters* are what Rogers refers to as the “heart of the diffusion process” since it is largely they who are the change agents and opinion leaders that promote and model the innovation to the remainder of the system. These leaders are often intelligent, progressive, respected by their peers, and can tolerate uncertainty and risk. The *early majority* and *late majority*

represent the mainstream of users. The *early adopters* may be less skeptical and more willing to adopt the innovation compared to their *late* counterparts, and they are the important link between the substantially smaller *innovator* and *early adopter* users and the remainder of the social system. It is their interpersonal connections that facilitate the innovations diffusion to others in the larger system. *Late adopters* may adopt the innovation out of necessity or pressure from peers. The *laggards* are the final user group to adopt the innovation. They are traditionalists, suspicious and cautious of both the innovation and change agents, and they may lack both the resources and confidence to incorporate the innovation into their practices.

**Figure 2: S-shaped Diffusion of Innovation Curve**

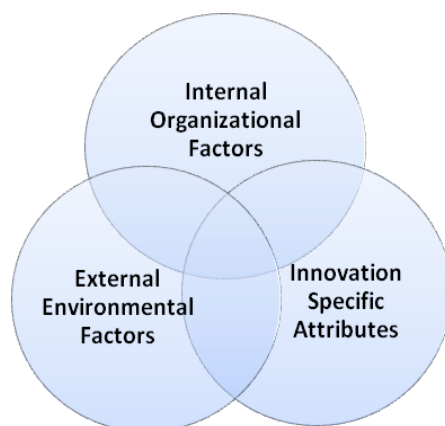


Source: Garrity, Emam, and Eng (2006)

The rate of adoption, and thus diffusion, is influenced by the interaction of a number of factors, some internal to the system, others external to the system, as well as the attributes of the innovation itself (see Figure 3). Internal factors that affect the rate of innovation diffusion, among others, include components of the social system itself, namely the influence of opinion leaders and change agents and their proximity to the innovation diffusion process, resource availability, such as financial and human capital,

and agency size. Not only must there be a climate for change internally within the system, but also the system's external environment, namely public demand and political pressure, exerts powerful influence (Abrahamson, 1991; Baldrige and Burnham, 1975).

**Figure 3: Convergence of factors influencing innovation diffusion**



Rogers (1995) argued that attributes of the innovation itself affect rate of adoption, namely five attributes: its relative advantage, its compatibility, its degree of complexity, its testability, and its observability. If users perceive the innovation to be advantageous to their needs, then the innovation will be adopted more rapidly. Compatibility refers to the degree that the innovation reinforces the user's existing values and practices. The more users perceive an innovation to be compatible, the more quickly the users will adopt the innovation. Complexity refers to the degree of difficulty inherent in understanding and using the innovation; thus, the simpler the innovation is to use and understand, the more quickly it is likely to be adopted. If users are able to test the innovation prior to fully adopting it, then uncertainty regarding its advantages, compatibility and complexity are minimized, and thus the innovation is likely to be accepted by the system more quickly. Finally, if users within the social system can

observe the results of the innovation, then uncertainty of the innovation's utility to the system is minimized, and the innovation will be adopted more quickly.

The crisis of the September 11<sup>th</sup> terrorist attacks set off a chain of investigations, debates and subsequent changes regarding security, both domestically and internationally. The attacks themselves and the consequences of the attacks created an unstable security environment, or at least the perception of one. From within these debates, a number of changes have ensued in an effort to recreate a sense of stability and predictability, one of which has been the implementation of fusion centers. These innovated structures have been developed; however, there is still a great deal of uncertainty regarding to what degree they are successfully integrating into the larger systems of law enforcement and public security, and what influence internal and external factors may have on their process of diffusion.

### **Law Enforcement and Innovation**

Like any other profession, the law enforcement community has changed over the years in response to a number of innovative ideas and technologies. The police have a number of responsibilities, which have increased in scope over time. For the last thirty years, scholars and practitioners have debated how to best fulfill their law enforcement responsibilities, as well as how well they do, in fact, perform those functions (Maguire and Uchida, 2000). It is the police executive's job to define his or her agency's mission and ensure that their managers are successful in achieving those mandates. How an agency will go about achieving these goals is as varied as the police departments

themselves. However, some progressive police leaders do, in fact, try new things—they adopt innovations—so they may better address and fulfill demanding, and oftentimes conflicting, responsibilities.

Braga and Weisburd (2006) argue that police organizations are most likely to adopt an innovation when the innovation allows traditional policing tactics to be deployed in new ways with the promise of greater results; it enables the police to maintain sovereignty over crime-related issues; and when the innovation requires the least departure from the hierarchical paramilitary structure of police organizations. They have a long-standing history equipped with a wide range of experiences, tactics and strategies, as well as entrenched belief systems, about how best to deal with crime and other issues, all of which are reinforced by the cultures and subcultures inherent in law enforcement.

Skolnick and Bayley (1986) further argue leadership attitudes and styles affect the likelihood of an innovation being integrated into an organization. If an organization is to successfully incorporate an innovation, the leadership is responsible for creating an internal climate of acceptance for the innovation's diffusion into the overall system. Not only should those executives verbally endorse the innovation, but also they should actively demonstrate their commitment to the innovation and defend its integrity (Roberg and Kuykendall, 1990). Whereas traditional leadership styles and attitudes tend to be authoritative and less receptive to change, participatory leadership styles reinforce the value of the innovation for the organization. In addition to full leadership support, a high degree of public support is beneficial if the innovation is to fully diffuse.

Weisburd, Mastrofski, McNally, Greenspan and Willis (2003) caution that although the rhetoric of support for an innovation may be espoused within an organization, it does not necessarily indicate that authentic change has occurred; rather, the change may be illusionary. Weisburd and Braga (2006) agree, referring to these observed changes within police organizations as “cosmetic rather than substantive” (12). King (2000) argues that change can be considered an innovation “only if it is a process that changes the manner in which an organization performs a task” (305). Moreover, since several initiatives and programs are oftentimes simultaneously co-occurring within a single agency, it is often difficult to untangle the effects of each, thus making it difficult to measure an innovation’s influence and effectiveness (Braga and Weisburd, 2006; Bayley, 1998).

### *Forms of Law Enforcement Innovation*

Innovations within law enforcement can take a number of forms, and various scholars have termed them as they see fit; however, history is filled with various examples of police innovations, such as the advent of the two-way radio and the popularity of randomized patrol. Throughout the major reform eras of policing, tactics, strategies, and philosophies as to what is the ‘right way’ to police have emerged, faded, and, at times, reemerged. Generally, scholars have grouped police innovations into four categories: *programmatic*, *administrative*, *technological* and *strategic* or *radical* innovations (King, 2000; Moore, Sparrow and Spellman, 1997). When examining innovation within policing, one should bear in mind that innovations have multidimensional properties and characteristics (King 2000), and that a particular

innovation is not restricted to a single category; rather, there are oftentimes conceptual and practical overlap.

Programmatic innovation refers to the establishment of new units or operational methods to meet an organization's goals. Programmatic innovations are the most easily identifiable forms of police innovations due to the highly visible nature of programs and operational methods. Administrative innovations are changes within the administration and management of an agency or department. Technological innovations refer to an organization's acquisition and use of new equipment or hardware to fulfill particular functions and goals. Radical or strategic innovation refers to fundamental changes in an organization's overall philosophy or orientation. Such an innovation often requires massive organizational restructuring, and it oftentimes challenges not only the organization's understanding of the accepted norms and procedures, but also the organization's relationships internally and externally (Sparrow, Moore, and Kennedy, 1990).

There have been a number of highly recognizable innovations in policing over the last several decades, each with their own set of achievements and failures. The most identifiable have been community policing and problem oriented policing, broken windows policing, pulling levers policing, third-party policing, hot spots policing, Compstat, and evidence-based policing (Weisburd and Braga, 2006). Not only has research exposed considerable variation between these innovations, but also substantial variation within each innovation.

## Summary

In this chapter, the underlying theoretical frameworks and guiding principles of the current study have been presented. Generally understanding how organizations develop and function within the larger systems of society is critical when trying to explore and explain change, particularly innovative changes. This chapter briefly introduced the basic elements of organizational theory, originally built on Frederick Taylor and Max Weber's contributions to the field. A brief discussion of innovations, how they emerge, and the conditions and attributes that influence the likelihood that an organization will accept and integrate them into their existing structure has been outlined. Innovation in policing, including the forms they may take, was also briefly addressed.

It is universally agreed that law enforcement agencies are among the most important organizational structures in our society; their tasks are great, and their challenges, at times, seem insurmountable. We, as a society, have demanded a great deal more from our law enforcement agencies over time, and they struggle to meet the demands inherent in their line of work, particularly as new threats emerge and their responsibilities grow.

It is argued that the September 11, 2001 terrorist attacks and the aftermath clearly represented a form of both crises and challenge to both the nation's security providers, namely the domestic law enforcement community. The toll for our nation's inability to share information and coordinate prevention and response services was too costly to justify not taking action. It has forced public safety communities, including law enforcement, to rethink and reevaluate their existing information and intelligence structures. While it appears that substantial changes have occurred in this area over the



last seven years, it is unclear how significant, advantageous or productive are these changes.

## Chapter 4: The Growth and Challenge of Fusion Centers

### Introduction

Following the 9/11 Commission's conclusions that a systematic breakdown in information sharing largely contributed to the nation's inability to prevent the 9/11 terrorist attacks, many states began to invest in the fusion center concept as a viable means to minimize information sharing gaps at the sub-federal level. As such, fusion centers are intended to support law enforcement and other public safety communities by fostering interagency collaboration, improving interagency information sharing, and providing a robust analytical support, so they may be better positioned to coordinate resources and exchange information in a timelier manner.

Fusion centers are one of the most prominent physical manifestations at the sub-federal level of the 9/11 Commission's recommendation that the United States develop both a policy and technical environment to facilitate and support greater information sharing within and between the levels of government (Dodson, 2007; Kaplan, 2007; Relyea and Seifert, 2005). The concept of fusion centers embraces the "connect the dots" philosophy, whereby bits of information from disparate sources are pieced together in an effort to construct an overall picture of an operating environment and improve an agency's awareness of real and potential threats within that environment.

Prior to 9/11, an array of threat information was collected by various government agencies to meet their individual needs; however, that information often remained restricted, or *stovepiped*, within the particular agency or even a particular department or unit within a single agency. It was unlikely that intelligence or information traversed boundaries due largely to organizational rules and cultures, as well as legislative statutes.

Not only have agency personalities and turf battles influenced the extent of information sharing, but the threat of criminal, civil and/or administrative penalties for violating established procedures for sharing or disclosing classified or sensitive information often discouraged sharing important information (Relyea and Seifert, 2005). Based on the recognition that many opportunities were missed to share vital intelligence that could have “connected the dots,” piecing together the 9/11 hijacker’s plans, the goal of constructing an integrated information network began to emerge.

According to a GAO (2007) report to Congressional Committees, the construction of fusion centers steadily increased over the next several years after the 9/11 terrorist attacks. Currently, there are seventy-two designated fusion centers present in every state. While a majority of states have a single fusion center, California, Texas and New York, have multiple fusion centers located within their geographic borders, typically in large urban areas.

Fusion centers are termed so due to their underlying process of *fusing*, or integrating, information from a variety of sources in order to identify, track, and prevent multi-jurisdictional crime problems, as well as to manage the flow of information across levels of government and different sectors (Carter, 2008). The Department of Homeland Security’s Homeland Security Advisory Council (2005, 3) states that “intelligence fusion is a clearly defined, ongoing process that involves the delineation of roles and responsibilities; the creation of requirements; and the collection, blending, analysis, timely dissemination, and reevaluation of critical data, information and intelligence...” The stages of the fusion process are cyclical and adapted from the intelligence cycle developed and employed by the federal intelligence community.

Fusion centers are state-controlled entities that manifest the concept of collaboration, deemphasizing, but not eliminating, a *need-to-know* culture and emphasizing a *need-to-share* culture. They should be the primary platform on which law enforcement's all-source production and sharing of criminal and homeland security intelligence and information occurs (Rollins and Connors, 2007). These relatively new institutions are structured on a decentralized network model so to improve sharing both vertically and horizontally. While many centers initially adopted a counter-terrorism mission in the years immediately following 9/11, a majority of centers have expanded their scope to include an *all crimes* mandate and/or a broader *all threats-all hazards* mandate. Their general functions are reported to include tracking their respective state's assets and operational readiness, analyzing all-hazards threat information, and issuing alerts, bulletins and scheduled reports on current, emerging and future threats.

Rollins (2008) reviews four underlying assumptions that are often cited to justify state and large urban area's efforts to implement and sustain fusion centers as vital components to our nation's homeland security. First, engaging in the intelligence process and using intelligence products plays a vital role in preventing terrorist attacks. Second, fusing data from a variety of sources, including untraditional ones, better enables the creation of a comprehensive picture of a given threat environment. Third, state, local and tribal law enforcement personnel are in a unique position to observe and collect information. Finally, fusion centers offer a number of additional benefits to federal, state and local public safety communities.

## **Fusion Center Predecessors**

Although the term *fusion center* is a post-9/11 expression, the underlying principles of coordination and collaboration between all levels of law enforcement are not new, just as the collection and use of intelligence by the law enforcement community has historical antecedents. The defining differences between today's fusion centers and earlier collaborative efforts are that fusion centers collect a wider range of local, state and federal information than traditional criminal intelligence units, they rely more heavily on the use of analysis, and they have a broader scope of priorities (Rollins, 2008).

Beginning largely in the 1970s, other collaborative arrangements were assembled to assist various law enforcement agencies in tackling the prevalent threats of the time, namely drug trafficking and other organized criminal activities. Interagency task forces grew from the recognition that a single agency or unit cannot effectively deal with crime that crosses both geographical and statutory boundaries. Not only are localized forces relatively fixed by their physical environments, but other departmental restrictions on resources, expert knowledge, and other capabilities prompted the notion that multiple agencies together would be more successful at investigating, apprehending and prosecuting criminals. Informally, the first task force operation was undertaken in New York between a number of city and state law enforcement personnel in collaboration with Bureau of Narcotics and Dangerous Drugs, the predecessor of today's Drug Enforcement Administration (DEA). In an effort to better track departmental spending and operational success, the Anti-Drug Abuse Act of 1986 formalized and institutionalized the DEA Tasks Force Program (U.S. Drug Enforcement Administration, n.d.).

Several precedent programs have built upon the task force framework, which the current fusion center collaboration movement is rooted, specifically the El Paso Intelligence Center (EPIC), the High-Intensity Drug Trafficking Area (HIDTA) Program, the FBI's Joint Terrorism Task Force (JTTF), and the Regional Information Sharing Systems (RISS).<sup>25</sup> These four federally-led and/or funded initiatives are reviewed here since collectively they embody the principles of collaboration, coordination, intelligence activities, and information sharing—the fundamental principles of fusion centers.

The El Paso Intelligence Center (EPIC) was established as a direct result of a recommendation issued in a 1974 Department of Justice report entitled *A Secure Border: An Analysis of Issues Affecting the U.S. Department of Justice*. The El Paso Intelligence Center was the first regional intelligence center founded on a multi-agency effort, lead by the Drug Enforcement Agency (DEA), to collect and share information, as well as coordinate and support interagency investigations, related to drug trafficking, alien and weapons smuggling, and other criminal activities along the United States-Mexico border. Since 9/11, it has also incorporated a counterterrorism mission as its scope has expanded from a regional tactical intelligence center into an international law enforcement resource.

The High-Intensity Drug Trafficking Area (HIDTA) Program, authorized by the Anti-Drug Abuse Act of 1988, was established in response to the drug trafficking problems of the 1980s and 1990s. The federal government designated these areas as plagued by serious drug trafficking problems, including the production, manufacture,

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<sup>25</sup> For an overview of the aforementioned programs, see:  
 El Paso Intelligence Center at <http://www.usdoj.gov/dea/programs/epic.htm>  
 HIDTA Program at <http://www.whitehousedrugpolicy.gov/hidta/overview.html>.  
 FBI's Joint Terrorism Task Force (JTTF) at <http://www.fbi.gov/page2/dec04/jtff120114.htm>.  
 Regional Information Sharing System (RISS): <http://www.riss.net/>

transportation, distribution and chronic use of illegal drugs and money laundering. As the Office of National Drug Control Policy website states, the “HIDTA Program helps improve the effectiveness and efficiency of drug control efforts by facilitating cooperation between drug control organizations [including law enforcement] through resource and information sharing, collocating and implementing joint initiatives.” The program’s priorities are to identify and assess threats; develop, fund and implement initiatives to counter such threats; and to facilitate coordination efforts between federal, state and local law enforcement agencies. There has been widespread support for HIDTA-coordinated activities, and the program has been less scrutinized and criticized than the FBI’s JTTFs.

The FBI’s Joint Terrorism Task Force (JTTF) is a partnership, spearheaded by the FBI, between various federal agencies and state and local police departments. They were, and are, intended to be a conduit for interagency information and intelligence collection and exchange regarding terrorism-related threats. The first JTTF was established in 1980 in New York City, and since 9/11, approximately 100 JTTFs have been established in all fifty-six FBI field offices. In 2002, the National Joint Terrorism Task Force, headquartered in Washington, D.C., was created to coordinate the activities of regional JTTFs. While JTTFs are an interagency collaborative effort, the FBI is the lead agency in managing and conducting JTTF activities, which has drawn a number of previously addressed criticism from both participants and opponents.

Regional Information Sharing System (RISS) is a network of six multistate intelligence centers each tailored to the needs of their customers, providing logistical, analytical, and investigative and information sharing support to their regional law

enforcement and public safety agencies. RISS was established over thirty years ago and is funded and administrated by the Department of Justice Bureau of Justice Assistance. RISS maintains its own information sharing platforms, and also has the ability to connect users to various other information sharing systems, such as the FBI's Law Enforcement Online (LEO) and DHS' Homeland Security Information Network (HSIN), thus facilitating a more seamless flow of information.

### **Genesis of Post-9/11 Information Sharing: Growth of the Fusion Center Function**

In the immediate wake of the 9/11 terrorist attacks and the subsequent recognition that our nation's prevention and response capabilities must be improved, a series of multilateral measures were undertaken by the federal government, state and local governments, and other professional organizations that has contributed to the gradual development of fusion centers. While fusion centers are subfederally controlled entities, a number of federal initiatives and complementary publications have influenced, and continue to influence, their ongoing development and implementation over the past several years (See Figure 4).

While September 11, 2001 is captured as *the* defining moment that everything changed, proposals for change were suggested in the year prior to the attacks (DHS History Office, 2008). Approximately eight months prior to the September 11<sup>th</sup> terrorist attacks, the U.S. Commission on National Security/21<sup>st</sup> Century, also referred to as the Hart-Rudman Commission, recommended that a number of procedural and institutional changes should be pursued in the executive and legislative branches of government in an effort to recalibrate the nation's ability to successfully adapt and meet 21<sup>st</sup> century threats



to national security. In March 2001, a bill was proposed to Congress by Representative Mac Thornberry (R-TX) for the creation of a National Homeland Security Agency; however, no action was taken on the bill. Then the 9/11 terrorist attacks occurred.

On October 8, 2001, former President Bush signed Executive Order 13228 establishing both the Office of Homeland Security (OHS) and the Homeland Security Council (HSC). The OHS was tasked to develop a national strategy to coordinate counterterrorism efforts between the federal, state and local governments. The Homeland Security Council (HSC) was established to serve as an advisory body to the President on homeland security activities. In June of 2002, former President Bush submitted his proposal to Congress for the passage of the Homeland Security Act of 2002 and the establishment of a permanent cabinet-level Department of Homeland Security (DHS) (DHS History Office, 2008). The President envisioned a single department that would realign the nation's scattered homeland security activities under one umbrella so that these activities could be better managed and coordinated. Prior to 9/11, such activities were dispersed among various agencies working independently of one another. The Homeland Security Act was passed on November 25, 2002.

The Department of Homeland Security is mandated to protect the nation and its critical infrastructure from dangerous people and goods and securing the country's freedoms. Its overarching goal is to successfully prevent, prepare for and respond to national emergencies, both manmade and natural. On November 27, 2002, the National Commission on Terrorist Attacks Upon the United States, also known as the 9/11 Commission, was legislated to trace and analyze the actual events of September 11, 2001

and to issue recommendations for improving the nation's overall ability to prevent or reduce the likelihood of future attacks.

While such legislative changes were taking place, the states were beginning to mobilize as well. In March of 2002, the International Association of Chiefs of Police (IACP), a professional organization of police executives, hosted the *Criminal Intelligence Sharing Summit*, in collaboration with the Community Oriented Policing Services (COPS) within U.S. Department of Justice, to address both law enforcement's capacity for and barriers to information collection, analysis and dissemination, including the need for intelligence standards and guidelines, technology, training, and legal safeguards to protect citizen's civil rights and civil liberties. In particular, the Summit's participants concluded that a number of barriers must be overcome in order to improve state and local law enforcement agencies intelligence processes. The Summit concluded that a nationally coordinated intelligence sharing plan was needed; poor interdepartmental working relationships stemming from the hierarchical nature of both law enforcement and the intelligence community should be improved; technical deficiencies for analyzing, storing and sharing information must be minimized; and analytical intelligence standards and policies must be developed (IACP, 2002).

The 2002 IACP Summit resulted, in part, in the formation of the Global Justice Information Sharing Initiative (Global), advised by the Global Advisory Committee (GAC), a federal advisory committee to the U.S. Attorney General on justice information sharing and integration initiatives. One of the working groups overseen by Global is the Global Intelligence Working Group (GIWG), which was created to oversee the

development of a national intelligence plan to further address these issues.<sup>26</sup> The direct product of this collaboration was the October 2003 publication of the *National Criminal Intelligence Sharing Plan* (NCISP), which consists of twenty-eight policy recommendations and action items intended to improve and institutionalize an agency's information and intelligence sharing capabilities. The NCISP serves as the blueprint for U.S. law enforcement agencies to review their existing intelligence structures, as well as implement and improve intelligence processes so that they may better meet the demands of their working environments by increasing information sharing and decreasing existing barriers, while still balancing citizen's civil rights.<sup>27</sup>

In May of 2004, the Criminal Intelligence Coordinating Council (CICC), a policy-focused group of homeland security advisors and law enforcement representatives, was established as the research partner to the GIGW to oversee the long-term implementation and ongoing refinement of the NCISP. As the cornerstone of the NCISP, the CICC sets priorities, directs research and prepares advisory recommendations. The CICC recommended the formation of the Law Enforcement Fusion Center Focus Group.<sup>28</sup>

In 2004 and 2005, the Law Enforcement Fusion Center Focus Group (FCFG) was formed to oversee the manifestation of the tenets outlined in the NCISP and to establish guiding principles and minimum standards for developing an intelligence component in fusion centers, specifically (Modaferri and Bouche, 2008). They adopted twelve guiding principles, encouraging fusion center's leadership to adhere to the NCISP, as well as develop and embrace a concise mission statement clearly stating the fusion center's

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<sup>26</sup> These initiatives and working groups fall under the umbrella of the U.S. Department of Justice.

<sup>27</sup> The National Criminal Intelligence Sharing Plan was released in 2003 and revised in 2005.

<sup>28</sup> The Law Enforcement Intelligence Fusion Center Focus Group (FCFG) was previously named the Fusion Center Intelligence Standards Focus Group.

purpose and priorities. They should establish a representative governance structure, develop and publish policies and procedures, and implement Memorandums of Understanding (MOUs). All levels of law enforcement should be integrated to foster collaboration, increase communication, and maximize resources. Moreover, a fusion center's intelligence program should integrate both sworn law enforcement personnel, as well as civilian staff, particularly intelligence analysts, to increase the center's breadth of expertise. Existing systems should be leveraged to avoid wasting limited resources and redundancy in the system, and security measures should be ensured to protect the center's facilities, staff and data. Finally, fusion centers should focus on providing a range of products, outcomes and services.

In 2005, DHS's Homeland Security Advisory Council (HSAC) Intelligence and Information Sharing Working Group released their *Intelligence and Information Sharing Initiative: Homeland Security Intelligence and Information Fusion* report. These guidelines were intended to steer local and state agency's efforts to collect, analyze, and disseminate terrorism-related intelligence, specifically in the context of fusion centers. Together with the FCFG's recommendations and the NCISP, these reports created the foundation for the 2005 publication of the *Fusion Center Guidelines*. The *Fusion Center Guidelines* are the joint product of the Department of Justice's Global Justice Information Sharing Initiative (Global) and Department of Homeland Security's Homeland Security Advisory Council (HSAC). The publication consists of eighteen recommendations intended to facilitate the successful establishment and operation of fusion centers, to provide a standardized framework for states and metropolitan areas implementing such centers, and to assist with interoperability and communication matters between centers.

In the summer of 2004 the National Commission on Terrorist Attacks Upon the United States released their public report. The report traced the activities of that day, as well as outlined several recommendations along four thematic areas: U.S. internal anti-terrorism policy, institutional steps to protect against and prepare for terrorist attacks, intelligence issues, as well as congressional and oversight issues (Grimmet, 2004). In December of 2004, the *Intelligence Reform and Terrorism Prevention Act of 2004* (IRTPA) was signed into law, legislating a number of changes.<sup>29</sup> In addition to amending the National Security Act of 1947 and driving the overall U.S. intelligence community's reformation, the Act also established the Office of the Director of National Intelligence (ODNI) and the Information Sharing Environment (ISE), situating the ISE- Program Manager (ISE-PM) within the ODNI. The ISE was created to facilitate the development of trusted partnerships throughout the levels of government to share terrorism, homeland security, and law enforcement information as it relates to threats of terrorism. Furthermore, IRPTA required the President to appoint the ISE-PM to oversee the ISE's implementation plan.<sup>30</sup> The ISE is responsible for leveraging existing policies, technologies, business processes and systems, as well as promoting a culture of information sharing through collaboration.

The ISE is further supported by the National Fusion Center Coordination Group, led by DOJ and DHS, to identify resources to support the development and sustainability of an integrated network of fusion centers (GAO, 2007). The focus group is tasked with ensuring that fusion centers establish a baseline level of capability and comply with federal laws and policies, identify funding options for fusion centers, and ensuring

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<sup>29</sup> See [http://www.nctc.gov/docs/pl108\\_458.pdf](http://www.nctc.gov/docs/pl108_458.pdf) for a complete copy of the Intelligence Reform and Terrorism Prevention Act of 2004.

<sup>30</sup> See <http://www.ise.gov/index.html> for more information on the Information Sharing Environment.

coordination between federal entities and fusion centers. The ISE-PM also chairs the Information Sharing Council (ISC), which advises the President and ISE-PM and oversees the ongoing implementation of ISE.<sup>31</sup>

On August 3, 2007, former President Bush signed into law the Implementing Recommendations of the 9/11 Commission Act of 2007 (also known as the 9/11 Commission Act). The act codifies a number of recommendations made by the 9/11 Commission. The act outlines a number of provisions for improving intelligence and information sharing within the federal government and subfederal governments.<sup>32</sup> Specifically, the act establishes the Department of Homeland Security State, Local, and Regional Fusion Center Initiative.

In October 2007, the National Security Council released an updated version of the *National Strategy for Information Sharing: Successes and Challenges for in Improving Terrorism-related Information Sharing*, documenting the federal government's long held assertion that increased information and intelligence sharing is crucial if we are to successfully protect our nation from a range of threats, including terrorism. It is *the* memorializing document outlining the federal government's vision and plan to improve the nation's collective information sharing efforts. Of the four core principles outlined in the *Strategy*, one asserts that fusion centers are valuable resources that must be incorporated into the national information-sharing framework and that fusion centers must develop a baseline capacity to participate in the nation's intelligence processes. The

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<sup>31</sup> The ISC was originally established under Executive Order 13356, Strengthening the Sharing of Terrorism Information to Protect Americans, in 2004 and later restructured in 2004 under Executive Order 13388, Further Strengthening the Sharing of Terrorism Information to Protect Americans.

<sup>32</sup> For a full copy of the bill, go to: <http://www.govtrack.us/congress/billtext.xpd?bill=h110-1>

ultimate goal is the creation of a nationally integrated network of state and urban area fusion centers.

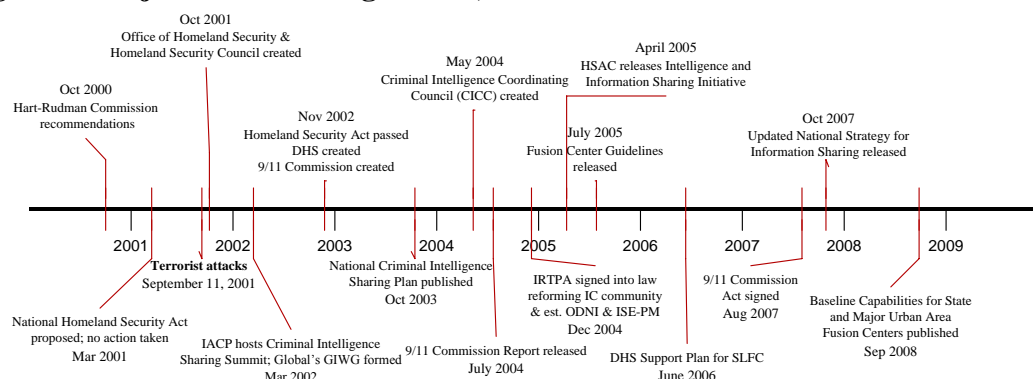
Moreover, in 2007, as called for in the *National Strategy for Information Sharing*, the ISE began focusing efforts on developing a nationwide capacity to collect, collate, analyze and disseminate Suspicious Activity Reports (SARs). These efforts have culminated in the Nationwide SAR Initiative, a collection of activities reporting, tracking, assessing SARs, managed by the PM-ISE.

In November of 2007, the IACP, again collaborating with the COPS Office, as well as with co-sponsorship from both DHS and the ISE-PM, held a five-year follow-up summit on the 2002 Criminal Intelligence Sharing Summit. The summit once more culminated in the publication of a report, *National Summit on Intelligence: Gathering, Sharing, Analysis and Use After 9/11: Measuring Success and Setting Goals for the Future* (2008b). The report reviewed what steps have and have not been taken in reference to law enforcements' participation in intelligence sharing, as well as eight recommendations to facilitate law enforcement in their continued progression towards achieving a successful intelligence capacity. Fusion centers were a much more prominent component of this report, indicating they have become an important tool for the law enforcement community.

At the same time, in September of 2008, *Baseline Capabilities for State and Major Urban Area Fusion Centers* was published by Global as a supplement to the *Fusion Center Guidelines*. This report clarifies the policies a fusion center should have in place in order to build the structures, processes, tools, and operational standards necessary to achieve productive intelligence capabilities. The living document is divided

into two sections; the first section focuses on fusion process capabilities, while the latter section addresses management and administrative capabilities.

**Figure 4: Major Post-9/11 Legislation, Initiatives and Publications Timeline**



It is clearly evident that a number of homeland security initiatives and activities have transpired since the 9/11 attacks. While not solely focused on fusion centers, many of the aforementioned publications and legislation relate to their activities. This discussion, while not exhaustive, does demonstrate that while many steps have been taken towards developing a useful and relevant intelligence capability; however, it is an unending pursuit.

### **The Role of DHS in the Nation's Fusion Center Initiative**

The Department of Homeland Security (DHS) is *the* federal level agency legislatively tasked with supporting the nation's developing network of fusion centers. The Department of Homeland Security, largely through the now Office of Intelligence and Analysis, has provided support in a number of forms to the state's burgeoning fusion centers. In her speech at the 3<sup>rd</sup> Annual National Fusion Center Conference, Homeland



Security Secretary Janet Napolitano clearly stated, “that Fusion Centers will be the centerpiece of state, local, federal intelligence-sharing for the future, and that the Department of Homeland Security will be working and aiming its programs to underlie Fusion Centers.”<sup>33</sup>

The DHS website reports that the department has assigned over thirty Intelligence Operations Specialists with operational and analytical skills to twenty-seven state and large urban area fusion centers. In his April 1, 2009 testimony to Committee on Homeland Security, Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment, Robert Riegler stated that he is hopeful that the department will have assigned an Intelligence Operations Specialist to every fusion center by the end of FY2010.<sup>34</sup> The Intelligence Operations Specialist are embedded in fusion centers to facilitate the flow of classified and unclassified information between DHS information systems and its state and local counterparts; to provide expertise and analytical support to fusion center personnel; to coordinate with local law enforcement agencies; and to provide DHS with local awareness and access to fusion center information. Moreover, DHS reports that between FY2004-FY2007 it has provided more than \$254 million to support state and local fusion centers.<sup>35</sup>

The Department has naturally evolved in all respects over the years as it undergoes the growing pains expected of a new bureaucratic entity, including how it envisions its role as a newest member of the nation’s Intelligence Community. In 2005,

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<sup>33</sup> For Secretary Napolitano’s full address, see [http://www.dhs.gov/ynews/speeches/sp\\_1236975404263.shtm](http://www.dhs.gov/ynews/speeches/sp_1236975404263.shtm)

<sup>34</sup> For complete copy of the Testimony of Director Robert Riegler, State and Local Program Office, Office of Intelligence and Analysis, before the Committee on Homeland Security, Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment, "The Future of Fusion Centers: Potential Promise and Dangers" see [http://www.dhs.gov/ynews/testimony/testimony\\_1238597287040.shtm](http://www.dhs.gov/ynews/testimony/testimony_1238597287040.shtm)

<sup>35</sup> For more information about DHS’ activities and programs with fusion centers see [http://www.dhs.gov/xinfoshare/programs/gc\\_1156877184684.shtm](http://www.dhs.gov/xinfoshare/programs/gc_1156877184684.shtm)

after a series of missteps and overall dissatisfaction with the Department's at the time Information Analysis division the then-Secretary Michael Chertoff announced a six-point agenda aimed at improving the Department's overall information and intelligence relevancy and utility. One of the several organizational adjustments undertaken included strengthening the Department's intelligence functions and information sharing activities. As a result of this reorganization, the Office of Intelligence and Analysis (I&A) was established to ensure that homeland security-related information would be collected, analyzed and disseminated to necessary and appropriate customers at all levels of government, including the Secretary, other federal officials, members of the Intelligence Community, state, local and tribal partners, as well as the private sector partners.<sup>36</sup>

#### *DHS State and Local Program Office (SLPO)*

In 2006, the Homeland Security Secretary signed the *DHS Support Implementation Plan for State and Local Fusion Centers*, designating the Office of Intelligence and Analysis as the executive agent for the DHS State and Local Program Office (SLPO), the division responsible for managing the Department's role in the nationwide State, Local, and Regional Fusion Center Initiative. The mission of the SLPO is to create partnerships with state and local fusion centers to improve the flow of information between agencies, to facilitate a national network capability for fusion centers, and to be the link between the federal intelligence community and their state and local fusion center counterparts. This is a logical link since fusion centers, while excluded from membership into the federal Intelligence Community, gather and analyze

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<sup>36</sup> For more information about DHS' Office of Intelligence and Analysis (I&A) see [http://www.dhs.gov/xabout/structure/gc\\_1220886590914.shtm](http://www.dhs.gov/xabout/structure/gc_1220886590914.shtm)

localized information that together contributes to an overall domestic picture of potential threats facing the nation.

The State and Local Program Office has three divisions: the State and Local Fusion Center Management Office, the Information Sharing Fellows Program, and the Law Enforcement Liaison Team.<sup>37</sup> The State and Local Fusion Center Management Office oversees the day-to-day operations of the Department's fusion center program. In an effort to promote information sharing with subfederal partners, the Information Sharing Fellows Program offers state and local representatives the opportunity to learn about DHS' mission, capabilities, and programs, while the Law Enforcement Liaison Team personnel meets and consults with state and local law enforcement personnel regarding the assistance and resources DHS can offer their subfederal counterparts.

In 2007, when the President signed the *Implementing Recommendations of the 9/11 Commission Act* (or the 9/11 Commission Act), codified the National Fusion Center Initiative and DHS' role in it. Specifically, Title V, Subtitle B, Sec. 511 of the act established the Department of Homeland Security State, Local, and Regional Fusion Center Initiative, which was tasked to establish partnerships with state, local and regional fusion centers to not only offer a wide range of support, but also to be the mechanism that feeds and integrates state, local and regional partners information back into DHS's system, when appropriate. The State and Local Fusion Center Program supports these legislative requirements. The initiative is responsible for providing operational and intelligence advice, assigning intelligence analysts to fusion center partners, providing support and guidance to partners developing an information sharing environment,

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<sup>3737</sup> The Information Sharing Fellows Program was codified by the *Implementing Recommendations of the 9/11 Commission Act* (or the 9/11 Commission Act), Title V, Subtitle B, Sec. 512

coordinating with other federal entities undertaking homeland security activities, granting security clearances for state and local personnel, providing access to federal information systems, as well as identifying funding opportunities and training activities.

### *DHS' Information Sharing Portals*

There are two primary information-sharing portals used and maintained by DHS, the Homeland Security Information Network (HSIN) and the Homeland Secure Data Network (HSDN). The two are distinguished by the security classification of the information that can be accessed, posted and shared via the network.

The Department of Homeland Security provides and maintains a nationally secure, web-based platform called Homeland Security Information Network (HSIN).<sup>38</sup> The network is intended to facilitate Sensitive But Unclassified (SBU) information sharing and collaboration between federal, state, local, tribal, private sector and international partners in real-time. It supports the intelligence process and the distribution of relevant, timely and actionable information. The network consists of various communities of interest. A web page is tailored to each community of interest that contains general and specific news articles, links and contact information (GAO, 2007). The HSIN has five different, but, related mission areas: intelligence and analysis, law enforcement, emergency management, critical sectors and multi-mission agencies. Together these communities should work together in preparing for or responding to a range of threats, both manmade and natural.

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<sup>38</sup> For more information about DHS's Homeland Security Information Network (HSIN) see [http://www.dhs.gov/xinfo/share/programs/gc\\_1156888108137.shtm](http://www.dhs.gov/xinfo/share/programs/gc_1156888108137.shtm)

The Homeland Secure Data Network (HSDN) is the secret-level classified communications network. It enables the federal government to share information and collaborate with states to mitigate homeland security threats, as well as provide state and local governments with a channel to share collateral level information with their federal law enforcement and intelligence counterparts (GAO, 2007). Fusion center personnel through HSDN can also access the National Counter Terrorism Center (NCTC), which was codified by the Intelligence Reform and Terrorism Prevention Act of 2007 to serve as the primary organization for integrating and analyzing all counterterrorism information.

#### *Recent Assessments of DHS*

In December 2008, in accordance with the 9/11 Commission Act, DHS, as directed, produced and submitted a Concept of Operations report articulating its purposes, goals, objectives, and responsibilities of the State, Local, and Regional Fusion Center Initiative to the Committee on Homeland Security and Governmental Affairs of the Senate, as well as the Committee on Homeland Security of the House of Representatives. This document was designed to accomplish a number of objectives, including establishing a framework to ensure consistent and coordinated information sharing between the agency and their stakeholders; to be a standard against which future operating procedures can be developed; and to support and reinforce a number of pre-existing federal initiatives, policies and legislation.

Also in 2008, the Department of Homeland Security Office of Inspector General issued a report investigating whether DHS is providing adequate oversight and guidance

to state and local fusion centers. While the report concluded that that DHS' coordination efforts with fusion centers were improving and that deployed intelligence officers were valuable assets to their assigned fusion centers, and number of internal challenges remain, such as improving coordination between the Office of Intelligence and Analysis and other DHS components, deploying intelligence officers, and better aligning DHS' mission with state and local fusion centers' funding and activities.

Also in accordance with the 9/11 Commission Act, DHS was mandated to conduct annual impact assessments and submit an annual report evaluating the impact of DHS' Office of Intelligence and Analysis State, Local, and Regional Fusion Center Initiative activities has on both privacy and civil liberties.<sup>39</sup>

## **Conceptual Similarities with Practical Differences**

### *Conceptual Similarities*

While there is no single, uniform fusion center model, a number of underlying similarities and principles can be generalized across centers. Overall, fusion centers are multipurpose organizations typically led and managed by the State Police or State Bureaus of Investigation. They are intended to be the conduit through which law enforcement and other public safety initiatives are implemented and monitored.

Fusion centers are conceptually proactive entities, encompassing detection and deterrence, prevention, and, in some cases, emergency response capabilities. Ideally,

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<sup>39</sup> See Department of Homeland Security *Civil Liberties Impact Assessment for the State, Local, and Regional Fusion Center Initiative* (2008), available at

[http://www.dhs.gov/xlibrary/assets/crcl\\_civil\\_liberties\\_impact\\_assessment\\_12\\_11\\_08.pdf](http://www.dhs.gov/xlibrary/assets/crcl_civil_liberties_impact_assessment_12_11_08.pdf)

See Department of Homeland Security *Privacy Impact Assessment for the State, Local, and Regional Fusion Center Initiative* (2008), available at

[http://www.dhs.gov/xlibrary/assets/privacy/privacy\\_pia\\_ia\\_slrfci.pdf](http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_ia_slrfci.pdf)

fusion centers should have the capability to identify potential terrorist and criminal groups, their relationships, funding sources and other activities. They should be able to identify high-risk targets and have the capacity to coordinate resources to protect those targets, and thus prevent a potential attack or other criminal event from occurring. Finally, they should be a primary hub for coordinating emergency operations, assisting first responders, allocating necessary resources, such as emergency equipment, and identifying and tracking additional threats as they emerge. While fusion centers are intended to be facilities oriented towards prevention and proactivity, and many wish to describe themselves as such, several center remain consumed with traditionally reactive activities.

Many fusion centers have adopted an *all crimes* and/or *all hazards-all threats* mission; thus, the products they disseminate and their activities should be guided by these mission statements and operational foci. A broader organizational mandate increases the likelihood that they will collect richer information regarding a wider range of threats, as well as increases their sustainability since a more diverse array of stakeholders are incorporated into their processes.

Fusion centers are an effort to consolidate resources in a concerted effort to maximize organizational utility and efficiency. Too often, multiple agencies or departments funnel limited resources into collecting redundant information or duplicating services, thus inefficiently expending limited resources. Fusion centers should minimize the degree to which information is duplicated. Similarly, agencies and departments often collect information, but have neither the channels nor the motivation to share the information. As a result, information silos are created and information collection and

analysis activities are not maximized. Ultimately, information and intelligence is ineffective unless it is used.

Fusion centers are intended to break down a number of occupational barriers, specifically physical barriers, cultural barriers, and technical barriers. Multiple agencies are physically co-located in a single facility in an effort to facilitate cooperation and coordination by minimizing the physical proximity to one another. Similarly, longstanding subcultural conflicts in law enforcement have long been recognized and documented (Reuss-Ianni, 1983). The subcultures of federal agents and analysts, administrative officers, specialized police units, civilian analysts, and other agency personnel often conflict due to their unique functions and predispositions within the organization.

Fusion centers are intended to bridge subcultural divides between various professionals that collectively compose the law enforcement and larger homeland security communities by not only encouraging, but insisting on, increased collaboration and coordination. Fusion centers, as an information hub, are one means to technologically streamline communication channels, linking or providing more direct access between the federal government to local and state government's information systems. Many fusion centers have access to DOJ and/or DHS's unclassified information networks, and to a more limited degree, access to classified networks (GAO, 2007).

### *Practical Differences*

While there are a number of theoretical similarities between fusion centers, in practice there are an array of differences, and it is from these differences that some



centers excel over others. Since each fusion center is inclined to meet the unique needs of the political and social environments in which it is situated, they vary in their organizational structure and staffing, the products they create and disseminate, and the services they provide, particularly since threats are neither uniform nor evenly distributed. Since both threats and the availability of resources are not equally distributed across the states, and legislative or executive mandates that govern a particular center's functioning, if such exist, may differ, fusion centers vary in their respective stages of development and degrees of functioning.

Fusion centers are staffed differently depending on a number of factors. It is reported that some fusion centers employ as few as three individuals and others as many as 250 people; however, the average number of individuals employed is reported to be twenty seven (GAO, 2007). Personnel are both commissioned officers and civilian staff, primarily from local, state and federal law enforcement agencies. A number of federal agencies may assign a liaison officer and/or analyst to a fusion center, the FBI and DHS most frequently represented due to their mandates and missions. Other federal agencies may liaison with a fusion center, such as U.S. Immigrations and Customs Enforcement (ICE), U.S. Bureau of Alcohol, Tobacco and Firearms (ATF), and Federal Air Marshall Service (FAMS). The federal and state agencies assigned to a particular facility, and the strength of each partnership, varies. While federal representation is relatively smaller than state representation within a fusion center, a federal agency's presence can have a substantial impact. While the collocation of multiple agencies in itself does not necessarily facilitate organizational effectiveness, there appears to be a positive

correlation between increased contact between state and federal agencies and the perceived strengths of those relationships (GAO, 2007).

Functionally, some fusion centers have both analytic capabilities and operational capabilities, while others focus their resources on an analytical component.

Organizationally, some fusion centers have a regional outlook and are connected to other state's fusion centers, while other fusion centers are vertically restricted to the federal, state and local agencies within a single state. Some fusion centers are contained within the states' federally led FBI-JTTF, while others maintain their independence from the FBI's JTTF.

### **Current Obstacles for Fusion Centers**

Fusion centers face a host of similar challenges, including bureaucratic, financial, cultural, and technical obstacles. Most publicized, however, are controversies related to how fusion centers' activities and relationships could potentially violate citizen's civil rights and civil liberties. This section briefly addresses each of these challenges.

#### *Bureaucratic*

Bureaucratic obstacles arising from both inter- and intra-organizational conflict are those impediments that hinder the smooth and predictable functioning of the institution as a whole. Due to the relative newness of fusion centers, they, like other evolving institutions, are faced with a number of bureaucratic obstacles. While fusion centers are state initiatives, they are in need of clear support and guidance from the federal government if a "network of networks" is to be attained in the future. A majority

of fusion center directors cite the uncertainty of the federal government's long-term support and commitment to fusion centers as a major concern (GAO, 2007).

The obstacle that has received the greatest deal of attention is that fusion centers are being developed and implemented in the absence of clear policies and guidance (ACLU, 2008). Over the past several years, this problem has been addressed with a number of publications, in particular the *Fusion Center Guidelines* (2005), the *National Strategy for Information Sharing* (2007), and the *Baseline Capabilities for State and Major Urban Area Fusion Centers* (2008). These documents attempt to define fusion centers' tasks and goals, as well as provide some standardized framework against which fusion center administrators may define and evaluate their respective center's capabilities. When developing and implementing a fusion center, there should be policies addressing a number of bureaucratic issues, such as a mission statement, an implementation strategy, a privacy policy, and site security (Rollins and Connors, 2007). In some instances, policies between fusion centers conflict with one another, and determining how to minimize and overcome these differences is troublesome.

### *Financial*

Rollins and Connors (2007) explain that a "fusion center requires a budget that is comprehensive, sustainable, forward-looking, and, most important, realistic" (6). Fusion centers face a number of resource constraints, particularly in the current fiscal environment, including obtaining and retaining knowledgeable personnel and purchasing information technology software and hardware, as well as other communication equipment. A number of fusion centers have received federal support in the form of

grants, facility support, personnel, and information systems; however, uncertainty prevails regarding the amount of long-term federal support on which the state and metropolitan-run fusion centers can rely. The complexity of the federal grant process and a general lack of awareness regarding how grant decisions are made has been reportedly a frustrating challenge for state and local officials.

While federally-distributed funds have largely provided the seed money to develop and implement the centers, fusion centers rely heavily on state allocated grants for continued sustainability. Moreover, fusion center leadership is restricted on how they can spend federal grant money. For example, in the past some analysts hired with federal grant money to staff fusion centers could only be retained for two years. Thus, administrators were then confronted with the already burdensome task of identifying, hiring and training new, qualified personnel, particularly analysts.

### *Cultural*

Cultural barriers arising from tensions between different occupational cultures are difficult to overcome due to the deeply embedded and enduring nature of culture (Chan, 1997). Subcultures are the implicit framework on which organizations function, and they are present in every institution. In law enforcement, a variety of subcultures complicate incorporating counterterrorism-related and intelligence-related tasks into the field. Differences in agency practices, policies, mandates, information systems and products, as well as conflict over resources and information, and thus power, create an enormous amount of tension both between and within agencies.

Relatively new to the list of duties is increased information and intelligence sharing, and the newly minted “culture of sharing” mantra implies that sharing information and intelligence is under particular circumstances equally, if not more, important than protecting it. However, information historically has been protected by compartmentalizing and controlling its flow—a strategy appropriate to collecting and managing intelligence to counter Cold War threats. While expectations regarding information sharing have changed, a rewarding incentive structure has been slower to do so. Although many organizations have issued formal policies and procedures to direct information and intelligence sharing initiatives, Alain (2001) found that subcultural norms and informal contacts more often facilitate cooperation and intelligence exchange.

### *Technical*

Technological impediments are the practical obstacles of using information management and communication systems to record, analyze, store and share law enforcement intelligence and threat information. The decentralized nature of U.S. policing, as well as the short lifecycle and abundance of software and technology available, makes the task of establishing a truly technologically coordinated network of law enforcement information sharing systems a challenging endeavor. Moreover, there are several federally-managed information sharing systems administered by separate federal agencies; however, the multiplicity of systems is burdensome for state and local agencies. These competing systems provide an overabundance of information, which is often duplicative in nature. Thus, a fusion center’s resources are unnecessarily drained

since personnel spend a disproportional amount of time searching multiple systems and sorting through duplicated information.

In an effort to improve the information sharing capabilities between agency's systems, DOJ's Office of Justice Program's Justice Information Sharing supervises several national initiatives.<sup>40</sup> In 2003, the Global Justice Extensible Markup Language Data Model (Global JXDM), an extensible markup language (XML) standard designed specifically for justice and public security information exchanges, was released. In 2005, the first National Information Exchange Model (NIEM) Initiative was launched and an updated NIEM 2.0 was released in 2007. The NIEM leverages the data exchange standards efforts of Global JXDM and creates common standards, vocabulary, data components and tools that focuses on cross-domain information exchanges, rather than integrating all systems into a single database. While NIEM is intended to make information sharing between law enforcement systems less burdensome, law enforcement agencies are not mandated to utilize them.

### *Civil Liberties and Civil Rights Controversy*

The most publicized concern regarding the collection, retention and dissemination of law enforcement intelligence is the potential for the violation of citizen's civil rights and civil liberties, particularly their implicit right to privacy (ACLU, 2008, 2007). In fact, some suggest that this concern may become the fulcrum on which fusion center's futures balance. In 2007, the ACLU released a report, *What's Wrong With Fusion*

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<sup>40</sup> For more information on DOJ's Office of Justice Program's Justice Information Sharing initiatives, see <http://it.ojp.gov/default.aspx?area=nationalInitiatives>

*Centers?*” arguing that a number of problems with fusion centers’ intelligence activities threaten to not only undermine American values and laws, and thus credibility, but also misdirects already limited resources away from valid threats.

The ACLU argues that ambiguous lines of authority within individual fusion centers allows for “policy shopping,” whereby officials may selectively choose which laws apply regarding the collection and use of personal information so they may avoid privacy laws, open records acts, and civil liability. Such a situation suggests that effective oversight mechanisms are largely absent from fusion centers operations, and that manipulation by public officials is likely to occur when beneficial.

Other problems include both private sector and military participation in fusion centers, particularly how their participation threatens privacy and security and violates fundamental tenets of liberty. It is argued that the privatization of surveillance will eventually lead to a ‘Surveillance-Industrial Complex’, further eroding the protections guarding American citizens from unnecessary and unlawful intrusions into their private lives (ACLU, 2004). This is particularly troublesome to the ACLU since a vast majority of America’s critical infrastructure is owned by private interests. Moreover, the ACLU criticizes any military participation in fusion centers since the Posse Comitatus Act strictly prohibits the military from performing domestic law enforcement activities on American soil, unless expressly authorized by Congress. The excessive degree of secrecy, the report argues, impedes proper protections against incompetence and malfeasance, as well as when proper channels of redress if violations do occur.

Finally, the report argues that data mining techniques are not only inefficient due to the insufficient amount of relevant data, but by employing such techniques “[m]any

innocent individuals will be flagged, scrutinized, investigated, placed on watch lists, interrogated or arrested, and possibly suffer irreparable harm to their reputation, all because of a hidden machinery of data brokers, information aggregators and computer algorithms” (15).

## **Summary**

It is clear when following the genesis and subsequent development of fusion centers that state and local governments desire to be treated as active partners in national efforts to gather, analyze and share threat information and intelligence, largely via the fusion center structure. The federal government, largely lead by DHS, has undertaken great efforts to support state and large urban areas developing their fusion centers as evident by a number of federally-led initiatives and publications. Nevertheless, uncertainty persists regarding the long-term commitment of the federal government, as well as the lawfulness of state and local government’s integration into national information collection and sharing initiatives.

Results from the National Governors’ Association 2008 State Homeland Security Directors Survey indicate that while a number of challenges remain, there has been real progress and improvement in the relationships between the states and the federal government, particularly with DHS. The survey found that fusion centers are the primary and preferred vehicle with which the states communicate with DHS. Moreover, the survey’s respondents reported greater satisfaction with a number of DHS improvements, including enhanced quality of information sent to states, improved timeliness of communication, and increased use of appropriate channels of communication.



While there are a number of conceptual similarities between fusion centers, there is no single model, and as such there are a number of practical differences between centers and their intelligence requirements and capabilities. They will continue to struggle to overcome a number of challenges, including bureaucratic, financial, cultural, technical and legal obstacles, in the coming years. Most importantly, though, will be fusion centers' ability to lawfully carry out their mandated activities while maintaining a balance between protecting the larger society and individual citizen's rights. Amidst significant uncertainty and challenge, developing and sustaining state fusion centers persistently have been among the top five priorities reported by state homeland security officials for the last five years (NGA, 2009).

## **Chapter 5: Methodology**

### **Research Design**

This research is a qualitative case study exploring the functions and activities of fusion centers using open-ended, semi-structured interviews, as well as site visits and document review when available. Specifically, this research investigated whether fusion centers analytical components are fulfilling their expected functions of improving interagency information sharing, as well as developing a robust analytical capability. This chapter details the methodological techniques employed in this study, as well as its methodological weaknesses and research questions.

Based on the current availability of research on fusion centers, it is argued that a case study at this time the most appropriate method to investigate the evolving sub-federal level intelligence function as it is occurring within fusion centers. Yin (2003, 13) defines a case study as “an empirical inquiry that investigates a contemporary phenomenon within its real-life contexts, especially when the boundaries between phenomenon and context are not clearly evident.” Since this project seeks to investigate newly implemented, complex, often misunderstood and sensitive issues, a focused case study can best explore the intelligence function and its perceived utility within fusion centers than is currently documented. Yin (2003) further argues that a case study design is appropriate to use when the case satisfies one of five conditions: provides a test of critical theory, when it represents a rare or unique circumstance, when the case is typical of other cases, or it serves either a revelatory or a longitudinal purpose.

Currently, insufficient data is available to indicate whether a case (i.e. a particular fusion center) is either typical or atypical. This case study will be revelatory since

currently there is an absence of published research specifically investigating the primary areas of this research. It is hoped that the findings from this project will better enable researchers to postulate theory regarding fusion centers' utility are achieving their intended purposes, identifying in the process some of the current achievements and strengths, as well as failures and weaknesses, of these relatively new institutions. The conclusions yielded from this study will contribute to the scant knowledge that is currently available regarding the topic of fusion centers.

## **Data**

### *Data Collection*

The primary source of data was collected using opened-ended, semi-structured interviews conducted during site visits to each of the four fusion centers. During the site visits, the researcher was able to directly observe and note how the centers were structured and functioned. When available, the researcher also reviewed documents, press releases and news articles on each of the four fusion centers.

Interviews were conducted during site visits to each of the four facilities included in this research, as well as to various partner agency's' offices from June 2009 to February 2010. Over twenty-four hours of interviews were conducted. During site visits, a room was provided in which to conduct the interviews to ensure participant's privacy and facilitate participant's candidness. After a brief introduction to and explanation of the research goals and methods, each participant was presented an informed consent form. Once consent was obtained, the interview ensued. Interviews lasted anywhere from ten minutes to approximately one hour long, averaging approximately thirty to

thirty five minutes in duration. If explicitly permitted by each participant, the interviews were recorded with a digital recorder to ensure information accuracy and thoroughness, as well as to minimize the potential for researcher bias prior to organizing and analyzing the data. Of the forty nine subjects that agreed to be interviewed, consent to digitally record the interview was not obtained from seven participants, specifically an FBI Supervisory Special Agent, two FBI Special Agents, a state-level Office of Homeland Security and Preparedness liaison, an Air National Guardsman, a DHS representative, and a staff advisor from the U.S. House Homeland Security Committee.

During each site visit, the researcher formally toured each facility and was introduced to a number of personnel, including ones not interviewed for the research. Site visits enabled the researcher to observe the physical settings of each center, how each was organized within their larger managing organizations, and how partner agencies were situated within each. Moreover, since the collocation of partners, together with applied analytical capabilities, forms the cornerstone of the fusion concept, observing the setting in which fusion center personnel and their liaison colleagues interact and work was deemed important for the research.

When available, relevant documents were reviewed for each center. Documents were largely gathered from agency websites, press releases and other news outlets. Only one center provided the researcher access to documents that were not open source, which were largely descriptive in nature of the centers' goals and objectives, initiatives, organizational structure, partners and the like.

### *Data Preparation and Analysis*

The fusion centers included for study were assigned a capitalized letter (i.e. A, B, C, or D). Interviewees working within or associated with each fusion center were assigned a lower case letter and their classification as either *sworn* or *civilian* personnel, as well as respective roles and job titles (i.e. director, management, analyst, partner agency, and consultant) were noted. All recorded interviews were transcribed into a text document using Microsoft Word, and all identifying information was removed from each source. For federal and state partners, the lead agency was recorded.

Text documents and notes were then imported into NVivo 8, a computer software program designed to assist in organizing and managing qualitative data. A data management system was used since it helps a researcher conducting qualitative research to easily classify, sort and arrange large volumes of information, as well as create and edit conceptual frameworks, and more clearly identify and track trends. The software only enables the user to electronically organize information; it does not impose any analysis on the information. All decisions regarding the importance, relevancy and relationships between disparate pieces of information are researcher driven and controlled.

Once the interview transcripts were imported into NVivo8, each transcript was read and the information sorted into individual nodes. Initial nodes were determined by primary areas on interest as guided by the research questions or words or phrases that were repeatedly encountered. The researcher then constructed a set of tree nodes to reflect the proposed research questions. The “parent” node of each tree was coded as the primary research question, in addition to an “other” tree node. This “other” category

provided a location for data that did not directly relate to any part of the specified research questions but was deemed too important and insightful to ignore. Within each “parent” node, “child” nodes were created, and the data was sorted into each relevant node. Child nodes were created in one of two ways. First, the major components of each research question were coded a “child” node. Second, major reoccurring themes and keywords were coded a “child node” and the data sorted appropriately.

## **Sampling**

A total of four research sites were sampled in this study; however one site, Site A, formed the crux of the study. A total of forty nine (N=49) subjects were formally interviewed during the course of the research (see Table 2). Site A is nationally regarded as one of the better developed and functioning fusion centers in the country. The other three sites were included to serve as comparisons to Site A to determine whether the processes, structures and conditions identified in Site A are unique or can be identified across other fusion center settings.

### *Sampling Settings: Research Sites*

A total of four research sites, each chosen for convenience, as well as other unique purposes, were selected for inclusion in this study (see Appendix 1 for more detailed descriptions of each research site). Access to fusion centers is restricted unless an individual either works within a fusion center, the State Police, or another local, state or federal partner agency or unless the individual receives special permission via personal

contacts.<sup>41</sup> Of the four research sites included in this study, three sites (Sites A, B, and C) considered granting the researcher access to their fusion centers due to personal relationships the researcher had with law enforcement personnel or others with relationships with a particular center. For each of the three research sites, once the researcher's personal contact informally contacted each respective fusion center's director or designated contact person notifying them of the researcher's request and permission was granted for continued discussion, the researcher directly contacted each fusion center's contact person. After an informal discussion of the study's purpose and goals and methods, a formal letter was mailed to each site's contact person. The researcher, however, did not have any personal contacts with the fourth research site. The fourth site, Site D, granted the researcher access after the researcher called the center's director and then mailed a formal request letter detailing the purpose, goals and methods of the current study.

Three of the four centers are located in northeast region of the United States (Sites A, B, and C) and one is located in the southern region of the United States (Site D). Two of the research sites (Sites A and B) are located in bordering states. All research sites report they were formally established between the years of 2003-2006; however, all four have indicated that they continue to strongly focus on developing their analytical capabilities and their relationships with other entities.

All four centers are managed and led by their respective state police agency; however, only one site, Site A, considers itself a *state* entity, rather than a *state police*

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<sup>41</sup> In fact, since gathering data for this research study, the researcher has been contacted by another Ph.D. candidate attempting to also conduct research on fusion centers. The researcher was contacted since the candidate was not receiving compliance and access to several fusion centers. The Ph.D. candidate contacted the researcher inquiring how she gained access to her research sites.

entity. The remaining three centers (Sites B, C, and D) fall directly under the direction of their respective agency's criminal investigations branch or bureau, and they consider themselves to be outgrowths of their agency's traditional criminal intelligence units.

Of the four sites, Site B does not classify itself as a true fusion center, but rather a criminal intelligence center. Although there is only one FBI analyst assigned to the center, the federal government does recognize it as the state's fusion center. Its activities and structures are similar to other designated fusion centers; however, there are currently negotiations are underway with the state's Governor's Office to develop a separate, *true* fusion center within the state.

The first research site, Site A, is located in the Northeast region of the United States. As noted, while it is managed by the State Police and adheres to an all-crimes, all-hazards, all-threats mission, it is considered a separate state entity. It was established in 2005 and classified as a fully developed fusion center as of 2006; thus, it is both fully operational and fully functional. It has an analytical component responsible for collecting, analyzing and disseminating intelligence; an operational component; and a call center component that is designed to provide the center with situational awareness intelligence in emergency situations. Site A is located in a prime location to investigate intelligence processes countering threats of both terrorism and crime because of the state's strategic significance to both national and domestic security, as well as its long history of criminal problems in many of the state's major cities. Moreover, it is an economically and culturally diverse state, with an abundance of critical infrastructure, as well as a number of military installations, located within its borders that can be categorized as attractive terrorist targets. Furthermore, the state has experienced terrorist-



related activity within its borders. Again, Site A is revered as one of the more developed and better functioning fusion centers in the nation, a point referenced several times over the course of this research by those affiliated with the Site itself, those in other state's fusion centers included in this research, and those participants representing the federal perspective.

Site B is also located in the Northeast region of the U.S., bordering the state of Site A. It was established in 2003, adheres to an all-crimes mission, and it is classified as operationally developed. While Site B is classified as a criminal intelligence center, rather than a fusion center, it is an interesting contrast since it performs the same analytical and support functions as fusion centers. Moreover, the center's goals are also to develop a more strategic and proactive perspective as does a fusion center. Site B claims to collaborate with local partners throughout the state, namely local law enforcement agencies, with regards to investigations, intelligence sharing, training, and outreach activities. Similar to Site A, there are a number of critical infrastructure sites located within the state. The center's leadership indicated that the center is regarded as a successful criminal intelligence center by the state's local partners and users.

Site C is located centrally in the northern region of the U.S., within the same region of Sites A and B. It was formally established in 2004 and was designated operational in 2007. It adheres to an all-crimes mission; however, in 2007, it was classified as in an intermediate stage of development, thus it has limited operational capacity and functionality. This in part is due to severe budgetary limitations facing the state, and thus the center. The center's information and intelligence activities focus on

international terrorism, domestic terrorism, organized crime, including street gangs and motorcycle gangs, and narcotics.

Site D is located in the southern region of the U.S., and adheres to all-crimes, all hazards mission. It was officially established in 2004, but not until 2008 did it considered itself operational. The state Site D is located has a long history of managing a range of threats from natural ones to organized crime. The state also houses a great deal of critical infrastructure within its borders.

The sites chosen for the case study are adequate for a number of reasons. The proposed facilities are managed by their respective State Police agencies, and each facility has adopted a mission broader than solely counterterrorism. All four centers are classified as operational, although Site C and Site D have been operational for less time than the other two sites. Sites A and B are geographically located in bordering states, while Site C is located in the same region as Sites A and B. Site D is located in a geographical region substantially farther away from the other three sites. While Sites A, B, C and D share number of similarities, they also differ in a number of regards.

#### *Sampling People: Research Participants*

Purposive sampling and snowball sampling strategies were used in this research since a targeted, expert and experienced sample of individuals was absolutely necessary to address the research questions. A finite number of individuals can or will address these issues. Furthermore, since threats are unevenly distributed and fusion centers are dissimilar in several respects, it is paramount to target the study's participants. A purposive sampling strategy enabled the researcher to collect rich information better

illuminating characteristics and processes of the fusion center's analytical element that might be missed with a random sample. Snowball sampling of participants enabled the researcher to capture a greater number of expert individuals with rich knowledge of and active involvement in fusion centers.

Moreover, access to fusion centers, their personnel and their partners is restricted to third party persons. Official contact information from which to draw sampling frame is available only if an individual is a member of the law enforcement community, a fusion center analyst, a federal employee working within the area of fusion centers, or are otherwise granted special permission. The researcher did attempt to collect such information from the Institute of Intergovernmental Research, a non-profit research and training organization. However, the researcher was told that,

The reason we do not make the contact information public is because of the nature of the fusion centers, the work that they do, and the risk to those who work there. Because fusion centers are tasked with gathering and processing terrorist and criminal activity, they are targets for sabotage and attack. To protect those that are carrying out this vital work, we do not release their contact information.

Since this research relies on participant interviews, a number of perspectives were solicited to better develop a more complete understanding of the perceived changes that have occurred due to the fusion center concept and structure; whether there is evidence to determine if fusion centers are achieving what they were tasked to achieve; the nature of the relationships between the personnel and agencies assigned to the center, as well as other issues. The researcher felt that including a variety of perspectives would better illuminate the reality of what has changed since the centers were developed and become operational, as well as their perceived sense of utility and effectiveness.

The wide range of perspectives included in the study's sample includes a cross

section of knowledgeable individuals capable of contributing valuable and relevant insights to the study's research questions. This approach was chosen for several reasons. First, the researcher felt it prudent to collect as many perspectives as possible assuming that each perspective would carry biases with it. The greater the number of perspectives included in the study, the more confident the researcher was that she would be able to make more accurate conclusions regarding the research questions. Second, since fusion centers are relatively new institutions and relatively little documented knowledge concerning their activities and processes, the researcher felt it important to gather as many perspectives as possible. Third, within the fusion center context, interagency relationships are much more fluid than they would be in a traditional law enforcement agency or other government agency. Since fusion centers are multiagency facilities intended to be based on notions of partnerships, and thus equality, reciprocity and mutual respect, and since no single organization "owns" the fusion center, the designations of customer/partner are neither static nor always apparent. It should be duly noted that since the sample varied on a number of characteristics, including their age, sex, educational background, occupational background, occupational training, current occupational status, level of government in which employed, and employer.

Those sampled individuals varied on a number of qualities. Some sworn law enforcement others civilian, while still others were once sworn officers but now civilian. Some interviewees offered current perspectives and others retrospective ones; some were seasoned professionals while others were still wet behind the ears. Some seemed overwhelmed, and others were overly pleasing. Some were candid, while others were more cautious. Some were young, while others were older. Some analysts could not

speaking to what has changed in the law enforcement information sharing environment since 9/11 because they were not part of the professional culture in 2001. Some had completely other unrelated jobs prior to their involvement with fusion centers, while some were still in high school when the 9/11 terrorist attacks occurred.

Furthermore, deciding how to sort participants into categorized groups was difficult at times. For example, one analyst was hired as a State Police analyst for over one year, but had been recently hired by the FBI at the time of the interview. Another example were two analysts contracted by DHS from an outside intelligence contractor and assigned to Site A. While they are civilian analysts employed in private industry but embedded in a fusion center. Moreover, they viewed the fusion center as a client.

Targeted respondents were classified into separate categories, those working within the fusion centers, specifically those involved in the analytical processes of the center and instrumental in the centers' functioning and management, and those external to, yet who are or have been affiliated with, the fusion center at some point in time. The researcher felt it was reasonable to assume that the variety of participant perspectives included in this research have varying degrees of vested interest and interaction with the fusion center, and thus a range of perspectives to offer.

Targeted respondents internally *employed within* or *assigned to* the fusion center include fusion center Directors and other management personnel, fusion center analysts, and State Police troopers or other law enforcement personnel assigned to work in the center. Other participants include representatives from various federal and state agencies embedded in the fusion center's analytical component, such as the Federal Bureau of Investigation, the National Guard and the Department of Corrections.

Targeted interviewees externally *affiliated with* the fusion center include public servants employed outside of the fusion center. Targeted participants from this category include representatives from the state's respective Homeland Security and Preparedness Office, a representative from Site A's Attorney General Office, and a former Attorney General, as well as two individuals with expert knowledge of and experience consulting with fusion centers.

Furthermore, fusion centers are maintained at the state level, however, national initiatives and funding have helped to guide the development and implementation of fusion centers. Thus, the researcher felt it important to include national perspectives in the research. Targeted interviews included representatives from both the Federal Bureau of Investigations (FBI) and the Department of Homeland Security (DHS), a senior policy advisor from the Department of Justice's Bureau of Justice Assistance (BJA), and a staff director on the U.S. House Homeland Security Committee.

A sample of forty-nine individuals ( $N=49$ ) were included in this research (see Table 2). Of the forty-nine individuals interviewed, twenty-eight ( $n_{\text{Site A}}=28$ ) participants were related to Site A, and sixteen were collectively from Sites B ( $n_{\text{Site B}}=5$ ), C ( $n_{\text{Site C}}=7$ ) and D ( $n_{\text{Site D}}=4$ ). The remaining individuals ( $n_{\text{National}}=5$ ) together represent the national perspective.

A total of twenty-eight individuals both currently or previously assigned to and working within Site A participated in this research. Of these twenty eight individuals, eleven were sworn law enforcement officers and eight were civilian personnel, primarily analysts. Eight of the sworn personnel were from the State Police, one was a Detective from a municipal police department, one was a Senior Parole Officer from the

Department of Corrections, and one Special Agent from the FBI. Of the nine civilian participants, one was the civilian Director, four were State Police analysts, two were contracted analysts, and one was an FBI analyst. Of the remaining participants, one was from the Attorney General's Office, one was a former Attorney General, four were from the state's Homeland Security and Preparedness Office, and two were expert authorities that have consulted with several fusion centers and have published on fusion centers and related topics. Both consultants have considerable knowledge of the law enforcement profession, both have advised various law enforcement agencies regarding the use of information and analysis in policing, including one's sampled for this research, and both have written on the subject of fusion centers and information sharing and intelligence. Lastly, an FBI Supervisory Special Agent heavily involved in Site A's early developmental stages agreed to be interviewed.

A total of five participants from Site B participated in the interviews, two of which were commissioned officers and three of which were civilian analysts. Of the commissioned officers, the center's Director, ranking Captain, and a Corporal overseeing the center's civilian analysts were interviewed. Of the three civilian perspectives, one was an analyst supervisor and two were analysts assigned to the strategic portion of the center's analytical unit.

A total of seven individuals from Site C agreed to be interviewed for this research, three of which were sworn personnel, two were civilian analysts, and two additional participants were military personnel, specifically an active Guardsman from the Air National Guard and a reservist assigned to the center as a liaison to the U.S. Coast Guard. Of the sworn participants, one was the center's Director, having recently assumed

the command within the past year, one was a Detective Sergeant, and the other an FBI Special Agent. Of the two analysts interviewed, one was a State Police analyst and the other was an analyst recently recruited to the FBI, but was a State Police analyst in the same fusion center prior to her federal hire.

A total of four participants from Site D were interviewed, one of which was a commissioned officer, two were State Police analysts, and one was a liaison from the state's Homeland Security and Preparedness Office. The commissioned officer, ranked a Lieutenant in the State Police, was the fusion center's Director.

**Table 1: Total Sample by Site and Role (N=49)**

	Site A	Site B	Site C	Site D	Federal	Total
<b>Sworn</b>						
State Police	8	2	2	1	-	<b>13</b>
Municipal Police	1	-	-	-	-	<b>1</b>
State Agency Liaison/DOC	1	-	-	-	-	<b>1</b>
Embedded FBI Special Agent	1	-	1	-	-	<b>2</b>
<b>Civilian</b>						
State Police	5	3	1	2	-	<b>11</b>
Contracted Analysts	2	-	-	-	-	<b>2</b>
Embedded FBI Analyst	1	-	1	-	-	<b>2</b>
<b>Other*</b>						
Attorney Generals Office	2	-	-	-	-	<b>2</b>
State Homeland Security	4	-	-	1	-	<b>5</b>
FBI Supervisory Special Agent	1	-	-	-	-	<b>1</b>
Consultants	2	-	-	-	-	<b>2</b>
Military**	-	-	2	-	-	<b>2</b>
<b>Federal***</b>	-	-	-	-	<b>5</b>	<b>5</b>
<b>TOTAL</b>	<b>28</b>	<b>5</b>	<b>7</b>	<b>4</b>	<b>5</b>	<b>49</b>

\*Those assigned to the "Other" category may be either Sworn or Civilian

\*\*Either an active Air National Guardsman or a Coast Guard reservist

\*\*\*Department of Justice (DOJ), Department of Homeland Security (DHS) and Federal Bureau of Investigations (FBI)

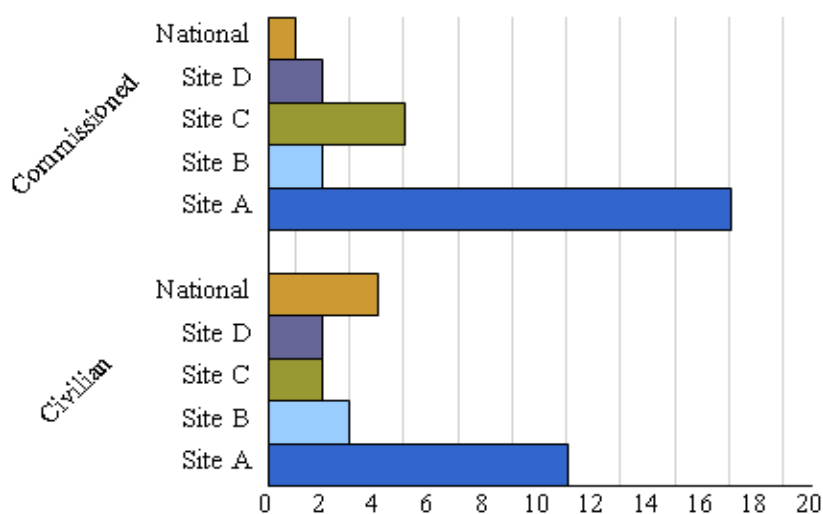
In an effort to simplify and better describe the overall sample, various sample attributes are presented, specifically participant's gender, their designation of



commissioned or civilian status, and the level of government by which they are employed. Of the forty-nine subjects, forty-one were male ( $n_{\text{Male}}=41$ ) and eight were female ( $n_{\text{Female}}=8$ ). It is not surprising that a greater number of subjects are males since males are disproportionately represented within the law enforcement community. All of the eight females included in this study were civilian analysts; a total of fifteen analysts were interviewed.

Of the forty-nine participants, twenty-seven were commissioned personnel ( $n_{\text{Commissioned}}=27$ ) at the local, state and federal levels and twenty-two were civilian ( $n_{\text{Civilian}}=22$ ). The graph below presents the number of interviewees by two attributes: commissioned or civilian classification, and by sites, including those individuals at the national level.

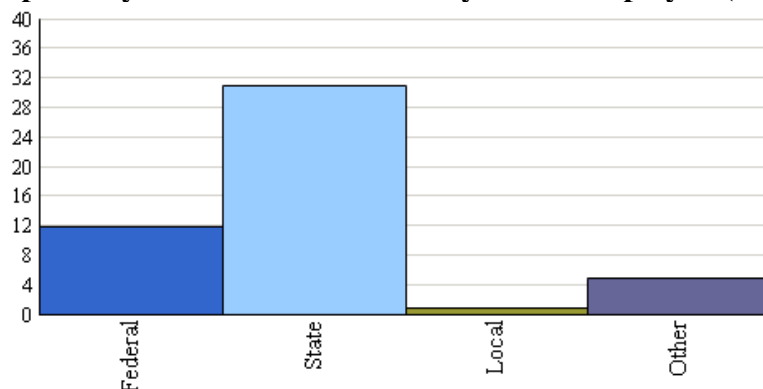
**Graph 1: Commissioned vs. Civilian Personnel by Site (N=49)**



The subjects were also classified by the level of government by which they were employed (see Graph 2). Of the forty-nine subjects, twelve were employed at the federal

level ( $n_{\text{Federal}}=12$ ), thirty-one were employed at the state level ( $n_{\text{State}}=31$ ), one was employed at the local level ( $n_{\text{Local}}=1$ ), and five were classified as “other” since they did not fit into the other designated categories ( $n_{\text{Other}}=5$ ). These five individuals, two were contracted analysts, two were consultants, and one was a former State Attorney General.

**Graph 2: Participants by Level of Government by which Employed (N=49)**



### *Protection of Data & Confidentiality*

This research was submitted to and approved by the University’s Internal Review Board (IRB). All interviewees were presented with and signed an informed consent form prior to an interview, which was developed following the guidelines outlined in the IRB Protocol Form Instructions. As proposed, the researcher chose to maintain the confidentiality of both the sites investigated and people interviewed for several reasons.

The researcher felt that if the participants and their respective centers were ensured confidentiality they may more freely discuss their thoughts and opinions with the researcher, particularly since the newness of and uncertainty surrounding fusion centers and their activities could potentially expose the fusion center and those engaged with them to scrutiny and criticism. Moreover, the various relationships within the centers

between analysts and commissioned personnel, between partner agencies, and between the center and the larger State Police organization within which it is managed are not only new, but also complex. The issues being addressed are oftentimes sensitive in nature and traditionally cloaked in secrecy. Finally, a select few fusion centers have been recently criticized for their activities and disseminated products. As a result, many other fusion centers have been exceptionally vigilant of their centers' activities and products.

### **Methodological Weaknesses**

As with any research, there are methodological weaknesses that should be noted; however, it is believed that the potential contributions of the proposed research outweigh the potential weaknesses. This section addresses the research study's weaknesses in design, sampling techniques, data collection methods, and analytic strategy.

This research project relied solely on a qualitative case study research strategy. The primary weakness of employing a case study design is that of generalizability, and thus the external validity of the research findings. Since the case study in this project is a qualitative endeavor, the conclusions drawn from this research are not *statistically* generalizable; however, there is no reason to believe that they cannot be *analytically* generalizable to other fusion centers, particularly those with similar missions, needs, structures and processes as the fusion centers included in this study. Although statistical generalizations cannot be made from case studies, the case study design does allow the researcher to identify processes and structures that appear to be robust, reliable and innovative, as well as weak processes and structures, both of which are useful for informing "next step" policy and research.

Since a single case study would not yield enough information to determine if a particular fusion center is either typical or atypical, multiple sites were included to as comparative elements. By including a comparative component, the analytical benefits are also increased, and, thus, conclusions drawn from this project are more robust. By including multiple research sites, the data from the additional three sites is used to cross check and compare the findings from Site A, thus increasing the external validity of the study's conclusions.

However, Yin (2003) argued that if a researcher uses a multiple-case design strategy, then it should follow a *replication* logic rather than a *sampling* logic. The inclusion of multiple sites was based largely on a sampling logic for this research since the additional three sites are used to cross check the findings from Site A. Thus, it could be argued that each site was not investigated thoroughly enough to warrant robust conclusions. Since Site A was most thoroughly studied, the conclusions drawn specifically for that site may be accurate and valid only for that particular site. Since the other sites were not investigated as systematically, it could be criticized that the researcher is relying on information solicited from an insufficient sample. It could be argued that not only is the information solicited not enough to make valid comparative conclusions, but that the responses are biased since a less diverse sample was included in additional sites. It should be noted, however, that after conducting a significant portion of the interviews, the participants responses were often redundant, indicating that a point of saturation was reached.

Many scholars feel that qualitative research relying on non-random samples is less scientific than its quantitative counterpart. Since non-probability sampling

techniques were used in this research, the researcher cannot determine with statistical accuracy if the population has been well-represented. Nevertheless, due to the nature of fusion centers, their purposes and their activities, it is unreasonable to believe that a non-probability sampling technique will lead the researcher to grossly misrepresent the population of interest. It is reasonable to assume that individuals working in a state-managed fusion center are working in comparable environments under similar missions towards common goals, particularly since there are efforts underway to standardize many of the fusion center processes, training and products. It was not only inefficient to generate an accurate sampling frame and a randomly sample all the individuals and entities in every state working within or partnered with a fusion center, but it was also impossible since that information is only available to commissioned officers and fusion center directors.

The present study relied on two data collection methods, specifically open-ended, semi-structured interviews and site visits. While the data garnered from interviews are regarded as rich since they offer a unique, dynamic perspective, the data from self-report measures can also be unreliable if respondents provide answers that inaccurately represent the truth. When interviewing individuals, there is the possibility of subject reactivity, where the interviewed individual reacts to the interviewer in an atypical manner, potentially providing socially desirable or inaccurate answers to probing questions with which they are uncomfortable. This was initially of particular concern due to the inherent cloak of secrecy surrounding the business of intelligence. It is due to this concern that a number of individuals with different roles and degrees of invested interest both within and outside of the fusion centers were included in the interview process.

Not only may participants give misleading responses, but also the on-site presence of the researcher may influence the routine behaviors of fusion center leadership and staff. Moreover, those who decline to participate are different in some way from those who did voluntarily participate in the research, and these difference themselves may offer a unique perspective that is consequently unaccounted for in this research.

Additionally, since a sole researcher conducted the research, it is important to acknowledge that the researcher carries personal biases, experiences, and larger interpretations of the world into the research process. The researcher's biases will affect to some degree what information she identifies as important, as well as how she interprets her findings. The human factor is both a strength and weakness in qualitative research, and a good researcher remains cognizant of this delicate balance. This, in part, is why software designed to help manage qualitative data was used, as well as using a triangulated approach to data collection, to corroborate the researcher's interpretations and conclusion.

### **Research Questions**

The research questions were designed to generally investigate five major areas of interest: what has changed since the 9/11 terrorist attacks and the subsequent development of fusion centers; whether fusion centers are fulfilling their intended functions; whether fusion center's are perceived to be effective; whether fusion centers' activities and products are impacting how law enforcement understands and uses threat information; and whether they represent a form of police innovation.

### *Research Question 1*

What has changed in the law enforcement community since the 9/11 terrorist attacks and subsequent development of fusion centers?

Prior to investigating fusion centers activities in greater detail, it is important to explore what participants working within or in conjunction to fusion centers perceive has changed over the years since the 9/11 terrorist attacks and the subsequent development of fusion centers. It is believed that the participant's responses will help contextualize the remainder of the research. As addressed previously, the rhetoric of "everything has changed" within law enforcement has pervaded popular culture; however, there has been little consensus or documentation regarding whether substantive changes have and continue to take place, or if such claims are overstated.

### *Research Question 2*

Are fusion centers fulfilling their intended purposes of improving information collection and analysis and subsequent intelligence production and sharing?

Fusion centers were tasked with the primary duties of facilitating communication and coordination between the levels of government and across jurisdictional boundaries. The 9/11 Commission clearly concluded that the outdated structure of the U.S. intelligence infrastructure and the failure of timely information dissemination were major contributing factors to the success of the September 11, 2001 terrorist attacks, and future efforts to bridge this gap were imperative. Moreover, subsequent incidents, such as

Hurricane Katrina in 2005, confirmed the federal, state and local government's inability to share vital information and reliably coordinate emergency response activities.

It has been argued that by improving communication and coordination capabilities, our government entities would be better able to "collect the dots," that is having the abilities to bring together disparate data and circulate it to particular communities of interest (Libicki and Pfleeger, 2004). These circumstances were compelling catalysts for the construction and operation of a majority of fusion centers. Moreover, the need for a developed analytical component whereby the collected dots can then be connected, and patterns and trends identified and solutions designed, implemented and evaluated, was also clearly recognized in the aftermath of the 9/11 terrorist attacks. Fusion centers have been tasked with developing warning intelligence capabilities capable of predicting and anticipating where threats will manifest before they become problematic and pervasive. Such an endeavor requires a shift from investigative, case support focus to a more proactive analysis of information and use of intelligence.

Inherent in the quest for improved interagency communication, it was clearly recognized that physical, technological and cultural barriers must be circumvented. In an effort to overcome physical and cultural barriers, fusion centers collocate representatives from various agencies and disciplines with a range of expertise and skills in one facility. Not only should *inter*-agency tensions be overcome, but also historical *intra*-agency tensions should be minimized, particularly between commissioned officers and civilian analysts. Via fusion centers, analysts' skill sets and perspectives, combined with the sworn officers' knowledge base shaped over years of on-the-job experiences, are intended to be brought to the forefront of policing and leadership decision-making.



Exploring the changing or unchanging nature of these subgroup's relationships should indicate whether fusion centers are likely achieving their purposes. Moreover, a number of technological changes have been implemented, including the collocation and/or interconnectivity of agency databases to increase the local, state and federal agencies abilities to access information so it may be extracted, linked to other pieces of information, and pushed out to a wider distribution of stakeholders. Mitigating these barriers should have the effect of improving information flow and interagency communication.

Finally, many fusion centers, though not all, were initially established with a strong counterterrorism focus; however, many have broadened their mission to include all crimes and/or all hazards mandates. Over the years, there has been some debate regarding to what degree countering the threat of terrorism should be prioritized within the fusion centers' tasks.

### *Research Question 3*

Are fusion centers perceived to be *effective* at fulfilling their designated tasks?

The question of effectiveness is an important one, particularly since substantial resources have been and continue to be funneled into these relatively new institutions. If the fusion center endeavor is perceived to be effective, then it can be presumed that they are achieving some degree of success; however, it is important to remain cognizant that success is neither a one-dimensional concept nor an absolute. Not only are significant federal and state resources being allocated to fusion centers, but if fusion centers are not achieving their intended goals, then their effectiveness is called into

question. From a policy perspective, leaders want to ensure that precious financial and human capital are allocated and consumed wisely. They also want to know if fusion centers, as facilitating mechanisms, are enabling the larger law enforcement community to maximize their own abilities to provide security and protection, not only from the threat of terrorism but also from host of other threats.

Factors to consider when investigating a fusion center's effectiveness are not only those activities and qualities that demonstrate the center's potential strengths and successes, but also their weaknesses and areas for improvement. By assessing both the center's positive and negative attributes, inferences regarding fusion center's effectiveness can be specified, potential areas for future success and strategies of how greater success might be achieved can then be speculated.

#### *Research Question 4*

Are fusion center's analytical activities and products impacting how their consumers use information and intelligence?

Not only is it important to investigate whether fusion centers are fulfilling their designated tasks, but it is equally important to explore whether their customers are utilizing the fusion center's services and products as they should. A fusion center's processes and products can be exquisitely, or even sufficiently, developed; however, if their users/customers are not changing how they understand and utilize these services and products, then overall success of the fusion center endeavor will be limited. This issue can be addressed in at least two ways. First, what are the driving forces behind the fusion

center's products? Second, is the information and intelligence generated by the fusion center being used in traditionally reactive ways or more proactively?

Distinguishing the degree to which internal forces or external requests drive information and intelligence requests and product development will expose how the intelligence process is currently occurring within the fusion center, and thus indicate whether it is happening as theorized. Internally, products may be driven by either analysts or commissioned personnel. External forces driving product development could come from a number of sources, including local police departments, the State Police, other state agencies, agencies partnered within the fusion center, or even the private sector. Exploring how products are initiated should to some extent indicate if the products are meeting consumer's needs, and thus being used.

Moreover, while the police have historical experience collecting and using information for a variety of purposes, within the discussion of fusion centers they are expected to use it in more systematic, novel and proactive ways. No one is advocating that traditional case-specific, investigative functions should be replaced; however, the argument asserts that fusion centers should have the capability and tools to collect, use and manage information in creative and new ways, thus becoming both better producers and consumers of threat information. Rather than restricting the use of information and intelligence to ad hoc, reactive instances, information and intelligence should also be used to capture the 'big picture,' identifying trends in their operating environments, as well as what incidents and patterns they should anticipate. Thus, it is important to determine whether fusion centers' products are being used more centrally in police decision-making since information analysis and intelligence consumption is placed

centrally in an intelligence-led policing model. Intelligence products should not be created ad hoc to justify a predetermined decision or to sit on a shelf; rather, they should have actionable conclusions and be disseminated to targeted consumers so they may be proactively utilized.

In order to be successful, the fusion center's activities and analytical products cannot be viewed simply as supplemental contributions. There should be some indication that fusion centers and their personnel are being integrated into the larger managing organization, in this case, the State Police. It is widely known that resistance to organizational change and accompanying cultural change is great, and sometimes too great. Thus, it is important to investigate the degree fusion centers have integrated into the larger system of the State Police. A high degree of integration may indicate that they are becoming institutionalized components in their own right.

#### *Research Question 5*

Are fusion centers innovative?

Fusion centers are intended to be vehicles for criminal intelligence collection, production, management and dissemination, well as interagency coordination hubs. They should also be enabling the organization to operationalize intelligence-led policing principles and activities.

As prior research on policing innovation has revealed, innovation is not dichotomous; rather, it occurs on a spectrum ranging from 'full innovation' on one

extreme and ‘no innovation’ on the other extreme.<sup>42</sup> Within the spectrum, however, distinctions between a ‘partial innovation’ and a ‘cosmetic innovation’ can be made. ‘Full innovation’ would indicate that the degree to which the innovation fully embodies the attributes of innovation postulated by Rogers (1995) (i.e. relative advantage, compatibility, complexity, trialability and observability). A full innovation should, in fact, enable the adopting organization to perform and accomplish both old and new tasks in new ways. A full innovation could be classified as a reform.

If a fusion center is classified as a full innovation, then we might expect that it is truly enabling its participants to carry out new tasks in novel ways. For example, we would expect that the organization behaves more proactively than reactively in how it collects, analyzes, manages, and distributes threat information. Thus, it would be more knowledgeable about its environmental threats, both criminal and non-criminal, and it does so in a way that is perceived as “better” than before.

In addition to the tasks the center carries out, the ability for users to make decisions based on the information and intelligence products created by and disseminated from the fusion center might also indicate that the fusion center is reaching the status of full innovation. Finally, if fusion centers are improving the frequency, quantity, and quality of timely and accurate information exchange, then this might indicate that the center is innovative.

The change may be considered a ‘partial innovation’ if it does not entirely embody Roger’s innovation attributes, rather only some of the attributes. As a partial innovation, it may indicate that some reform characteristics have integrated into the

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<sup>42</sup> It is assumed here that a complete absence of an innovation is not an option since the physical development and operationalization of fusion centers are new additions to the exist structure of law enforcement. Due to their existence, they represent something new.

organization; however, a full transformation has not occurred. Instead, the organization may be undertaking new tasks and strategies or modifying existing ones; however, the change is not yet great enough to classify it as a fully diffused innovation.

Finally, the change may be considered a 'cosmetic innovation' if it appears that there is an innovation; however, the organization really remains business as usual, indicating that the rhetoric of reform is more plausible than actual reform, and the perceived reform is illusionary. This would mirror Weisburd and Braga's (2006) warning that oftentimes it appears that something new is happening, but in reality observed changes are really only shallow implementations of traditional strategies that have been used and reused repeatedly.

## **Chapter 6: Research Findings**

### **Introduction**

The current research study set out to address five primary research questions as outlined in the previous chapter, and a number of findings emerged regarding each of the aforementioned areas as well as some unanticipated findings. In general, the current study found that there have been a number of perceived changes in the years since the 9/11 terrorist attacks and subsequent development of fusion centers. The study's findings also suggest that while fusion centers are perceived to be partially fulfilling their intended purposes of facilitating communication and coordination, they still have yet to develop robust analytical capabilities. Moreover, the participant's responses revealed that the role of counterterrorism is perceived as neither paramount nor trivial to the fusion centers' daily activities. The study's findings indicate that while the sampled fusion centers are likely demonstrating some value to their constituencies, they continue to face a number of persistent challenges.

This study was unable to determine whether fusion center's services and products are impacting their customer's decision making processes, particularly since user's needs vary substantially; however, based on the participants interviews, it appears that the fusion center's services and products continue to be solicited to largely support tactical, reactive and investigative purposes rather than strategic, proactive ones. Finally, the findings from this research indicate that fusion centers, in general, are innovative. They in some circumstances appear to be enabling law enforcement to carry out traditional tasks more effectively efficiently, as well as identify new tasks and needs in novel ways. The remainder of this chapter addresses each of these issues in much more depth.

*Research Note on the Presented Descriptive Statistics*

It should be noted that the summary statistics provided in this chapter are to give the reader a sense of relativity; however, due to the large variation in the sample and the open-ended nature of the interviews not every participant was probed equally on every issue. Moreover, due to the significant variability between participant's experiences and knowledge, not every participant could answer each question probed by the researcher. Finally, while a majority of participants consented to have their interviews digitally recorded, thus improving the researcher's accuracy in recording and analyzing the data, a total of seven participants did not consent to having their interviews recorded. Only hand notes of these interviews were taken; thus, it is reasonable that while major points of interest were noted, it is plausible that relevant and insightful details was not recorded, and consequently not included in the overall analyses.

**Research Question 1: What has changed in the law enforcement community since the 9/11 terrorist attacks and subsequent development of fusion centers?**

To explore this question, at the beginning of the interviews, the participants were queried regarding what, in their opinion, had changed over the years since the 9/11 terrorist attacks and the subsequent development of fusion centers. Although every participant could not address this question equally, the researcher felt it prudent to investigate their perceptions of what has changed in law enforcement regarding the intelligence and information area since the terrorist attacks, believing that their responses would contextualize the subsequent findings.

Five separate, but related, themes emerged from the various participant perspectives (see Table 2). The participant's responses indicate that information is



perceived to be shared more readily now than in the past. Participants also reported that there is a greater sense of awareness regarding the scope of threats law enforcement should be prepared to address to better ensure public safety. Thirdly, the participant's responses indicate that need for robust and permanent information and intelligence capabilities has been recognized and embraced more so than in the past, at least among a particular portion of the law enforcement community. The study's findings also indicate that participants reported that relationships both vertically and horizontally between agencies are developing and growing stronger. Finally, the value of greater centralization and integration of multiagency services has been recognized.

**Table 2: Subject's Reported Changes Post-9/11 (N=49)\***

<b>Reported Changes</b>	<b>%</b>
Increased Information Sharing	69
Increased awareness	57
Need for Information & Intelligence Capabilities	53
Fostering of Interagency Relationships	45
Coordination of Services & Capabilities	37

Note: The descriptive statistics displayed are to offer the reader a sense of relativity regarding the participant's responses; however, they are not mutually exclusive or exhaustive responses.

### *Increased Information Sharing*

Approximately 69% of participant responses indicate that information sharing has increased in the years since 9/11 and the development and implementation of fusion centers. As an FBI Supervisory Special Agent simply expressed, "We are sharing more information than we have ever shared before." When probed about information sharing in the past, a high-level State Police executive from Site A with over twenty years with the State Police answered, "There was none—collection and sharing. We had members

of the State Police on the JTTF, but we were kind of just there. There really wasn't any sharing back and forth."

A law enforcement veteran currently working within the Attorney General's Office, overseeing a portion of the state's anti-crime plan, offered insight regarding how not only has information sharing has increased over the years but the benefits of information sharing have also been recognized, not only in the particular state included in this study, but also other states. He explained that,

[P]eople are talking about it and in [Site A] there has been actual transformation where people are openly willing to share information. I was a Police Director in [the state] at one time and that was not the case. But we are openly sharing information and that creates an environment for fusion centers to succeed because the silos are removed and people are willing to share that information, knowing full well the benefits of doing so. So, I think in part it is happening and not just in [in this state] but in other parts of the country. But the most positive thing is there is talk about it, people are talking about it. As long as we are talking about it, I think we are on the right track.

While a sense of territoriality and skepticism regarding sharing information persists within the larger law enforcement community, and will surely continue, it is believed that some traditional stovepipes and information silos between agencies and units have been overcome. A Captain recently assigned as the Deputy Task Force Commander to the fusion center discussed the traditionally closed system culture of law enforcement, often compartmentalized even within the organization itself,

Law enforcement, in general, and specifically to the State Police, was very much built of silos. The State Police has always been either you are uniform or non-uniform, and you kind of drew a line in the sand. Then within each troop there is five troops that make field ops. Each troop was very much siloed and looked at their own troop as their own kind of 'fiefdom' and protected information. There wasn't a whole lot of information sharing. We were getting away from that, we were starting to change, but 9/11 really brought out that whole importance that we needed to share information. We started to realize that we were in all this together within the organization and also outside with our outside partners. So, we became a little bit more open, more transparent.

The perception that information silos between organizations and agencies have been minimized was confirmed by a State Police analyst from Site A insisting,

Some of those silos have been broken down. We have a lot more sharing that goes on as evidenced by the liaisons we have upstairs, DHS, FBI, some of the committees that we have that meet with the Director and some of the partnerships that have developed. So, I think information sharing has certainly come a long way...that reluctance to share information. I think there is probably some of the agencies, maybe FBI or DHS even, are probably still bound by some of the architecture their organizations, but I think information sharing has broken down a lot of those silos.

This perception of increased information sharing is not restricted to state employees. As an FBI analyst employed nineteen years by the Bureau and liaison to the fusion center for fifteen months at the time of the interview argued,

The major difference I see is the sharing of information. Before 9/11 there was no such thing as 'let's share information.' Everything the FBI had, they held close to the vest and depending on classification, and rightly so, it is still held close to the vest, unless in an environment like this, which is great because I can share whatever is unclassified, and I know the people here are very appreciative of the information I share with them. This is something I know never would happen before 9/11.

Based on participant's responses, both civilian and sworn personnel, working within different levels of government agree that information sharing has, in fact, increased since 9/11. While improved information sharing cannot be wholly attributable to the presence and activities of the fusion center, participants asserted that the fusion center has facilitated information sharing in the post-9/11 environment.

### *Increased Awareness*

Approximately 57% of participants working in and around fusion centers indicated that since 9/11 not only has an awareness regarding the array of existing and

emerging threats facing law enforcement grown, but so have beliefs about how the law enforcement community can better track, monitor and address such threats. This is not to argue that changes in the law enforcement community were not occurring prior to 9/11, but it is argued that the event itself was a major catalyst for these changes. As indicated in previous research, after the 9/11 attacks, local and state police agencies began to view the threat of terrorism as a newly plausible threat worthy of attention from local and state law enforcement. As one State Police executive with a twenty five plus year in investigations explained,

Well, after 9/11 both local and federal law enforcement recognized there had to be a better concentration on counterterrorism; that terrorism can very well be rooted in ordinary street crime. And in Site A, we look at it this way: the federal government really has migrated the FBI towards a counterterrorism [focus] with a global perspective, and that filters down into the fusion center. From the State Police perspective, we look at terrorism as potentially having very grass roots in street-level crime, and we filter it up to the fusion center.

Not only are threats defined more widely now by the police than prior to 9/11, but law enforcement, to varying degrees, have also come to acknowledge and accept that policing is no longer restricted to local geographical boundaries. An authority in the field stated,

I think 9/11 was a watershed event that kind of dragged policing into the Information Age. Policing has always been not only a local business, but a micro business. It was the cop walking the beat and that was the nature of criminal activity with few exceptions, organized crime in the traditional sense of organized crime, like the mafia and things like that, but most crime up until the 1980s and 1990s and into 21<sup>st</sup> century was local stuff...that was the nature of the threat most police agencies dealt with. So, policing was kind of a local business.

This is not to say that Police Chiefs are primarily concerned with how they impact crime and public safety occurring outside of their geographical jurisdictions, but they can no longer ignore that what occurs in their neighboring jurisdictions, or elsewhere, can and

will affect their departments in various ways. With this heightened awareness comes the opportunity for various departments and agencies at all levels of law enforcement to collectively address these identified problems. As a State Police analyst from Site A noted,

one of the things you learn by working in a place like this [i.e. fusion center] is how widespread and pervasive some of this stuff is, and I think the fact that prosecutors and locals and state and federals are starting to think that maybe we can all do something about this, is going to be a big benefit in the long run.

The analytical supervisor from Site A reaffirms this when addressing a particular fusion center product that shooting perpetrators and victims. He stated,

Not every police agency in the state, knock on wood, experiences shootings but what we have found is that these shooters do travel through all jurisdictions, it doesn't matter. So, that type of information going back to these agencies is very very useful.

In addition to recognizing the fluid, networked and unbounded nature of threats, including crime, as well as the opportunity to collaborate with other agencies as a strategy to better prevent, mitigate and respond to such threats, comes the need to determine how best to address these issues. While there is no one way that this is occurring, it can be argued that at the very least the importance of *contingency* has been brought to the forefront in policing circles, as evidenced, in part, by the presence of fusion centers. The concept of collaboration is not new in policing; however, the success of collaborative arrangements in law enforcement has varied over time and place. What is newer, however, is the idea that collaboration should be ongoing and institutionalized as such, not just on an ad hoc, reactive basis. In emergency situations, the emergency management model has long been adopted as a reliable framework to organize multiple agencies to respond to disaster situations.

This argument is evident in a response from a State Police analyst from Site A with a strong public health background,

[The emergency management model] worked well because all the different players came together with all their different data sets and all their information and all their technical expertise in their fields, and everyone worked collectively to address whatever the problem was in front of us. And I guess that was really the essence of fusion. And that was pre-9/11 and that has only become more enhanced in emergency management, and I think that same thing has taken root on this side of the fence [i.e. law enforcement].

This was reinforced by another State Police analyst's observation that,

There was no communication, so it all evolves out of 9/11. This building, originally back in 1998, was designed to be a turnkey building for emergency operations. They would come in and turn the lights on when they have an emergency. All the agencies they needed would flood the place, and when the emergency was done they would turn the lights off, lock down and go home. Immediately after 9/11, everyone realized that is not going to work; we can't have people closing the door and going home at night.

### *Recognized Need for Information and Intelligence Capabilities*

Approximately 53% of the participants indicated that there is a growing belief within the law enforcement that a robust, reliable and permanent information and intelligence capability at the subfederal level is needed. Those whom value this belief primarily work in and closely with the fusion center and/or they understand the meaning and beneficial uses of intelligence as a proactive tool. A consultant explained how this perception within policing has changed over time,

Their [i.e. the police] idea of information was case support and investigative support, and that's how they dealt with all sorts of things. Record management was all geared up to do that sort of thing. It wasn't designed necessarily to do predictive analysis, nor did executives, in my judgment, have that sort of responsibility.... Then 9/11 happened, and then you started to say, 'OK we need to have intelligence, we need to be organized to do intelligence, and our leaders need to—police leaders, police executives—need to know how to manage and

manipulate intelligence,’ and it shaped their operations so they get some effects they want. And I think that process is ongoing.

A Detective Sergeant assigned to Site A confirmed that a shift is slowly occurring within law enforcement regarding the beneficial use of criminal intelligence. More specifically, criminal intelligence should also be used in a proactive, predictive capacity to garner a ‘bird’s eye’ view of the operating environment, rather than being solely focused on investigation. He explained,

What is new is that we are leveraging a lot of technologies available to us and looking at different tools and exploring different opportunities and not having that investigative, myopic outlook on things, but looking at things from a more global perspective and taking into consideration all these different factors that play into painting the picture or putting the pieces of the puzzle together to see what is truly going on. This is something that should have been occurring many years ago and only now is it coming to fruition.

A civilian analyst supervisor from Site B explained,

The command in the State Police had a vision that we had to do something more, we had to be involved in sharing information and getting this information out not just to our own people, which we had not been great with because we just didn’t have the capability to get stuff out quickly, but everybody in the state, especially the locals that don’t have the capabilities we have and don’t have access to the information we have.

Embracing the value of intelligence and analysis implicitly requires that analysts are in place to identify user’s information requirements, collect the proper information, perform the analysis, interpret results, and develop a product to be disseminated for consumption. The role of analysts within the policing community has thus been brought to the forefront since 9/11, an area discussed in more depth shortly. Analysts have traditionally been undervalued and their job tasks ill-defined within a law enforcement setting. However, with the growing acceptance of integrating information and intelligence to foster proactive policing capabilities, the need for analysts to perform

these functions is slowly growing. Site A's Director, also a veteran federal agent, described in hindsight,

Well, I think post-9/11 the analysis of data, whether its intelligence or crime analysis, has finally taken hold and given serious attention and not lip service. If you go back pre-9/11, and I am as guilty of this as anybody, as a street agent working, and I remember when FBI stood up what they called TRAC [Terrorism Research and Analytical Center], and we were like 'I don't need analysts to tell me what's going on with my case. I analyze my own stuff,' ...so much is driven by analysis and that is a direct result of 9/11.

The potential value of analysts for a law enforcement organization was reinforced by a Captain, serving as the Deputy Task Force Commander of the fusion center,

Then, under the ILP model we then realized that analysts bring an outside view, that non-traditional sworn enlisted piece and they also have a very analytical background which allows them, if properly driven in the right direction, you know, 'this is where we are going, this is the mission, this is what we want you to look at,' then step back and let them do the analysis, they kind of help you paint the picture, which then you, as a decision-maker, can come in and say, 'Oh, I can see where we are going.'

The Captain further explained that,

It's the whole collecting the dots, connecting the dots. We are real good at getting data, but we didn't do anything with it. We put it into little bins or buckets and then we said 'that's a nice set of buckets we have there,' but we never really kind of poured them out on the table to see what it actually looked like.

Participant's responses indicate the value of using and sharing intelligence and information to guide decision-making has been recognized and has increased since 2001; however, with this ability comes the need to have analysts capable of supporting an intelligence function.



### *Fostering Interagency Relationships*

A little less than half of respondents indicated that the number and quality of relationships developed between various agencies, particularly between federal and state government, have substantially increased since 2001, and this is, in part, attributable to fusion centers' structural arrangements with their partner agencies. When probed whether the increased collaboration was a result of a *desire* or a *mandate* to participate, a State Police analyst from Site A explained,

I am sure there was a mandate in the beginning...I think when we accomplish things it's because of the relationships we have developed. There are so many mandates out there that it's just [overwhelming], as opposed to our Mr. X, who is a real people person, and he has a great network. He spent some years on the street. Just the fact that we are getting out there and developing these relationships, we can pick up the phone and call these guys, so that is slowly evolving. I think its working much better than it was before, and not because of a mandate, just because of the culture about information sharing has increased because we all are about the same thing.

Site A's Director with approximately a forty-year career in law enforcement, serving at both the local and federal level, clearly supported the notion that relationships have improved significantly. He claimed that,

Within the law enforcement community and homeland security community, I have never seen better collaboration. So I could say, without a doubt, that everyone has gotten the message. Are there still parochial issues that people may hold back some information? I suspect that's always going to happen, and some people are going to see some things as proprietary to specifically what they do...[but] there has never been a better collaborative environment that I have ever seen in 39 years of law enforcement

### *Coordination of Services and Capabilities*

Finally, many of the respondents indicated that multiagency services are better coordinated and integrated since 9/11. The presence of fusion centers not only pools

together interagency resources and provides potential users a central point of contact, but they also impose structure on information collection and sharing activities—a service previously missing for domestic law enforcement. Prior to 9/11, requesting and obtaining information relied heavily on personal relationships a particular individual may have had with an individual in another organization. If personal contacts were unavailable, then a reliable means to ensure that information and intelligence would reach those consumers with a need to know was largely absent. As the Assistant Supervisor in the analytical component of Site A’s fusion center with a 20-plus year in State Police explained,

Very much at that point [pre-9/11] it was stove-piped, but back then in the organization, in the structure I worked in, it was based specifically on relationships you had with other departments. So I wasn’t synchronized, and what I mean by that is if you had a relationship with the FBI or Secret Service or you had a relationship with another government agency, it was based on that individual relationship that was kind of passed on within your individual unit. You would receive intelligence, but not until we established fusion centers was there a location for one-stop-shopping...now [other organizations] can tap into our shop as the focal point to reach out to the interagency community. So, the interagency community wasn’t synchronized in terms of a focal point for information until we started developing these regional fusion centers.

A Senior Parole Officer currently assigned to the fusion center also confirmed that the fusion center offers users a point of contact from which to request information send information. He said, “They can contact [here] whereas before ‘who do we call? I don’t know.’ Now, we can call the fusion center, and they can patch them into me.” Also, fusion centers act, or have the potential to act, as places of deconfliction whereby multiple agencies can coordinate activities and resources so they do not interfere with or jeopardize other agencies’ activities, resources and personnel.

*Summary*

The findings from this research suggest that transitions are occurring in policing as it relates to intelligence and information; however, they are not wholly replacing the traditional business of policing. Based on these findings, the conversation of information sharing and intelligence development is ‘on the table’; however, it is up to the individual police executive to decide to what degree he or she will address and prepare for both traditional and nontraditional threats, how far beyond their borders they are willing to collaborate with other partners, and whether they will institutionalize a contingency plan accounting for these issues.

Before addressing the remaining research questions’ findings in more detail, there are several findings to emerge from participant’s interviews regarding general changes that have occurred that both reaffirm recent research and general practitioner knowledge, namely that threats facing law enforcement are changing as are beliefs about how law enforcement can better address them. There have been perceived increases in information sharing and interagency partnerships since the 9/11 terrorist attacks and subsequent development of fusion centers. There appears to also be a greater value and appreciation for intelligence and information among fusion center and partner personnel, as well as some police executives. Finally, participants indicate that a variety of law enforcement-related services and capabilities are better coordinated and synchronized via the fusion center structure.

**Research Question 2: Are fusion centers fulfilling their intended purposes?**

Fusion centers, in general, were established for the primary purpose of bridging the communication and collaboration gaps between agencies at all levels of government via streamlining the collection, analysis and dissemination of information and criminal intelligence. It was presumed that by developing and improving the nation's domestic information and intelligence capabilities, the overall flow of information would be improved, as well as the ability for separate entities and sectors to better coordinate. To achieve this, a number of physical, technical and cultural barriers must be minimized or removed not only vertically between the layers of government, but also horizontally across jurisdictional and disciplinary boundaries, so that all public safety entities would be better able to *collect* the dots, figuratively speaking. Moreover, since fusion centers are conceptually founded on the principles of intelligence-led policing, fusion centers were established to reprioritize and formalize the collection and use of information away from a tactical, reactive, investigative orientation towards supporting a more proactive, prevention-oriented approach to law enforcement capable of identifying threats before they become pervasive. To accomplish this goal, the development of a robust analytical capability would also be necessary to then *connect* the metaphorical dots.

In an effort to surmount such physical, technological and cultural barriers, a number of arrangements were implemented, specifically the collocation of partners into one location and onsite access to multiple state and federal databases. The collocation of people should not only minimize the physical barriers between people, and thus agencies, but also curtail some of the long standing cultural barriers. Thus, fusion centers have been organized in such a way that should redefine the nature of a number of interagency

relationships, including those between the federal, state and local levels of government; between agencies within a single state; and between the fusion center and its host organization. The fusion center structure should also be redefining working relationships between sworn and civilian staff, particularly those who regularly work together within the fusion center setting.

Not only were fusion centers tasked to improve information sharing both vertically and horizontally, but they were also envisioned as hubs equipped with an analytical capability that is both sufficiently organized and sophisticated to enable the center to develop both tactical and strategic intelligence products and threat assessments—that is, to connect the dots. It was presumed that by prioritizing the analysis of information, and the subsequent dissemination of intelligence products, users would then use those products to make informed decisions, which in turn would theoretically impact their operating environments.

The findings from this research indicate that fusion centers are, at least partially, fulfilling their intended purposes as outlined above. Specifically, the findings indicate that fusion centers are helping to reduce the barriers addressed above, which in turn is improving information sharing and communication both between and within the levels of government, as well as influencing professional relationships (see Table 3). However, the findings also indicate that they are not yet successfully achieving a robust analytical function at this time. This may be due to several factors, which are addressed in the following sections. Moreover, participant's responses imply that while the fusion center must always remain cognizant of the terrorism-related threats, terrorism does not consume the majority of their daily activities, nor should it, if they are to be regarded as

valuable and relevant to their customers. Finally, the participants included in this research from each of the four fusion centers sampled indicated that their centers continue to market themselves in an effort to solicit buy-in from different users. It appears that there is considerable variation in the degree of buy-in not only between, but also within, the local, state and federal levels of government.

**Table 3: Perceptions of Fusion Centers Fulfilling Purposes (N=49)\***

<b>Fusion Centers' Purposes</b>	<b>%</b>
Collocation Minimizing Physical & Technological Barriers	82
Collaborative Arrangements Minimizing Subcultural Barriers	57
Absence of Robust Analytical Capabilities	80
Moderate Role of Counterterrorism	45
Marketing Fusion Centers	51

Note: The descriptive statistics displayed are to offer the reader a sense of relativity regarding the participant's responses; however, they are not mutually exclusive or exhaustive responses.

#### *Increasing Information Sharing by Minimizing Physical and Technological Barriers*

Approximately 82% of participants agreed that fusion centers' presence and structural arrangements are instrumental in improving and facilitating information sharing between agencies by minimizing several barriers, particularly physical barriers. Collocating multiple agency personnel and access to their respective information systems has improved agencies' abilities to communicate and coordinate by minimizing the physical proximity between people, and thus entities. As a scholar whom has consulted several fusion centers stated, "I think they fulfill an information lull that is useful." That is, fusion centers, in fact, appear to be bridging the historical information gap in law enforcement, or at least demonstrate having the capability to do so. A sworn supervisor from Site B stated, "there is talk of a virtual fusion center, [but] to me that would be

garbage. If you are going to do fusion, you need to put everybody together. You are establishing these contacts, knowing how they tick.” Various participant perspectives support this finding, including those assigned to and working directly in fusion centers, as well as those persons with peripheral involvement in the fusion centers’ day-to-day functioning.

A number of participants perspectives indicated that fusion centers are increasing information sharing, namely by collocating various agencies into a single facility and/or workspace. Several commissioned officers assigned to the fusion center addressed how the fusion center has facilitated information sharing. The Captain and Deputy Director of the fusion center task force explained how, in Site A, the fusion center is viewed as a major participant in statewide communications,

[T]he short time I have been here, what I am finding is that more and more of state government and federal government are looking to the fusion center. They are especially in [Site A]. Everything seems to be falling to ‘what is [the fusion center] saying about it?’ Right to the point, we are going to a meeting on Thursday on H1N1 and its impact on the state. Now that’s a health and senior services issue, but they are also looking at the fusion center from an emergency management standpoint, from a mitigation standpoint, from a COOP and COG, so we can get out to the private sector information to push things out so we can help, again, that continuity of business, continuity of government ...they look to us to be that very synthesized information source.

While the Captain’s comments illustrate the fusion center’s role with other state agencies, a Detective Sergeant explained, on a more micro-level, how interagency relationships have improved within the fusion center. He explained, “[information sharing] has improved dramatically. We see the difference dealing with agencies. Our involvement, having liaisons here, has helped getting that understanding on a personal level, organizationally also there seems to be a lot, people really play fair in the sandbox.”

The following *partner* participant responses illustrate how Site A's fusion center, specifically, facilitates information sharing. A Supervisory Special Investigator from the state-level Office of Homeland Security and Preparedness explained,

The other aspect of it is the sharing, the talking to all the partners. To be able to just say 'hey, can you check on such-and-such a thing?' It's definitely the luxury of having the partners there, the other agencies, like right there, to be able to call them and go see them. As opposed to not having the DHS rep there, it delays getting that immediate information you are trying to get. When she was there, you would get information immediately, and if she didn't know, she would get it and it was an immediate thing. So, the strength, I think is the ability to truly all work together for public safety.

A Senior Parole Officer assigned to the same fusion center reiterated the same sentiment,

I don't know how much you know about law enforcement, but it's a lot of people, especially with gangs and investigations and intelligence, nobody likes to share; it's difficult. Have fusion centers helped? Absolutely. So, you see it first hand as opposed to someone just telling you we are sharing or getting a phone call. You see it first hand, yes we are sharing. The two different agencies are actually meeting and speaking in one location, and the analysts kind of being the intermediate to get us together. So in that regard, yes, at least it's helping in that sense; you are seeing it. Its [i.e. information] coming in here, we are getting the information, they are supplying it to us and we bring it back to your respective agency.

A Detective from a large local police department assigned to the fusion center also depicted the fusion center as a conduit for information sharing since it enables partner agencies and other users to network with additional professionals with whom they might otherwise not come into contact. He felt that,

The good thing is that is it [i.e. the fusion center] opens up a field of networking with other agencies, so information is shared a little bit more fluently. There is not that territorial boundary of intelligence. It's more shared information nowadays, which is good.

Furthermore, the three participants representing the national perspective on fusion centers confirmed that, generally, fusion centers have contributed nationally to increased



information sharing. A senior policy advisor to the Department of Justice, Bureau of Justice Assistance explained, “[fusion centers] have opened up communication. Even if it’s not perfect, they have opened up silos that historically have been there and may not have been overcome unless there was this type of structure in place.” His contemporary from the DHS supported this statement, arguing that

Certainly there was a lack of an ability to make informed decisions prior to 9/11. I think it has certainly got much better since, I think fusion centers are a major reason why...For the first time in U.S. history, there is the capability to pull or push classified information to state, local, tribal, private sector decision-makers, and this is largely based on the national network of fusion centers. Whether or not we are always passing the right information or that we have perfected what we are passing, but the fact that we are willing to use fusion centers as that facilitation in and of itself is a very important step.

Finally, an FBI agent who until recently was heavily involved at the national level with the National Fusion Center Initiative confirmed that,

Prior to 9/11, the only real means we had, the FBI, for sharing information with state and locals was primarily through our task forces—JTTF, Safe Streets, Fugitive, Organized Crime, etc. After 9/11, it became apparent, even within the federal government, we weren’t sharing information...Post-9/11, fusion centers have become one of the primary means for us to share information with the state and locals. I know there has been some intelligence generated at the local level that has been put into the President’s daily briefing. Does it happen all the time? No, but it does happen.

### *Collaborative Arrangements Minimizing Subcultural Barriers*

Over half of participant’s responses indicated that to some degree subcultural barriers have been reduced, namely between commissioned officers and civilian employees. However, this change seems to be occurring primarily within the fusion center environment and potentially, albeit to a lesser degree, in specific contexts outside of the fusion center walls. The following perspectives support this finding. A Detective

Sergeant offered his observations on how the subcultural differences between analysts and commissioned officers assigned to the fusion center have changed since the fusion center's inception stating,

You are talking about two different cultures coming together. A quasi-military organization coming into, I guess, a free-flowing, free-thinking mindset of the analysts. In the beginning, I have been here since 2005, there was cultural divide. With time it has been, you know, an understanding of the two cultures coming together and really working together and fusing together and willing to achieve the goals that have been established. The underlying differences still exist, but there is a better understanding, and things are totally different than they were before.

Addressing the changing roles of analysts within the fusion center setting, another Detective Sergeant assigned to Site A explained how analysts within the fusion center have the access to a greater range of law enforcement information and how they engage in the overall process more than they would in a traditional policing environment. He explained that,

I don't think there is anywhere, definitely here in the State Police, where civilian members have the access and the opportunities that they have here [in the fusion center]. It just doesn't exist; briefings to senior level, not only government folks, law enforcement folks, across the spectrum, [civilians have] access to information that was once law enforcement only. The civilian-sworn issue is blurred here, and it has to be just because of the tempo. The mindset is that we are out there in the mix. I have to take off my trooper hat... That was a personal adjustment I had to make that was not easy to do, but [I do] in the spirit of fostering this civilian-sworn cooperation, and I think its working here pretty well.

When probed to distinguish how analysts are perceived by commissioned officers working within the fusion center compared to those in the law enforcement community that do not have the same daily interaction with analysts, the Detective Sergeant admitted that,

"A lot of times you get that initial skepticism or kind of quizzical, 'who are these people?... Why are they talking to me and who allowed them in here?' Ok, that's fine, but once presentations are made, and the [information] coming out of their

mouth and the impact they are able to make, that credibility factor goes up. Once again the proof is in the pudding, and a lot of these folks out there in law enforcement, while initially skeptical and wanting to only talk to a cop, hey at the end of the day you are getting stuff you can use and it's working for you, and that makes these people very happy. Law enforcement executives for the most part, but right down to detectives working a squad, working an investigation, we have seen that here too, the initially skepticism and some reticence to get involved with a civilian as opposed to a law enforcement person, but the proof is in the pudding, and if the information is good and its helping an investigation, you know what, they get over it.

A sworn supervisor from Site B conferred that the relationship between analyst and officers does well in house but subcultural divides persist outside of the fusion center setting. He stated,

It goes very well here because I can see you re involved, you are busy, [and] you do good work. I think there is a good repertoire in the field, but ever once in a while I have to step in. Someone might talk to me in a condescending manner about what they do. I do my role, [and] stick up for my people. It pisses you off, but still. Most of these people are former dispatcher so they know a lot of people.

A State Police analyst from Site A working within the fusion center offered his observation on the issue of civilian analysts working with commissioned officers,

I have seen troopers come into this situation were there are analysts and immediately say, 'oh, you are a civilian.' As we work together longer that attitude starts to fall by the wayside because they see the analytical skills and they see analytical talents they just don't have. These guys spend six months being trained how to use a gun, how to wrestle people down, and how to be the man in the middle of the night. Those skills don't necessarily translate well into, 'hey, lets all sit around the talk and discuss; let's brainstorm'...So, when you are within the four walls, that kind of evolves and dissolves.

I have called other units [within the State Police] and said, 'hey, I need certain information from your unit,' and gotten 'Are you civilian?' You do get that. As recently as last week I called someone and got that question, 'why should I waste my time with you? Have your Sergeant call me.' When I have called locals...well, I haven't got that as much. With federal agencies, they are used to working with civilian co-workers, [so] federal agencies not so much. Local agencies not so much, but part of that is when I introduce myself, I just give name and my organization [i.e. State Police] [not my status as a civilian or commissioned officer].

A commissioned officer from Site A with an investigative background, who was recently assigned to the fusion center at the time of the interview, addressed how he feels coming into a fusion center setting where the boundaries between civilians and officers are less clear. It is evident from his comment that while the working relationships between the two subcultures have improved within the fusion center environment, the status quo largely persists outside of the fusion center. He explained that,

I am still in the middle because again, I am going on twelve years [in the State Police], and this is the first time I have worked this closely with civilians. For me, it was almost a little bit of a learning curve since you kind of...when you come into a room of troopers you kind of know where everybody stands and here it's a little bit...its not the same dynamic, I guess, and its kinds of hard figuring out where people fall in, I guess, the food chain so to speak.

The FBI analyst assigned to the fusion center offered a partner perspective on this dynamic, one that corroborated the investigators perspective on the issue,

I think there is a little bit of a barrier [between analysts and troopers]...I would have to say that the wall, in my opinion, has not come down yet between analysts and trooper. The troopers are still held in a little bit of a rung up, a little higher on the rung, which was always that way in the federal, in the FBI, also up till 9/11. So, I do not think they have shattered their wall, yet.

When addressing the relationship between sworn and civilian personnel, the Director from Site D said,

The commissioned guys think sometimes when they get information or a request, the analysts are telling them how to do their job. Its gotten better since the Captain and I have taken over, but this is something from years ago that has gone on.

Based on the Lieutenant's statement and the fact that sworn personnel are not assigned to work within the fusion center with the civilian analysts, it researcher's observation that physical proximity influences the working relationships between civilian and commissioned staff.

### *An Absence of Robust Analytical Capabilities*

While the participant interviews revealed that fusion centers are positively impacting interagency communications and coordination both vertically and horizontally, approximately 80% of their responses also indicate that fusion center's analytical capabilities have yet to be fully developed internally or utilized externally. While there may be exceptions to this finding, a robust and reliable analytical component with *estimative* or *predictive* capabilities has yet to be fostered and institutionalized. Two subthemes emerged regarding the absence of a robust analytical capability. First, analysis as a profession and analysts collective skill sets have yet to mature at the subfederal level. Developing a robust analytical capability is partially influenced by the resources a fusion center is able to secure, namely a sufficient number of analysts with the experience and skill set necessary to engage in more sophisticated analyses. However, it is greater than the set of skills and experiences analysts collectively bring to the table.

Secondly, a robust analytical capability also requires a shift in external user's mindset of how to apply information and intelligence in policing. The study's findings suggest that users have yet to fully understand and appreciate the value an analytical function can contribute to their occupational duties. While the role of analysis, and thus analysts, have seemingly improved since 9/11, at least within the fusion center setting, it appears that a significant portion of analysts' activities remain focused on providing an investigative, case support function and continue to be peripheralized by the larger law enforcement community.

While reactive activities are important and should not be abandoned, fusion centers are theoretically founded upon the principles of proactivity and prevention, rather than case support and prosecution. It seems that rather than providing decision-makers with strategic, future-oriented information, a significant portion of fusion centers' analytic activities remain tactically and operationally focused. An analyst subcontracted by DHS and assigned to Site A asserted that the fusion center is "not producing products with predictive capability, getting to that. The end result will be products that they can use and take action on." The assistant supervisor within the same fusion center's analytical unit also affirmed that while the fusion center does provide products that are tactically useful, he notes that "the biggest thing we *want* to do here is provide current and warning intelligence." A Detective Sergeant assigned to Site C similarly stated that, "they [i.e. analysts] have good ideas, and they put out good products, but we are still doing more case support here than we are putting intel products out."

### **Continuing maturation of the analytical profession**

Analysts' collective skill sets have yet to fully develop to achieve a level of sophistication that is necessary in strategic analytical work and envisioned as part of fusion center's analytical services. The collective deficit in analysts' skill set appear to be due to several co-occurring issues, such as inexperience, lack of standardized training, and the diversity of customer's needs to which a fusion center's analytical component should be catering. Carrying the job title of *analyst* does not necessarily entail having an analytical skill set; rather, that skill set is developed with experience.

Analysts appear to be inexperienced primarily in two ways—they are either young or older. Younger analysts, while more likely formally educated, are disadvantaged in that they are more likely to have recently graduated from college, and therefore have limited occupational experience performing analysis. Older analysts, on the other hand, have largely been recruited internally from other areas within the State Police, largely clerical workers, dispatch and civilian administrators. It seems they are less likely to be college educated and are less likely to have developed critical thinking skills than some of their younger counterparts. As the director from Site D explained,

only three of my analysts have degree, but that is because they were hired prior to the fusion center. They are good tactical people, its just heir writing is not the strongest suit and their critical thinking is not there...I think its because they didn't go through the process of writing papers etc. You take information, gather it, and come up with a product, and that is something they need to be trained on and its going to take time.

Moreover, older analysts have largely supported an investigative, case support functions during their tenure with the State Police, and thus it is reportedly difficult to shift from a tactical orientation to a strategic orientation. The Director from Site C explained that the majority of his analysts have been with the State Police “for quite some time doing case support, so trying to move through that transition, and to be totally honest with you, I think there is a lot of trying to figure out what is analysis and what the heck are they talking about.” As the Site A’s analytical supervisor stated, “we have a burgeoning work force that is...young, not necessarily in age but in experience level of analysis. As that grows, it will certainly strengthen out ability to provide value out to folks, to get more involved in predictive type of analysis.” The Director from Site D similarly explained,

The newer fusion centers are going to hire people with a college [education], and they are going to be able to do more critical thinking and analytical work on their own, whereas opposed to us pushing them and telling them exactly what they need to be asking and why. And really unfortunately taking their hand and walking them with it.

Another issue to emerge regarding analysts' shortcomings is the lack of standardized training. While this problem is clearly known at all levels of government, constructing and implementing a solution to it challenging. Analytical training is currently provided by a number of separate agencies, and typically analysts travel to receive the training. Not only is funding analytical training a major issue, but standardizing analytical training curriculum is daunting task. Currently, several federal entities and professional associations are trying to review their current training programs and consolidate their resources so analysts at the local, state and federal levels will receive identical analytical training and so that a greater number of analysts can receive training more cost effectively. For example, the FBI interviewee from headquarters explained that the ODNI is trying to develop a mobile training program with three different levels: basic, intermediate and senior. He explained that the ODNI

[is] looking at a combination of instructor and web based training, but the goal is to make the difference between a state or local analyst and a federal analyst indistinguishable. They are all writing the same way, products look the same way, and they all know what they are supposed to be doing, but it's a challenge.

While not explicitly identified as problematic by the participants, the scope of analytical responsibility (i.e. strategic/proactive vs. tactical/reactive) and the diverse arrays of (potential) customers (i.e. local vs. state vs. federal, private sector vs. public sector, and executive leaders vs. rank and file officers, and uniform vs. investigations), and thus their needs, appear challenging to fusion center's analytical elements. It is



difficult to be everything to everybody, particularly when there are so many uncertainties, such as funding, training, guidance.

The participant interviews indicated that the analysts' status has improved over the years; however, they are not yet fully perceived as equals to their law enforcement counterparts. Until recently, the term analyst was inappropriately used to classify employees that did not conduct any sort of analysis. Rather, those labeled as an analyst often engaged in administrative and clerical support, and this trend was not restricted to state and local agencies, but also in the federal government. In fact, a many analysts were employed originally in clerical and administrative positions prior to being 'promoted' to an analyst title. The following excerpts illustrate that the analyst's role has and should continue to professionally develop. An FBI Supervisory Special Agent explained,

When I first got to the FBI, what we were calling analysts weren't analysts. They were file clerks, secretaries that worked their way up. They were called analysts, but they weren't analyzing anything. The analyst has really come into being in the Bureau, at least at the field level, real true analysts, probably 3 to 4 years ago when we started hiring from the Intelligence Community, people who actually looked at raw intel and developed a product...we did not have the cadre of analysts that we do now—analysts in the true sense of the word.

His counterpart from DOJ, a senior policy advisor, addressed how he believes that law enforcement officers at all levels of government do not uniformly accept analysts as legitimate professionals. He said,

The biggest issue is state and local governments, and federal governments to some degree, recognizing the analyst is a professional and that, you know, they are not second class citizens or any longer just a secretary who was moved up there because she ran out of promotional opportunity. These are people with a legitimate career with additional levels of data and analytical skills and other intuitive skills that can really be positive.

A law enforcement executive in the top brass of the State Police reaffirmed the FBI agent's previous comment stating,

That is historical, although it's much better than what it used to be. Analysts before 9/11 were glorified secretaries; now they are viewed for their analytical skills, but they are still run by sworn [officers]...in my opinion there should be more analysts there and law enforcement should give more credit to the analytical field. In other words, analysts are not viewed at the same level than police officers.

A Detective Sergeant in the State Police assigned to the fusion center also addressed how,

Initially, the State Police used analysts as data entry people, not as analysts to analyze information. There was a total misunderstanding, and again it comes down to a lack of understanding of the intelligence process and how different components plug into that process. That is what has caused a lot of the issues, but the analysts here, engaging in the process and coming up with the products and really being able to make an impression, saying, 'based on the information you have provided, this is what we have come up with. They [i.e. consumers] have been impressed and really their [i.e. analysts] stature has really been elevated. I can speak for the analysts here at the fusion center. I can't really speak for the analysts at other sections.

Not only is the analytical profession relatively young, particularly at the local and state levels, but the profession of law enforcement is also undeveloped with regards to using information in a proactive capacity. The policing mindset is largely ad hoc and reactive, and changing this mindset will take time. The fusion center's users must not only understand the analytical process, but adequately value it in order to use it in an anticipatory capacity. As a Director within a state's Attorney General's Office clarified,

Fusion centers have another important mission, which we are all involved in hoping to craft and that is that information used to *conduct* operations is one thing, but using intelligence to *define* those operations is another... it's not just providing the tool, it's providing for an operating environment or philosophy that transforms the thinking as to how we use that product.

*The Moderate Role of Counterterrorism in Fusion Centers*

Since the concept of fusion centers originated in the states' desire to develop an intelligence capability due to the failures identified post-9/11, it is important to address how those individuals working in and with fusion centers perceive the importance of counterterrorism activities, and what role counterterrorism activities are perceived to have in the fusion center's day-to-day functions. While many centers were founded initially on the concept of countering terrorism, different centers have developed with a range of missions, some of which have changed over recent years.

The majority of fusion centers that were established solely focused on counterterrorism have since shifted their mandates to include all crimes and/or all hazards focus. This has occurred for several reasons, primarily the rarity of terrorist events, the related difficulty of financially justifying a narrowly-focused, new, undeveloped and seldom-used capability, and the FBI's statutory authority to investigate terrorism-related cases. Moreover, since DHS provides the primary source of federal funding to fusion centers, a fusion center must demonstrate its ability to allocate money in ways that align with and support DHS' mission, which is the broader all-hazards mandate.

Based on participants responses, almost half of the respondents indicated that the threat of terrorism and law enforcement's activities to counter the threat of terrorism do not dominate fusion centers' day-to-day activities, which is an unsurprising finding. Moreover, this conclusion is common knowledge among those working in or associated with fusion centers. While the threat of terrorism does not dominate fusion centers' primary foci, the respondents largely agreed that it should not be removed from their center's purview either, primarily due to the pervasive belief that there is a nexus

between crime and terrorism, as discussed in a previous chapter. Thus, law enforcement generally, and a fusion center specifically, has both good reason and a duty to address the threat of terrorism. As a former Attorney General noted,

I agree with the all crimes-all hazards approach. I think it makes sense because there is a continuum. The 9/11 hijackers violated all kinds of laws to get where they got. They overstayed visas, submitted fraudulent documentation; so, if a fusion center is looking for that kind of information—precursor crimes—it would have picked them up.

The federal policy advisor for Department of Justice mirrored the previous sentiment stating,

You have to be aware because of precursor issues, that my sense on it. It always has to be in the background, it shouldn't be in the foreground, in terms of that you have to be looking at...the gang issues, the bootleg sales and asking the next question, 'where are the proceeds going? And is this supporting just the local Bloods or Crips? Or is it supporting [terrorism], going overseas to Hizbullah or something else in terms of that issue?' I think when you do that, you can combine both.

Nevertheless, law enforcement is, and will continue to be, primarily responsible for preventing and responding to crime and its perpetrators, and fulfilling this responsibility is what the public primarily expects from them. As such, the law enforcement community is responsible for ensuring that they meet their constituencies' expectations. To do this, the police will value information from the fusion center that better enables them to address the community's needs and concerns, thus the fusion center must first and foremost be sensitive to their customer's needs if they are to remain valuable and relevant. This issue was reiterated many times from a number of varying perspectives. As an FBI agent, formerly from Headquarters and tasked with spearheading the FBI's coordination in the National Fusion Center Initiative stated,

I think that the reason a lot of fusion centers went to all-crimes is because terrorism is just a small piece of what is going on out there. I know, I have sat in

a lot of conferences where smaller police departments are saying, ‘you guys are talking about car bombs and all this stuff, and I have meth labs and biker gangs. We got prostitution rings. That terrorism stuff—great, but that’s not what my constituencies are worried about.’ I think that is what drove the big push to the all-crimes segment of it. And through there, I think there is a good amount of information being developed. Terrorism should not be taken off the table because you never know what is going to be out there

An academic and consultant affirmed that,

Crime is what the public expects the police to be dealing with. I think the focus on counterterrorism was well-meaning, but it is hugely limiting...places like [Site A] were always set up to be all crimes-all hazards to start with. If they [i.e. fusion centers] adopt that approach, they really do a nice job of filling in a huge problem in American policing, which is the gulf between the different levels [of government].

As the fusion center’s analytical unit supervisor, a Lieutenant in the State Police form Site A, further explained,

I think the answer has to be an all-crimes approach because if you are going to keep the customer interested, the customer primarily focuses on things that are in their lane. Osama bin Laden is not in the lane of [city x] police department, crime is. If you want to engage our customers into terrorism products, then we better develop the credibility in crime products because that is what they [i.e. the customer] do everyday.

Site A’s Captain and Deputy Task Force Commander cleverly summarized the role of counterterrorism in fusion centers’ day-to-day activities, highlighting the severe limitations and risks of embracing and supporting a strictly counterterrorism focus,

When you really start rattling that counterterrorism saber, you are missing the mark. The people you are serving don’t get it. They look at you as Chicken Little, the sky is falling. They don’t listen; it becomes white noise to them, so when it does happen they are not going to listen to you anyhow because you have been rattling that saber so long...If you keep trying to rattle that monster-under-the-bed of counterterrorism that could come out of the closet at any time, and it could, the American public won’t stand for it. They don’t have the ability to wrap their heads around it. We don’t live our life that way. It’s not what this country is built on, so I don’t know that they will stand for the kind of spy vs.spy mentality, living within their own state...[So,] if that [i.e. terrorism] is all you are going to be looking at, I think you have a very small seat at the table. I think you are

missing the mark. I think you are not serving your public to the fullest extent; I think you are almost self-serving your own nature.

Moreover, since threats of terrorism are not equally distributed nationally, many participants felt that a fusion center's prioritization of terrorist threats will be a function of several factors, such as their geographical location, the presence of sensitive infrastructure within and near their jurisdictions, presence of terrorism disaggregated by type of terrorist threats that currently are or have been present within the state and/or region, population density and population diversity.

### *Marketing Fusion Centers*

How well-received are fusion centers by other entities? Belief and acceptance are necessary conditions if an innovation is to be regarded as valuable and legitimate, and thus be integrated into an existing structure. Where on the spectrum of acceptance, and thus adoption, do fusion centers as new entities, which are used primarily by the law enforcement community, fall? A discussion on fusion centers as innovations will be elaborated shortly, but a theme of marketing did emerge in the course of the study. As the DOJ federal policy advisor explained,

The reality as a government entity is that if you are not marketing your value, then the budgeters are not going to pay attention to you, and you will starve to death. Your constituencies won't understand what you are putting out or how to give you feedback regarding how to make it more relevant or relevant to begin with...

Over half of the participant's responses indicate that fusion centers are not yet fully regarded as legitimate entities by the larger law enforcement community, and thus have not been fully integrated into the larger systems which they serve, primarily law enforcement. Rather, fusion centers can best be described undergoing a *marketing phase*,

whereby some appreciable degree of buy-in from select participants is evident, namely those more progressive leaders, partners and users; however, they are not yet equally or well-understood by the collective law enforcement community, and thus their potential value acknowledged or drawn upon.

Those working in or with fusion centers were well aware that not only is the fusion center endeavor still in the relatively early phases of development, but they also realized that outsiders often view the fusion center with uncertainty and skepticism due to their relative newness and/or their association with the State Police. As the Director from Site C stated, "I think there is still a lot of misunderstanding. There are a lot of misconceived perceptions about what fusion centers are and what they do." Many participants were very cognizant of how fusion centers must continue to build a credible reputation and demonstrate their worth to potential users in an effort to solicit widespread support. This skepticism and 'prove yourself' attitude may stem, in part, from the fact that law enforcement is an exceptionally action-oriented and closed system profession that often shuns change. As a Detective Sergeant assigned to the fusion center's analytical unit explained,

I don't think its there yet in terms of being seen as a "go-to" entity that 'everything I get from these guys is really good stuff, and I am going to look to them as a vital information stream that I can take and use in my operations,' say as a law enforcement decision-maker. But it's changing because the credibility is getting there. What I mean by that is that we are getting a lot of positive feedback from senior level folks that are using us a primary source of intelligence and information, and they are getting results. They are getting good stuff that they can use, and its being proven that what is coming out of [the fusion center] is usable, it's actionable and it's correct. Once you build up that credibility, then it's like anything else, people are going to actually look to you...we are selling the fact that we can do pretty good things for you, give us the chance almost, that's a little strong. The saying that gets used around the office a bit is 'give me a dime, and I will give you a dollar.'

The Director from Site B similarly explained,

I go to the Northeast Regional Intelligence Group meetings where all the different intel centers meet, and one of their biggest issues is that can't get buy-in from certain departments. There has traditionally been a divide between the State Police and municipal police departments there has been some animosity, but the center has really minimized this. I truly believe the numbers keep going up through word of mouth. If you do something good for a local police department, the center provides something to them that was helpful, they tell other cops. Cops love to talk to each other.

Accepting the fusion center as a both concept and a tool requires a change in mindset—a rather daunting task as previously discussed. As a State Police analyst from Site A explained, “this is a new environment for a lot of these guys in higher level positions who have worked their entire careers [with the mindset] that we should try and keep everything in house and not go and share with State Police, even within the State Police.” The fusion center’s Director reiterated,

It’s a whole paradigm shift and some old dinosaurs get it and some don’t. Like anything else, when you have a huge shift, it may take a generation for that to really take effect...this is a huge ship, and we are changing its course. It takes a little while to get that ship moving.

The “old dinosaurs” often fill command-level jobs within the agency; thus, it is imperative that they are supportive of the fusion center and that they utilize the center’s services and products since they are the intended customers. Moreover, the command-level officers set the tone for the branches or bureaus they oversee. If they are unsupportive and negative toward the fusion center, its services and/or its products, then that negativity and bias will likely permeate down through the ranks.

Moreover, fusion centers vary in how much marketing in which they feel they must engage. Of the four research sites included in this study, they are not equally developed, staffed, funded and promoted. This seemed to be affected by a number of



factors, such as a fusion center's clarity of mission, the presence of people and processes in place at the fusion center, the number of partner agencies represented in the fusion center, the physical proximity of federal, state and local agencies to the fusion center, the physical size of the state in which the fusion center resides, and the financial capital to fund multiagency, collaborative efforts. There perceived differences regarding the level of buy-in between the local, state and federal levels of government. Moreover, and very interestingly, fusion centers apparently are finding that acquiring buy-in from within the State Police is currently one of their greatest challenges.

Generally, participant responses indicated that there is significant variation in the degree of buy-in between different levels of government; in other words, it depends. The respondents indicated that local, state and federal law enforcement vary in their understanding, acceptance and use of the fusion centers' services and products, and their commitment to their respective fusion center. All four centers indicated that there is substantial variation in the degree of buy in from all levels of government. For example, Site A's director insists that they conducted a great deal of marketing upfront; however they are on the back end of marketing now. Site C, however, indicated that they need to continue focusing on marketing; however, they do not have the funding to do it as widely as they would like. Site D's directed insisted that one of their greatest weaknesses is achieving buy-in from all levels.

Site A seems to garner the greatest support from outside agencies at all levels of government. At Site B only an FBI analyst is located at the center; however, Site B is strictly a criminal intelligence center and not a true fusion center. Some agencies have agreed to embed a liaison into the respective fusion center; however, that does not

necessarily ensure that the liaison will routinely be in the fusion center. Rather, a liaison may inconsistently be at the fusion center during certain times of the day or set number of days a month. For example, in Site C, an analyst indicated that the ATF, TSA, and Coast Guard representative were in the fusion center only about one time a month, and the DEA and ICE had yet to commit to sending an agent. In Site D, the fusion center is located on the State Police headquarters campus in one city; however, a number of federal agency field offices are located in another major city that is approximately eighty miles away, thus allegedly making it difficult commit their personnel full time to the center, although the director insists that their refusal to place an analyst in the fusion center signifies those agencies reluctance to actively participate. Also, when the researcher visited Sites B, C, and D, many federal agency representatives were not on the premises those days. Moreover, embedded liaisons may be removed from the fusion center, thus disrupting the continuity of the interagency relationships, such as in Site A when the DHS liaison was removed.

Generally, the federal government agencies seem to be open to and supportive of fusion centers, at the very least in concept, particularly the FBI and DHS but also other federal agencies, although this study was unable to determine with confidence to what degree. A federal agency's decision to participate in a particular fusion center is left largely to the respective federal agency's field office supervisory agent; thus, an agency's degree of commitment and involvement is likely to vary substantially. A field office's decision to place an agent and/or analyst could be an issue of funding, manpower availability, and personalities. The FBI official from Headquarters explained,

You don't need to convince Director Mueller or Secretary Napolitano of the value of the fusion center. The problem comes in that the individual field offices, the

individual components from DHS—ICE and the Secret Service and the other twenty-two other agencies that come under their umbrella—are all facing man power issues...the fusion centers have to sell the local ICE SAC or FBI SAC or whatever the value of the fusion center and get them to commit to put an analysts or agent in. The overall federal government sees the value.

State-level agencies generally seem to be buying into the fusion center concept and activities, evidenced by their partnership agreements and assignment of personnel to the fusion center. The degree of buy-in appears to be dependent on the missions of both the fusion center and partner agency, as well as the fusion center's ability to provide the partner agency with valuable services or products. For example, when talking with a Senior Parole Officer assigned to the fusion center, he indicated that his colleagues in parole view the fusion center as a valuable resource. Since the fusion center embraces a statewide perspective on gangs and shootings, of which parolees are often perpetrators or victims, the parole officer is able to access information previously unavailable to parole officers to pass back to his colleagues. In fact, he indicated that prior to his assignment to the fusion center, parole often learned of incidents from the newspapers. He continued,

On the outside looking in, I get it numerous times, 'Are you staying there?' and I say, 'I don't know, it depends.' And they say, 'ok, well we need someone there because this works fantastic,' and I have got that from numerous officers. It's been a plus to get first hand knowledge of what's going on. A lot of the fliers and notifications that go out, we did not get those before. Through here, we are now able to get them out, officer awareness bulletins and things of that nature. So, with regards to parole, I would say I have yet to hear anybody that I have spoken with that does not think it's a plus.

In general, local law enforcement may be the most challenging level from which to get buy-in, in part because there are substantially greater numbers of local departments compared to state and federal law enforcement agencies. There are other factors related to both the local level of policing and the respective fusion center that may be affecting

local law enforcement's buy-in. From the local policing perspective, influencing variables may include the proximity of the local police department to the fusion center, the size of the local department, the extent that the Police Chief is informed regarding the concept and activities of his or her respective fusion center, the degree he or she understands and values the utility information and intelligence, and how far beyond their borders a local Police Chief is interested in staying abreast of crime and other threats. In regards to the fusion center, factors that may influence the relationship between a local agency and the fusion center may include whether the center has educated the local police departments in their state as to their services and products and whether the fusion center is engaging in activities that are perceived to be valuable to local police departments.

Not only are there detectable differences *between* the levels of government, but the participant interviews indicate that achieving buy-in from *within* the State Police is a challenge. During the course of the research, it became clear that of all the agencies from which the fusion center faced resistance, the State Police has been most challenging to overcome. This was an interesting finding since intuitively one would assume that if an organization were having difficulty overcoming *intra*-agency obstacles, then overcoming *inter*-agency barriers may be even more difficult; however, based on the participant's interviews, outside agencies are reportedly partnering rather well with the fusion center compared to the State Police, which manages the majority of fusion centers. Again, the State Police as an organization is not a monolithic entity, and no two are identical. A police organization can be disaggregated into at least three major categories: administration, operations and investigations. Each of these areas within the larger law enforcement agency has different responsibilities, and thus needs. As such, if a given

fusion center is to wholly serve the law enforcement community it must have the capacity to provide something of value to each of these subdivisions.

A Captain, whose move to the fusion center command structure was prompted specifically by the identified need to obtain buy-in from within the State Police, offered some insight regarding the disjuncture between the fusion center and the larger State Police organization,

Right now we are really improving on our own perception within our own organization, within the State Police, because some of our own people look at it as it's a big drain of resources. You have a lot of people and a lot of money going there but we don't see a lot of return directly to us. You know, 'what are you doing for me in the State Police?' They don't look at things kind of from a global standpoint... I come with a uniform background, from an operational and tactical background; I don't have any investigative background. This is a highly investigative world here, but what I bring is kind of that systems approach and that organizational approach, and part of my mission to come here was actually to tie ourselves back to the division, to get that buy-in. We already have it on the outside, now we need it on the inside, too... and that's kind of what we are in the process of doing now is [saying], 'yes, you are giving us people, you are giving us bodies, all these things, but look at what we can do for you.'

### *Summary*

Based on participant interviews, the study found that fusion centers are improving law enforcement's ability to collect and share information; however, the findings also indicate that the analytical component of all the sampled fusion centers have yet to fully develop and the professional role and capabilities of analysts understood, utilized and legitimized. Specifically, it appears that while the analytical function in law enforcement has improved with the implementation of fusion center, it has yet to develop reliable and robust predictive or estimative capabilities. To date, it appears that a significant portion of their activities continue to revolve around fulfilling tactical needs, such as background

checks, digital line ups, and drivers license look ups, as well as investigative case-support and monitoring activities. While the fusion centers' analytical capabilities have yet to mature, it does appear that the subcultural divide between sworn officers and civilian analysts has been reduced; however, this improvement appears to be largely restricted to the physical domain of the fusion center.

The current shortcomings of a robust analytical capacity are may be twofold. Not only has the role of analyst recently changed within a law enforcement environment, but that change necessitates a change in user's judgment regarding the evolving role of analysis, and thus analysts. Not only is hiring, training and retaining quality analysts challenging for fusion centers, particularly in the currently fiscally grave environment, but users must also understand and embrace the role of analysis and use of their products if the fusion center is to develop a robust analytical capability.

Moreover, the interviews revealed that fusion centers, as relatively new entities, must continue to market themselves to their potential partners and users. Evidence suggests that they are successfully attaining buy-in from some agencies at the local, state and federal levels; however, there is significant variation in the buy-in from various agencies. It is hypothesized that a number of factors affect this, some of which are not controlled by the fusion center's leadership. One of the more surprising findings that clearly emerged from Site A was that the fusion center has had the most difficulty acquiring the buy-in and support from their host agency, the State Police, and they appear to be making very concerted and deliberate efforts to improve this.

Finally, although many fusion centers in general were originally developed with a counterterrorism focus, the participants felt that fusion centers in general do not, and

should not, focus solely or even primarily on the threat of terrorism. While they cannot ignore the threat of terrorism based on the confluence of crime and terrorism, they must remain relevant to their constituencies. In order maintain relevancy, fusion centers should provide services and products that address their user's needs and concerns in a timely manner, and are thus perceived as valuable.

**Research Question 3: Are fusion centers perceived to be effective at fulfilling their designated tasks?**

From the outset, not only did this research explore whether fusion centers are perceived to be accomplishing what they were tasked to accomplish, namely the successful collection, analysis and sharing of criminal and other threat information, but whether these activities are perceived to be effective from the various participant perspectives. Participants were asked what they perceived to be the strengths and weaknesses of fusion centers. It was deemed important to directly probe these areas with the understanding that participant responses could shed valuable light on the accomplishments, as well as the areas for improvement, of fusion centers from the 'line-level' perspective. Such information is valuable from a policy standpoint since it can be drawn upon as a source of potential strategies to improve the success of individual fusion centers, as well as the national fusion center initiative.

In addition to exploring the strengths and weaknesses of the fusion center, two other important, fundamental themes emerged that influence the participant's perspectives of their fusion center's effectiveness, specifically the importance of

management and the significance of personalities. These issues are in no way unique to fusion centers but are essential to any organization.

### *Strengths*

Based on participant's interviews, one major theme with three prominent subthemes emerged that signify the overall strengths a fusion center does or can possess. The major theme, and greatest strength, is that fusion centers serve a one-stop-shop function. Within this umbrella function, the three subthemes to emerge are fusion centers as facilitators of information, fusion centers as facilitators of interagency collaboration, and fusion centers' latitude of multiple missions.

The one-stop-shop characteristic of fusion centers was reportedly of paramount importance for participants engaged in the fusion center endeavor. The ability for a facility to provide a wide range of services to a broad array of partners and customers in one centralized location is novel, since prior to the development of fusion centers services were provided individually from a variety of entities, often done so in a rather uncoordinated fashion. The benefits of a one-stop-shop function emerged clearly from the participant responses (see Table 4). Approximately, 73% and 35% of participants, respectively, perceive fusion centers as facilitators of both information sharing and interagency collaboration. Over a third of subject's expressed that the fusion center's latitude of missions better enables them to address a spectrum of customers needs.



**Table 4: Fusion Center Strengths as Perceived by Respondents (N=49)\***

Strengths	%
Facilitators of information	73
Facilitators of collaboration	35
Latitude of missions	37

Note: The descriptive statistics displayed are to offer the reader a sense of relativity regarding the participant's responses; however, they are not mutually exclusive or exhaustive responses.

Fusion centers are *the* forum, or have the potential to be, for various agencies to converge their respective information, expertise and services into one physical location, thus minimizing some of the fragmentation caused by the historically decentralized structure of public safety community. As a centralized hub, a fusion center is not only the focal point of contact for various local, state and federal agencies, but it serves, or has the potential to serve, as the central information intake and distribution center for a state. Not only can agencies request information from the fusion center, but they may also provide information to the fusion center, thus creating a dynamic environment whereby a customer may also be a partner. These strengths, taken together, contribute to the fusion centers ability to make the overall tasks of providing public safety more *efficient*. Not only do fusion center personnel have access to a wider range of information from various agencies databases than ever before, but the physical presence of multiple federal, state and local agency liaisons better enables the fusion center to have its partners and/or customers' needs met more quickly.

#### *Facilitators of information*

Approximately 73% of participants' responses indicated that fusion centers are effective at facilitating information both within and between jurisdictional and disciplinary boundaries. It is clear from the participant interviews that fusion centers are

facilitators of information, and facilitating the movement of information is the task that fusion centers appear to do best at this point in time. This finding is similar to the study's earlier findings that approximately 69% of participant's think that information sharing has improved since 9/11 and approximately 82% feel that fusion centers are improving information sharing by removing or minimizing various barriers. It seems that fusion centers are imposing structure to a previously unstructured, informal network that relied almost solely on personal relationships, a tenuous arrangement at best. As information brokers, fusion centers are filling an information void by minimizing the information gaps between government agencies, not only locally but also regionally. As a scholar opined, "I think that is where fusion centers are really handy. It's not necessarily providing an information intelligence resource just for local police. They can tell local police departments what is happening in the general region, and I think that has been a huge information gap." Moreover, a fusion center has the ability to mass distribute information both quickly and professionally to wider audience that a single agency could do now or in the past. This capability appears to be improving the timeliness of information sharing, which is a fundamental component of good intelligence.

#### *Facilitators of collaboration*

Analogous to being facilitators of information, approximately a third of subjects felt that fusion centers have the capabilities, if sufficiently developed, to facilitate interagency collaboration. Fusion centers appear to be facilitating interagency collaboration primarily in one of two ways. First and most straight forward, the collocation of multiple agencies in a single workspace increases the likelihood that

different agencies will draw upon each other's resources and work together formally and informally. Thus, interagency collaboration is directly facilitated by proximity within the fusion center. As two State Police analysts assigned to the fusion center explained,

The big advantage of a fusion center, in my mind, a huge role we play is just being able to say, 'Okay, I have a question. Who do I need? X will know this.' I can walk over or holler over the cubicle wall at X, and they will get an answer to me. If I am cold calling, it's going to take time to get someone who is willing to talk to me...and that's all gone because now I know X, and he sits next to me, and I can holler, 'do you know x, y and z?,' and he will do his best within his agency guidelines to get me the best answer. That is the biggest advantage of a fusion center than anything else because I have that relationship.

and

I think its good, too because I work gangs, and I can reach out and speak to somebody solely doing guns and bounce stuff off of them, whether or not they have seen a particular firearm in an area. And they can bounce it off the ATF, who is another desk away. It's a conglomeration of all these different groups.

Secondly, and less pervasively, fusion centers have the ability to connect two or more agencies or departments together so they may collectively address a common problem. Since fusion centers embrace a statewide and/or regional focus, they are in a beneficial position to do two tasks: identify where common problems cross jurisdictional or disciplinary boundaries, and then bring separate entities together to address the mutual problem from diverse perspectives with greater resources. In this regard, a fusion center can be likened to a force multiplier; thus, fusion centers have the capability to facilitate collaboration with agencies that may not be active participants or partners within the fusion center. As the fusion centers analytical unit supervisor explained,

I think our greatest strength is bringing people together that didn't know they existed, like being able to mash up agencies that didn't know the other one had a piece of information. We are sitting in such a position from a macro-level that we may not know everything about a local community, but we know enough about that local community and this local community that we can say, 'hey folks, you better be talking,' and that has been our greatest achievement.

A Detective from a local police department explained that fusion centers not only collate inter-jurisdictional information, but they have the added value of facilitating collaboration in a way that multiple agency perspectives can be maximized within a single jurisdiction, potentially shedding insight or connections on a particular situation or person that would otherwise be missed. As he explicated,

If I am just looking for information about an individual and his whole history in [limited to one jurisdiction], then I can pretty much collect that in [the jurisdiction]. But if I find something that steps out of the city, I feel this [i.e. the fusion center] is the place to go. Although, if the whole history stays in one city, using the fusion center I have other eyes looking at it from various, outside standpoints.

Several examples were offered during the course of the study that illustrated how fusion centers are or have the capability to bring together different agencies and foster collaboration for both strategic and tactical purposes. Strategically for example, Site A's analysts and officers attend weekly meetings with individuals from local police departments, prosecutors offices, as well as a handful of federal and state agencies to collectively address violent crime and recidivism in the state and region. Collectively, federal, state and local agencies brings together a great deal of information and knowledge so a more accurate picture can be constructed of what is occurring regarding violent crime in the larger operating environment, as well as how to best coordinate initiatives to combat it. Site A's analytical element has also begun to brainstorm how pervasive problems can be more holistically addressed from a variety of disciplines by bringing together various agencies. For example, they have initiatives focusing on gun violence and traffic fatalities, both of which are problems not limited to law enforcement. Rather, these are problems that extend into various disciplines, such as the department of transportation, department of health and human services, department of educational, as

well as academic and medical research institutes. Tactically, Site C was instrumental in coordinating support and relief teams from the state's department of corrections to search for an escaped prison inmate. Local police and sheriff's offices were exhausting their resources conducting the search, and the fusion center was instrumental in contacting their Department of Corrections liaison, who very quickly arranged for support teams to augment their law enforcement colleagues. While selective examples, they do demonstrate that fusion centers can more efficiently foster interagency collaboration not only within the fusion center walls but with outside agencies.

Participants were more likely to express that fusion centers are facilitating the movement of information more so than facilitating interagency collaboration between agencies within the fusion center and outside the fusion center. Their ability to broker information could be greater than their ability to foster collaborative relationships at this point in time for several plausible reasons. First, while federal agencies may assign their representatives into a fusion center, they act more as gatekeepers to federal databases and their field offices than as collaborative partners. For example, federal liaisons are not assigned to projects with other fusion center analysts; rather, their workload is assigned by their field office and not the fusion center's managers. Their purpose at a fusion center largely is to search their databases and share information, when lawful to do so, when requested by a fusion center staff or if they come across information of which they feel the fusion center should be aware. Thus, it is unsurprising that respondent would feel that information sharing has improved more so than actual collaboration.

Secondly, coordinating multiple agencies is complex and difficult, particularly as the number of participating agencies multiplies. There are a number of political, cultural,

and financial factors that could restrict an agency's decision to collaborate with another entity, including some of which are addressed in the following section. It is logistically easier to move information than to orchestrate and manage people and activities from multiple agencies. Finally, and related to the last point, fusion centers are still marketing themselves to their constituencies. Thus, it is reasonable to believe that they have yet to solicit full support and commitment from outside agencies. This remaining skepticism could likely influence an outside agency's decision to collaborate with a fusion center.

#### *Latitude of multiple missions*

Over a third of the study's subjects also indicated that fusion center's latitude of missions is perceived as a strength.<sup>43</sup> While not every fusion center embraces an all crimes and/or all hazards mission, the trend is definitely moving in the direction of adopting broader missions. The rationale being that broader the scope of the fusion center's mission, the more opportunity for the fusion center to address a greater range of threats across disciplinary boundaries, and thus bring together and serve a greater number of constituencies, including nontraditional partners. Multiple missions enable the fusion center to have greater flexibility to adapt to the tailored needs of different customers across jurisdictions, job functions and disciplines. As a civilian intelligence analyst supervisor from Site B explained,

I think we have become extremely valuable to the department not only from the analysis we provide but as well as the access to information. That's not just to our own people but also to local police officers that use us.

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<sup>43</sup> It should be remembered that Site B is a criminal intelligence center that primarily serves the law enforcement community; thus, the issue of multiple missions did not emerge during those interviews, which may partially explain why only 37% of participants indicated that fusion center's latitude of missions is a perceived strength.

Finally, having the latitude of multiple missions facilitates, or has the potential to facilitate, innovative thinking and problem solving since the fusion center has greater access to variety of information as well as a variety of partners from which a greater knowledge base can be drawn upon.

### *Weaknesses*

In addition to probing the fusion centers' perceived strengths, participants were asked what they perceived to be fusion centers' weaknesses or areas for improvement. Five major themes regarding the limitations surrounding fusion centers emerged from the participant interviews (see Table 5), namely resource constraints, users' misunderstandings of intelligence, the persistence of subcultural barriers, and poor planning and hasty implementation, and latitude of missions. It should be noted that interestingly, one of their strengths in concept appears simultaneously to be a weakness in practice at this point in time.

**Table 5: Respondent's Perceived Weaknesses (N=49)\***

<b>Strengths</b>	<b>%</b>
Resource constraints	51
User's shortcomings	51
Subcultural resistance persistence	43
Poor planning and hasty implementation	41
Latitude of missions	14

Note: The descriptive statistics displayed are to offer the reader a sense of relativity regarding the participant's responses; however, they are not mutually exclusive or exhaustive responses.

## Resource constraints

Approximately 51% of participants expressed that limited resources were an ongoing challenge for fusion centers. While fusion centers face financial restrictions, space limitations, and limited availability of analytical software, systems interconnectivity and other technical tools, they are most hampered by their need for analysts, particularly since analysis is the presumed cornerstone of a successful fusion center. Not only are fusion centers understaffed, but they face challenges of both training and retaining quality analysts. This is likely, in part, a function of several converging factors, including limited funding, the relative newness of fusion centers, as well as analysts' evolving professional role within a domestic law enforcement setting.

It appears that there is a relationship between the number and quality of analysts and the fusion center's ability to successfully fulfill their analytical functions. Since analysts are a limited commodity, this in turn seems to affect the fusion center's ability to successfully address their customer's needs by providing timely and relevant services and products, as would be intuitively expected. If the fusion center cannot fulfill their customer's needs, they will lose their customer's support and business. As a Detective Sergeant from Site A explained,

We have the processes in place but we don't have the resources to accommodate all of the needs. So, if we are unable to accommodate those requests, then we are back to what the State Police was doing years ago. We are saying, 'yes, send us your information. We are going to help you out.' Meanwhile, we did not have the resources to be able to carry through on promises that were made. So, a lot of agencies were disappointed and said, 'look, the State Police is unreliable.' Well, we can suffer the same consequences as a fusion center making promises we can't keep.

As a Captain and former member of Site A's the fusion center command structure indicated,



Everyplace in the State Police, including the fusion center, is severely understaffed. The financial times we live in, it's just the way it is. Me, personally, if you are going to rob Peter to pay Paul, the fusion center is the place you need to put people because they provide something that nobody can.

An analytical supervisor from Site B also explained that more people would greatly benefit their center. She explained that,

we are tasked with doing our own website and signing up own people managing database access to people and handling out own time sheets, just the administrative stuff alone it gets to be time consuming...more people would allow us to structure ourselves a little differently to maybe better handle information flow and then also dissemination.

Two analysts from Site C, respectively, stated,

Right now, I do 50 million things, like all the other analysts, and it just gets tiring. And I am not a secretary. I am supposed to be doing this one thing and because I am spread thin across fifty things, I can't focus on the one thing I am supposed to be becoming an expert in.

and

We [i.e. the analysts] are doing case work, and as a fusion center, it would be nice to do more analytical products. We have done some, but we have so few people...one of my biggest disappointments is if I cant assist my customers, trying to divide my time.

### **User's Shortcomings**

Approximately 51% of the study's participant's indicated that an area where fusion centers appear to be disadvantaged was users' misunderstandings of intelligence as both a process and a product, how to interact with and use the fusion center effectively, and customer's understanding their own roles in the overall process. User's misunderstandings of the intelligence cycle have been documented by earlier researchers, as addressed in the literature review, and this problem still persists. If a consumer does not understand how to solicit their fusion center's services, identify their information and

intelligence needs, and integrate the fusion center products into their respective organization, they may likely not collaborate with the fusion center or portray the fusion center as a failure not only to their subordinates but also their colleagues, thus influencing potential future users' perceptions of the fusion center.

A Detective Sergeant assigned to the fusion center A explained,

Some people just do not understand the difference between information and intelligence, investigations and intelligence work and just the whole intelligence cycle. There are very few that really have a grasp for it, therefore it is difficult for them to see how their personnel play into the entire role, into the entire cycle. So, now if you don't understand intelligence and the intelligence cycle, it is very difficult to implement intelligence-led policing... Really its educating the commanders, even detectives, on all the different issues I spoke about— information versus intelligence versus data, investigators versus intelligence operators, the whole intelligence process, intelligence-led policing. All these different terms and concepts would give people a better understanding of what a fusion center is and what their role is. So, when we establish collection requirements, they would be better consumers of the fusion center. I think that is one of our weaknesses, that a lot of people do not understand what it is that goes on here and how we can be a better resource for them.

A Captain and former member of the fusion center command structure from Site

A reiterated the Detective Sergeant's previous explanation,

People kind of misinterpret what intelligence is. They think, 'OK, we are going to find out if this guy was ever locked up.' Well, that's not intelligence, that's RMS [records management system] data. So, we want to be able to make it that if we are doing an intelligence search, it would also search RMS because there is value to that, but it's not intelligence. People in their minds have trouble [understanding the distinctions].

A sworn supervisor from Site B similarly explained,

I am still getting a firm grasp on the whole intelligence thing because it's totally different from patrol work. Patrol work, including undercover vice, you are dealing with calls given to you and you want to find a resolution. You get an incident and want to remedy that situation be it an arrest, warning on a traffic stop, then the case is over—on to the next thing and that is out of your mind. Whereas you come here, you are looking a much bigger picture.

A fusion center consultant addressed the responsibility that the users have in the overall fusion center effort, differentiating between the fusion center's roles and the user's role in directing the fusion centers activities. He observed that,

There has been all this innovation on the intelligence part of it, on the interpretation part, the ability to generate products that have influence, but I think a lot of work needs to be done on the impact part. The executives should be providing the guidance for what occurs within that fusion center, and the fusion center should have some room to be creative and look for emerging threat, but most of their activity should be directed. Again, I don't think that is a state that we have achieved. We built them, and it's like a vacuum cleaner, who's pushing it?

### **Subcultural resistance persists**

Approximately 43% of participant's responses indicate that subcultural resistance to information sharing and analysis has not yet been entirely overcome. While there is still resistance to both information sharing and analysis, it appears to be considerably less than in the past. Resistance in some form will likely persist, particularly since information is a form of power. As a DHS representative explained,

I think certainly there is the belief that it [i.e. information sharing] needs to happen. I think culturally there are people that still have a difficult time with that...So, its not that there is not an ideology and the policy isn't in place—that much is true. Its just culturally I think there are a lot of people that have a difficult time giving up information that may be substantive and losing control of that information, putting it, entrusting it into the hands of others...its not complete but pervasive.

A civilian supervisor from Site B similarly stated, "I think we are slowly breaking through the barriers that information is power holding this information close, so we are breaking through those walls....that's everywhere." Similarly, a former Attorney General explained, "forever bureaucracies have empowered themselves by hoarding information, and that's part of human nature, too. 'I know this, you don't that means I'm

important.’ That whole mindset has to be reversed.” While improving information sharing both between and within organizations is an altruistic behavior, different agencies or even individuals within a single agency continue to withhold information, whether it be for reasons of distrust, skepticism, policy or as a way to maintain some control and power.

Moreover, while it seems that the infancy of the analytical profession partially impedes acceptance and integration of analysts’ skills and products into the larger law enforcement environment, resistance persists from within the law enforcement community stemming from historical distrust of information sharing among law enforcement, particularly between other agencies and the state police. Not only do commissioned personnel generally undervalue civilian analysts simply because they are civilian, but outside agencies remain suspicious of sharing information with other agencies, the State Police in particular, and many continue to hesitate to do so. This hesitancy may stem from both a strong tradition of *home rule*, as well as a cultural distrust of one agency taking another agency’s information and using it to affect an investigation, arrest or prosecution. The following series of participant responses highlight the perennial nature of resistance to law enforcement information sharing and analysis.

An embedded partner from parole in Site A affirmed,

Is it all roses? No because a lot of people still don’t believe in it and don’t believe in the sense of sharing...A lot of agencies see the fusion center as part of the State Police. Unfortunately, the State Police has a bad rep for not sharing, of asking and getting and wanting everything but not reciprocating.

A State Police analyst from Site A assigned permanently to the fusion center remarked,

This is a new environment for a lot of these guys in higher level positions who have worked their entire careers [with the mindset] that we should try and keep everything in house and not go and share with State Police, and even within the State Police. My father used to work for Customs, and when I started here he said, ‘don’t get discouraged if a lot of people don’t want to share information because the State Police has had the reputation of taking a lot of stuff in and not really put a lot of stuff out

A Detective from a large local police department assigned as a liaison to Site A asserted,

There are a lot of old-minded bosses that [advocate], ‘just stick to [our city], and don’t share anything.’ You know, it’s very territorial, and it’s kind of the nature of the business of law enforcement. You don’t want anyone stepping on your toes and, ‘oh, he took my information and jumped the gun before I did.’

While many law enforcement professionals, particularly the veteran personnel, do not fully support information sharing or a fusion center’s activities and products, this is a belief that is reportedly changing. Many within the law enforcement community do believe that this defiance will cycle out with the older generation’s retirement. A twenty five-plus year State Police veteran, formerly part of Site A’s fusion center command structure, explained, “We have folks that don’t have any idea what [the fusion center] does or just flat out refuses, but slowly that is changing.” A Captain from Site A reaffirmed, “You know, old mentalities die hard, especially in law enforcement. We make rather concrete decisions, and we tend to hold them for a long time, but there is definitely a paradigm shift that is starting to occur.” A Detective Sergeant permanently assigned to Site A further explained,

We are not out there making the arrest, all we are going to do is take that dime, take that nugget, take that information you give us and we are going to work it with all the resources we have here and give you back something you can use in a positive manner to go out and affect that arrest, to help your investigation. Not everybody believes that until they see it and that hurdle is something that is evaporating, it’s still there, but that is something that we deal with.

### **Poor Planning and Hasty Implementation**

The issue of poor planning or impromptu implementation, and the limitations they impose, emerged rather indirectly from approximately 41% of the participant's interviews. Planning and implementing a fusion center structure and its activities is a major logistical and conceptual endeavor, and arguably well worth it if done so smartly; however, their development and implementation appears to have occurred largely as an afterthought. The hastiness of planning has been, in part, influenced by the fact that nationally there was a rather immediate call for fusion centers to be established; however, this solicitation was done in the absence of any substantive guidance.

This hastiness is apparent in the following excerpts. An academic that consulted with Site A's State Police during their reorganization explained how little forethought was invested into the operational aspects of implementing the fusion center. He explained,

I was involved with the State Police, helping them think through from more of a strategic level of operating their fusion center. They had spent a majority of time building that building, and as you know, it was a tremendous effort putting that together. But they did not spend as much time figuring out the operations inside of it. I came in at the point when they were saying, 'OK, this building is going to come online, what is it going to look like operationally?'

A Detective Sergeant at the same fusion center explained that when the fusion center first opened, it was a very ad hoc, trial-and-error operation. He explained that they were, "using the term 'build it as you fly it' for a long time here, which as you can imagine if you were actually on a plane you don't want to be there, but sometimes you have to do what you have to do." Together these excerpts illustrate that the fusion centers activities have been conducted, at least early on, in a much improvised manner. An absence of proper processes and policies can be particularly problematic in an

interagency environment where resources are limited and the risk of partners becoming frustrated and withdrawing cooperation and support is high.

A second implementation issue to emerge from the research regards connecting the internal components of the fusion center together. While significant attention and effort have been allocated to attaining legitimacy and support from outside the fusion center, less thought and energy seems to have been invested in developing a strong, reliable relationship within the center itself, primarily between the analytical function and the watch operations function. A Detective Sergeant explained,

Believe it or not, I would say the relationship between Watch Ops and the analytical element in-house—sometimes we need to keep our own house in order. We preach the collaboration and sharing of information and all that good stuff, quite frankly to do that and to do well in that area, we need to make those lines of communication more efficient in here. The problem with that is most of the time, and I worked there for a year, they are dealing with emergent, tactical real-life situations coming bang bang bang. We have a lot of resources upstairs, but what exactly do we do?

A Captain also addressed the detachment between the fusion center's internal elements. He noted how the creation of the fusion center, while prompted by the need to overcome bureaucratic obstacles and information stovepipes, itself has created a layer of bureaucracy and its own series of stovepipes. While the purpose here is not to speculate if this would have occurred with or without proper planning, it does highlight the fact that plans were not clearly specified prior to implementation,

One of the big reasons they developed the fusion center, did you read the 9/11 Commission Report? They talked about eliminating stove piping. Well, what seems to have happened is that while we were trying to get rid of the stove piping, now they set up the fusion center, and it's kind of a stovepipe in and of itself. And within the fusion center, there are other stove pipes. Like Watch Ops, there really is no connection between Watch Ops and the analytical element. While they may have a meeting once in a while, but there really is no connection. And then, the analytical component, which I think is probably the most valuable part of the fusion center, has no connection with anything outside the organization.

### **Latitude of multitude mission**

Previously, the fusion center's broad scope of mission was determined a strength since with a broader mission the fusion center is in a unique position to monitor statewide and regional activities across disciplinary and jurisdictional boundaries. This is a valuable position to occupy since it can serve a number of diverse, yet interrelated customers. A fusion center has the potential to be the thread that links multiple agencies together, so interagency collective efforts may prevent or solve problems as they arise. While this is an ideal function, fusion centers face the very real pressures of serving a wide range of disparate customers.

The value of fusion center lies in its ability to tailor its products and activities to the customer's needs, regardless of how a customer is defined. They are not intended to be uniform, one-size-fits-all entities. This necessity of latitude creates a practical quandary for fusion centers, specifically how to be everything to everybody. This practical dilemma simultaneously is occurring while they face limited financial and analytical resources, an absence of guidance and evaluation, and a nebulous customer base that may or may not understand and/or support a fusion center's strategic intelligence function. It appears that fusion centers may not be able to successfully fulfill an ill-defined and all-encompassing role at this point in their development.

### *The Importance of Management & the Significance of Personality*

The study's participants were directly probed regarding the strengths and weaknesses they perceived regarding their fusion center's structure, activities and products, and the major themes to emerge largely support earlier documented challenges.



Two other key areas to emerge regarding the potential success or failure of a fusion center that has been largely ignored in the literature are the importance of management and the significance of personality. Approximately 45% of the participants addressed the role management and a third of the participants addressed how some aspect of personality plays in the developing fusion center endeavor.

The role of management emerged from this research as an important issue, presumably since, at its core, this research study is an examination of how organizations are perceived to be functioning from both a structural and cultural perspective. In particular, it is an exploration of how well the structural and cultural components of a law enforcement environment are perceived to change in response to imposing novel tasks and relationships, as well as what factors are perceived to facilitate or inhibit the likelihood of successful change. The study's participants individually expressed insightful caveats regarding the importance of management from their varying perspectives in terms of the potential success of the fusion center. In examining management as an essential component to the success of fusion centers, it is helpful to disaggregate management into separate facets and investigate how those parts together seem to influence successful or unsuccessful management.

Not only did the logistical and cultural complexity of managing collaborative arrangements emerge from the interviews, but also how leadership styles and management tenure were believed to affect the multiagency environments of fusion centers. It should be remembered, of course, that the complexities of management within the fusion center are occurring while couched within the larger system of the police, in this case the State Police, which itself is a multi-system entity composed of various semi-

independent bureaus or branches each endowed with their own idiosyncratic management styles and cultures. Furthermore, the State Police as an organization is embedded within an even larger system of government, thus compounding the complexity of managing a multiagency environment of a fusion center.

### **Managing Collaborative Environments**

Three major subthemes emerged regarding management that together illustrate the different facets of management: the logistical and cultural challenges of managing a fusion center's collaborative environment, leadership characteristics that promote a fusion center's concept, activities and products, and the tenure of a manager's or leader's position within the fusion center. While three separate issues, they collectively influence the development and functioning of a fusion center.

From the outset, placing the right people in major management positions within the fusion center emerged as paramount. Management's job is to ensure that proper intelligence plans and structures are in place and functioning towards the desired end result—successfully serving the customers needs. As the supervisor of the Site A's analytical unit, a Lieutenant in the State Police, explained,

I am here to tell you that what produces intelligence are processes that involve analysis, collection, and production. They all fall under the umbrella of intelligence management because without intelligence management there is no way to ensure that their customer is really served...Its not that people sit in a big room, and its like fusion is firing and the Director is there talking about everything he knows. There is a management structure to produce that, and the challenge of course is to make sure that collaboration is involved with the creativity.

Those individuals in leadership positions have a great deal of influence on the direction of a particular facility. As a former Attorney General noted, "the most

important thing, I think, for the leaders to do is to make sure they pick the right people for these jobs because one wrong person will unravel the whole effort.” A Captain reinforced the importance of having the correct people occupying management positions, arguing that “these fusion centers must be manned at a management level with people with these core competencies to properly identify problems, and recruit, implement and manage solutions and people.”

One of the greatest challenges for management in a fusion center environment is accounting for the complexity of collaboration and integration not only between partner agencies, but also between enlisted and civilian personnel. It is in this issue that the challenges of subcultural differences are evident. A Captain and Deputy Director of Site A’s fusion center’s task force clearly stated that, “A fusion center is a huge management endeavor. Each agency partner has its own bureaucracy and culture. There is a distinction between integrating people and integrating systems, each equipped with its own set of unique challenges and idiosyncrasies.” The supervisor of Site A’s analytical component elaborated on some of the practical and cultural difficulties previously identified by the Captain of integrating not only individuals from various agencies, but also individuals from various disciplines with different job functions. The Lieutenant explained,

Well, you have an interagency environment, to begin with, that doesn’t mesh well. Even if you had five law enforcement agencies working together—cops—there are issues that have to be worked out. People get paid differently, different equipment, leadership styles of different organizations are different, there’s jealousy, there’s cultural issues—State Police, federal, whatever. So, just in a policing dynamic, interagency [collaboration] is an interesting experience. And I say this, I worked on the JTTF, great experience, and you see folks that come in and adapt very very well and some don’t. So, interagency just in law enforcement is difficult.

Now expanded it to be interagency *plus* inter-discipline, remember we have Department of Health up here, we have Homeland Security, and then also add to the dynamic civilians and enlisted personnel. And the reason that is important, if you look back at their training, their experience, and their backgrounds are clearly different. So, those backgrounds are really interesting; it's not to say that one background supersedes the other. We have intelligent folks that are analysts and their backgrounds are different.

You know, exploring the law enforcement dynamic, the mindset of law enforcement for the most part, if you look at it from a philosophical point of view, there are folks that are very ends-justified persons. You know, there is a certain dynamic there with cops. They are recruited for that because they are recruited to take and order. So, now put them in an atmosphere that is all about collaboration, but not to fault them, but they can't do it. But place them in a collaborative environment with folks that may not be ends-oriented, may be more means-oriented. It certainly makes for an interesting mix.

The Lieutenant's discussion clearly exemplifies the dynamic and often conflicting nature of managing people from various agencies with different disciplinary backgrounds and philosophical beliefs regarding how to best address and solve different problems. He further described what he feels is the best managerial approach in a multiagency environment to facilitate both creativity and structure,

I find that from a management perspective at a state fusion center, you have to approach it from a hybrid side. You can't be heavy command-and-control because if you do that then you squander creativity and collaboration. But if you are too permissive—in the end you are serving a customer, the customer needs a widget, a product—so, if you are too permissive, then you may never close the deal in terms of providing a product. So, there needs to be this hybrid approach that allows for collaboration, coordination of resources and skills and competencies, while at the same time being done in a command and control or tasking coordination environment to ensure that the customer gets what they ask for.

While managing collaborative environments is complex and challenging, but necessary, duty, the qualities and characteristics a leader embodies will influence how that organization will function since it is the leadership sets the tone for the overall organization or unit. Leadership qualities that participants identified as important included leaders' willingness to listen and openness to new ideas. Selected leaders

should also have both a clear understanding of and foresight regarding the fusion centers primary goals and objectives. A Detective Sergeant assigned to the fusion center's analytical unit felt that, "the key thing for an operation like this is when you stand it up, you already have people in place" with both experience and knowledge regarding intelligence and all the issues that surround collection, analysis and dissemination.

Participants also described their leaders as progressive, often encouraging their personnel to think outside the box and push the envelope. As an analyst commented, "[our supervisor] is a very progressive guy, and I think he is always trying to nudge us to reach for the next level."

Not only do the leaders within the analytical component affect the path a particular center will take, but the overall leadership of the lead organization, in this case the Superintendent of the State Police, will have an impact on the success or failure of a particular fusion center. Recounting his tenure at the fusion center, an individual from the top brass of the State Police clarified that the Colonel was "originally very counterterrorism-centric, and I was not...he was willing to listen while I was up there, and was willing to let us roll...[s]o, the Colonel got on board with the idea we needed to do crime analysis. We were going to adapt even though he was counterterrorism-centric."

An academic and consultant referenced the same fusion center's leadership stating that,

[T]hey have good leadership support from the very top from the Colonel, who really understands and gets what is going on. He is very heavily involved in all of these discussions about criminal intelligence at the national level, so he is a very informed user and informed leader of criminal intelligence in the State Police. That is really very helpful.

A Captain also described how the Colonel reinforces his expectations of collaboration and information sharing on a daily basis, which in turn should trickle down to the other commands,

[the Colonel] brings his commanders together on a daily basis, so they can roundtable and they can hear the issues, and they understand right from the command-level how their issues interact and how each one plays a part in the other one's operation. That then gets distilled through the commands as they go back to their own areas of expertise. So, right from the top down, it's really showing that information shares...the commanders are much more willing to share information. When I was a young trooper you never had the opportunity to speak to a Captain let alone a Major. Now, Majors are out among their people sharing information, talking to people, talking about personnel issues and tactical and operational issues.

The Colonel's daily meeting with his commanders is similar to the huddle held on a daily basis within Site A's analysis element. While uncertain whether the Colonel's daily meetings with his commanders were the model for the fusion center's analytic unit's daily huddles, the fact that both are occurring regularly imply that, at the very least, the principles of collaboration from the leadership-level downward are in place.

In addition to a leaders ability to managing a fusion center's collaborative environment and leaderships characteristics that reportedly facilitate and support a successful fusion center environment, the issue of management tenure also emerged in the interviews. How long should managers maintain their position before being replaced with a new leader? While there obviously is no straightforward answer to this question, several participants indicated that balance must be struck between moving people into and out of the organization too quickly and subjecting the fusion center to constant commotion and leadership instability or allowing a manager to hold the same position too long and the center becoming stagnant and closed to new ideas. This belief is based on the assumption that that there is a lifecycle of managers whereby after a certain point, the

degree of productivity or advancement that is attributable to what they bring to the organization may either plateau or even decline. This is an area of particular interest, particularly since a fusion center is intended to bring new processes and people together in novel ways in an effort to identify and overcome problems—an idea that has not been traditionally pervasive within policing.

This debate of management tenure was evident in the following participant references. Two separate analysts commented,

I am always wondering if it's better to have management stay the same for five years or is it better to get some changes once in a while. I think its sometimes bad to have the same person in one place for a long period of time because you don't want to have everything in turmoil all the time and have constant change, but you get in that mode really fast where people say, 'well, that's the way we do it,' and that's bad because you may have a different idea. So, I kind of wonder if there should be some sort of plan, like this person will be in charge for this amount of time, and then we will see what happens.

and

We had a regime change...[and] X came on board and had a vastly different concept of what analysis is and should be, which is not to say pervious people were wrong. Most people can only take an entity so far in a transition, and then its time to pull out and let someone else take over the reins.

It seems that it is not solely an issue of whether a particular supervisor is successful or unsuccessful at managing the organization, but also cycling new personnel into the organization or unit provides the opportunity for the entity to progress. This is particularly relevant in a fusion center, especially at their current developmental stages, where innovation, or the search for it, is at the forefront of their missions. If there should be a place within the policing environment for change to occur that will cause the least disruption to other components of the larger system, a fusion center may be the best place for that evolution to occur.

## **The Significance of Personality**

In addition to the importance of management and leadership characteristics, one of the more surprising findings was the degree that both individual and agency personalities play in the overall fusion center endeavor. Those persons with management experience may argue that this finding was exactly what should be expected; however, from the outset, this study was designed based on a background of literature addressing how all fusion centers should work in theory, in which the human element of organizational development and growth has been ignored, and a semi-defined set of questions designed around this literature. Three general subthemes related to personalities emerged during the research. First, fusion centers can provide the architecture for information sharing and interagency collaboration to occur; however, it does not guarantee it. Rather, it is the people that collectively compose the fusion center that lie at the heart of a successful collaborative environment. Second, three personality characteristics emerged from the participant interviews that appear to influence the success of communication and collaboration—*trust*, *reciprocity*, and *genuineness*. Finally, the type of individual a partner agency assigns to a fusion center appears to have an impact on the degree of successful interagency collaboration and communication.

During the course of the research it became apparent not only from a leadership perspective but also from personnel, partner and consumer perspectives, that the potential growth, success and failure of fusion centers' collaborative efforts are dependent on the human element of personalities. As a former Attorney General so aptly explained,

So much of this comes down to personalities, and it's hard to quantify. It's that simple and that hard at the same time. How to make government work? It's really pretty simple, but it's almost impossible because what you are bumping up



against in bureaucracy is sort of a projection of human nature. How do you change human nature?

While fusion centers were built as the physical site for information sharing and collaboration to occur, the facility can only provide the conduit for these activities to be achieved. It is the people within them and their ability to communicate and cooperate with one another that together achieve success or failure—the fusion center facility only provides the architecture to facilitate the communication collaboration to occur. The following series of quotes illustrate the general finding that personalities—the human element—lie at the heart of a successful collaborative environment. As an outside consultant explained,

The architecture can be an obstacle or not, but you can have the best architecture in the world, but the worst people and its not going to work. That's why I am a big advocate for saying 'build the architecture so it increases the opportunities for people to meet, interact and work together.' That's great, but put the right people in there. Encourage them and hold them accountable to go out and build their human network that will help them do their job, which is providing intelligence on threats to public safety.

As a Supervising Special Investigator liaison from a state-level Office of Homeland Security stated, "It's only as good as the people, the personalities, and the ideas. That's what is really comes down to. Its personalities and how all that interact. From what I have seen, it's not perfect but it's definitely strengthening." Similarly, a State Police analyst permanently assigned to Site A indicated that, "it's nice to have a new building with new furniture and computers, but it really comes down to the people." His reference again demonstrates that the most important assets to the organization's success are the people that engage in it.

Similarly, the Lieutenant serving as the analytical unit supervisor to the fusion center further explained how the human element is,

the biggest element out there than anything else. If you want the machines to do this work, they would certainly go after that, come up with software programs that just cull information and identify the key words. Its all about the human element, that's what gives it life, that's what gives it the drama, that's what gives it the friction...Management is easy when there are no people involved. Yes, that is the biggest challenge, particularly in law enforcement, it's the human element...personalities always come into play.

Everybody is different. We have had different folks from those different agencies assigned here, and they are all different...You can have a bad mix. I may not be conducive to other folks, as well, with my personality, but to me that has nothing to do with the fusion center, that has everything to do with the interpersonal dynamics that exist out there.

Which personality characteristics facilitate a collaborative, successful working environment composed of individuals from different agencies with different job functions? The characteristics that most often emerged from the participant's responses regarding a successful collaborative environment were *trust*, *reciprocity*, and *genuineness*. Trust refers to the degree that one agency has confidence that another agency is both competent and honest. However, trust is a quality that develops over time between agencies through their people, and as such trust is dependent on those interpersonal relationships. Thus, while the manifestation of fusion centers may impose a formality of structure and processes, trust is an implicitly human characteristic that cannot be discounted from the workplace dynamics. This is particularly true since the balance of power in an integrated environment based on the notion of equality, such as a fusion center, appears to be fickle at this point in time. A consultant addressed the role trust plays in an interagency working environment,

A multi-agency and cooperative effort is always going to be difficult, and I don't think there is necessarily a technology or a structural solution to that other than to build platforms that facilitate person-to-person contact. And when I say person to person, I say, I think the best information sharing and cooperation happens between people who trust each other. They trust each other to not do something that will jeopardize either an operation or that will undermine your organization or embarrass your organization. So, there's got to be a trust in a person. Its not,

‘Well, I trust the FBI.’ What’s the FBI? If I am sitting in [a city] it’s the local FBI office and the agent that runs it. That is the FBI to me. Do I trust that person? Is that person honorable? Do we work well together, right? That’s who the FBI is.

A Detective Sergeant from the State Police assigned to the fusion center’s analytical unit reaffirmed this belief, arguing that trust is the foundation of successful information sharing between different entities. He observed that,

I think that is something that is still primarily dependent on personal relationships. The official, you know, collaboration between organizations is maybe an MOU or SOP. That’s great, but it doesn’t work, in my opinion, unless you have people that can communicate and forge a relationship of trust and honesty. That’s all it takes, and once you get that going, it opens the doors for the exchange of information and improvement of relationships between organizations. And that crosses between local, state, and federal.

Not only must participating organizations and their liaison personnel trust one another, but information sharing must be reciprocated. If one particular person/agency is always providing and another is always taking, frustration and resentment will likely develop between the two since there is not a mutual exchange of information, and thus power. This is particularly significant in an interagency arrangement since information is power. When there is an asymmetric balance of power the relationship will likely dissolve and the overall efforts potentially fail. The FBI analyst assigned to Site A offered a valuable partner perspective on reciprocity. She clearly addressed that the relationship in this environment is a two-way street, whereby each party must give to receive. She explained,

You know, it’s also the type of thing where if I’m nice to you, you’re nice to me. Let’s face it, people are going to treat you the way you treat them. So, if I sat in that room and did nothing and gave nothing, they are not going to be too interested in giving me anything, which is understandable. I think it’s because we are out here in their face giving information, they reciprocate. And it’s been working very well since I have been here. I also think it’s a personality thing. If you are going to sit in a room and lock the door, ‘hello, who are you? Who cares,

we don't know you.' So, it's a personality thing; you have to get out there and be social and be nice.

In addition to agencies trusting one another and engaging in the mutual exchange of information, it is important that the partners participating in such a collaborative environment have an authentic and sincere desire to be a part of that partnership and network. The physical presence of a person embedded in the fusion center does not guarantee that the alliance will be productive. The fusion center provides the platform, but the leadership from liaison's parent organization and the individual liaison must be dedicated and committed to the concept of the fusion process, as well as to their partner agencies. As a Supervising Special Investigator liaison from a state-level Office of Homeland Security summarized, "Everybody needs to want to be there and want to be involved in this thing. The last thing you need is to have some people present and that personality defeats everything."

An organization is composed of people, but where do the people come from? In other words, what is the selection process that determines who is placed into a particular organization or unit? Typically, within a single organization, a defined chain of command and pre-established set of processes are used for selecting which individual is the best fit for a particular job; however, in the synergetic setting of a fusion center, this is not necessarily the case. Since a fusion center is a collaborative arrangement between various agencies and entities, the individuals assigned to the fusion center are provided by the partner agencies that have chosen to participate in the fusion center endeavor, and not the host agency managing the overall fusion center.

This can be problematic for the fusion center since different agencies have their own unique command structures, tailored agendas, and resource constraints. One

subtheme that emerged from the participant's responses was that a partner agency may assign one of their better employees or their figurative problem child. Those agencies that are genuinely committed to the fusion center's purpose, and have the financial and human capital to do so, are more likely to send their better employees that are adept to working in a collaborative environment than those agencies that lack the commitment and/or resources, who may instead send their less impressive employee. As a State Police analyst working in Site A since its inception explained,

I also think it depends on who gets sent to fusion center. If you are from the FBI, and you are someone they want to dump and you are sent there, you are not going to make a good impression...so, I think it depends on whether you are getting the people are not necessarily the most productive people at their job in the first place or if you are getting a person that is a really good, on the ball person, really wants to be here and really cares...I don't know how to control that because you can't tell the agencies who send. So, you have a lots of different personalities, and sometimes people adapt well and sometimes they don't... there are lots of different people out there and some of the ones that have been through, maybe not the best choices, but that just meant that their bosses were not necessarily committed to sending one of their better people. They were keeping the good people and sending the people they could afford to have go.

### *Summary*

A number of findings were revealed during the course of this research indicating that the fusion centers sampled in this study are to some degree effective; however, there remain a number of weaknesses to be overcome if their effectiveness is to be improved. Moreover, the fundamental importance of both management and personalities in any organization's functioning emerged from the data. The fusion centers' one-stop-shop function was unanimously regarded as its greatest strength. Specifically, the fusion centers' ability to facilitate both the movement of information and interagency collaboration, as well as its latitude of mission, is perceived to be reducing some of the

fragmentation inherent in American policing. Interestingly, their latitude of missions emerged as both a strength and weakness. Other identified weaknesses were resource constraints facing the fusion center; user's misunderstandings of the fusion center's products and services; the persistence of subcultural tensions; and poor planning and hasty implementation of the fusion centers.

It is clear from the participants interviews that management's role is important not only from a business perspective, but also from a cultural perspective since a number of agencies, disciplines and people make up a fusion center's working environment. Moreover, the management structure of the fusion center is embedded in and influenced by the larger organization of the State Police, which adds another layer of intricacy to an already complex working environment. It appears that both leadership characteristics and management's tenure are perceived to be influential factors that can either facilitate or inhibit a fusion center's continued growth. A fusion center can have a great deal of resources in place, including money, people, a facility, and other tools; however, if a management plan, competent leaders and reliable processes are lacking then the center risks failure.

Upon speculation, it appears that the management issues addressed by the participants can only be compounded by the fact that fusion centers are relatively new structures with little guidance available to model how they should and should not be managed. This is further complicated by the fact that there is not a one-size-fits-all model since there is significant variation between fusion centers and the environments in which they are embedded. Moreover, management in policing has not traditionally

embraced a strong business mindset, whereby decisions are made objectively rather than on personal feelings of duty, loyalty or intuition.

Finally, both individual and agency personalities emerged as important and practical factors that appear to affect the fusion center's success. While the fusion centers, their host agencies and partner agencies can issue and implement formal agreements and policies regarding each agencies respective roles, obligations and parameters, very human characteristics and traits will implicitly play an intrinsic role in the overall collaborative endeavor. Trust, reciprocity and genuineness emerged as the most important personality characteristics that facilitate fusion centers' activities and initiatives. Moreover, an interesting subtheme to emerge was that the individual whom a partner agency chooses to assign as a liaison to the fusion center will likely affect the degree that the collaborative arrangement, and thus communication and coordination, works.

**Research Question 4: Are fusion centers' analytical services and products impacting how their consumers use information and intelligence?**

In a nut shell, the purpose of a fusion center's analytical unit is to provide users access to information and intelligence and deliver analytical products to decision-makers so they may be better informed. Theoretically, the more informed are leaders, the better positioned they are to make decisions that will positively impact their environments. However, in order for this to work as it should, those customers must be receiving and using information and intelligence that meets their unique needs at that point in time, thus

it must be timely and relevant. This, then, requires that a process is place to ensure that this occurs.

Several themes emerged from the research regarding this issue. First, different users have different needs, thus a single conclusion will not accurately indicate whether fusion center products are impacting consumers' decision-making. It appears that at this point in time, particular products are being utilized by some customers in some circumstances; however, this is not occurring uniformly. There appears to be evidence that in some situations, select users have garnered a positive use of select fusion centers products. For example, one particular product, which originated from an identified customer need and has evolved into a scheduled monthly product, is regarded internally and externally as a very useful and relevant product in Site A. Discussing the product, the fusion center's analytical unit supervisor explained,

At any given time in the state there are folks sitting around. They could be senior decision-makers, they could be detectives, they could be folks with community outreach, and they are using our products for different reasons. The State Police Intel is using that product to cultivate sources of information to reduce violent crime. City X police department is using it to allocate their patrol resources. City Y is using that in combination with their own intelligence to focus investigations to reduce crime. Our Attorney General, our Colonel are using for policy decisions, talking to the legislature about making changes to the laws and other policies.

While this particular product is perceived as an excellent example of the value a fusion center analytical product can provide, it appears to be the exception rather than the rule. While unable to confirm this, participants from each sampled fusion center did allege that their center's scheduled information and intelligence bulletins were also positively regarded by their constituencies.



Second, it appears that the fusion centers' analytical services are requested largely to support tactical, operational and investigative needs, rather than strategic ones. This could be for several plausible reasons. First, due to the relative newness of fusion centers and their ongoing development of strategic capabilities, it may be too soon to conclude with certainty if customers are effectively using products for long-term, strategic purposes. A Detective Sergeant from Site A observed,

Yes, the products have persuaded commanders to make decisions on more on the tactical level than strategic level. We put out information on current and warning information on a potential gang situation. You will see that the local, state and county police departments will respond and say, 'yes, we need to allocate resources to a potential situation the fusion center has identified.' On the strategic level, you have to look at this stuff in retrospect, over a time span, to really be able to say, 'yes, they decided to act on something.' We have provided policy options in the past but, have they implemented? It's so recent it hard to tell whether it has occurred or not.

The Director from Site C similarly explained,

I think there is still a lot of misunderstanding. There are a lot of misconceived perceptions about what fusion centers are for and what they do, what our analysts are doing. I think for us, one of the things we are going from, we are trying to transition more or less from that major case support component, to more of an analysis and predictive analysis component, which is difficult to do because most all my analysts have been doing case support for years.

Second, it depends on how the user is defined and what are their job functions within the organization. Different users have different information needs. For example, a patrol officer out in the field is less likely to need strategic information, but rather tactical information, a detective investigating a case will likely need more historical information or products to support prosecutorial ends. These users stand in stark contrast to commanders and other law enforcement executives who would benefit more from strategic information and intelligence products since it is they who are responsible for allocating resources for specific needs, regardless to what branch or bureau the executive

may be assigned. The civilian analyst supervisor from Site C distinguished between users, stating

I think there is definitely a difference between the people who really know what we do, [they] rely on analysis and they rely on our individual thought processes and what it is we are seeing, and based on all this information, the analysis we put to the information that is coming in. Then there is another group of people that have become very well aware of us and rely on us for information, not so much the analysis of what it is we are seeing, but we can give them information that they don't have...I think that the street officer, the person who is out there every single day doing what they are doing, their primary need is that information. I think the command staff, whether it's in the SP or some of the municipals, although they want to make sure that their officers have the information we are providing, they also rely on us for the strategic [big picture] information.

Finally, it seems that the fusion centers' analytical products may not be as influential as they have the potential to be. As addressed elsewhere in this research, two conditions seem to be hampering products' influence on decision-makers: fusion center's analytical units are largely understaffed, thus limiting production. Only so much can be accomplished with limited resources. Second, customers may not appear to fully understand how to properly task or utilize their fusion centers. This, in part, results from their inability to identify and specify their needs, as well as law enforcement's traditionally reactive, prosecutorial mindset. A State Police executive formerly assigned to the fusion center's leadership structure addressed this issue, explaining,

I think analytical products that come out of there are good in that they are very well vetted, they are grammatically correct, they look nice; I mean all the window dressing is good. I think the content is good. The problem I have with the products coming out of there is they are not always *useful*. Some of the things that come out of there they spend the same amount [of time]...in order to protect the integrity of the fusion center itself, whether they do an analytical product on pencil erasers or they do an analytical product on counterterrorism, it still has to be vetted for spelling, grammar, content, all those things—28CFR—all of that. So, you end up spending a lot of time on something that may not be that useful. I think that what happens is that analysts focus on what they know, and they tend to

write analytical products about that, and because there are not that many analysts, you get a limited scope of analytical products.

When probed regarding why the fusion center analysts are not necessarily tasked to create targeted products, the interviewee explained,

Well, there are two things. To some degree that does happen. There are requests made to the fusion center and that impacts the fusion center work load, the ability to work because if a lot of requests are made then that is added to the stuff analysts are developing on their own. The other issue is, like going to a doctor, you know you don't feel well, but you really don't know what you need. So you don't go to a doctor and say I need this pill and that pill. You go to a doctor and say I don't feel well. I think it's the same thing with executive level police management. We know we don't feel well, we know there is crime, but we really don't know what to ask for.

The same fusion center's analytical unit supervisor reaffirmed this disconnect between external users and the analysis unit's intelligence production,

There is always the question, 'well, what do we get from the fusion center?' My question then is, 'well, what did you ask for?' because we are not a grueling engine, you know. There are processes involved with intelligence and is intelligence is all about meeting your customer's needs. So, if I don't know your needs, then I can't provide you exactly what want. I can take a chance and send you things I think you might be interested in, but if I don't know exactly what you are interested in, I can't help you.

An FBI official, previously from Headquarters and heavily involved in the National Fusion Center Initiative confirmed the supervisor's comment that users must make their needs known,

I think it's kind of like the chicken-or-the-egg syndrome. Local police departments say, 'the fusion center is not giving us anything, so why should we participate?' Well, if you don't tell them, the fusion center, what you need, how are they going to provide it? So, what is going to come first? I think if the police departments were participating and did make an effort to let the fusion center know what they are looking for or wanting, I think the fusion center could make steps to provide it.

This clearly elucidates the issue of how product's requirements are created, specifically whether they are internally-driven by analysts or externally-driven by

customer's needs. Internally, products may be initiated by analysts whereby analysts or their supervisors may determine product requirements and collection plans. Otherwise, products may be requested from the fusion center by the customer to address a specified problem or question. While analysts may think they know what type of product will fulfill a customer's needs, production ultimately should be driven by the customer, since the analyst-driven approach may be neither efficient nor effective at this point in time. Over time fusion center's management staff has come to realize this. As a Captain from Site A noted,

Early on I think we let the analysts' kind of free think things, so it may not have met all our needs because we weren't providing the proper direction. But now we are providing direction and now they are becoming very intuitive to see where things are going also. So, we our products are very very much intuitive, insightful and also make a dramatic impact...we have learned that we let the customers drive the needs assessment. We are not just out doing things on our own and then force feeding it to you. You come to us, and you ask us something. We will ask you questions to help you hammer down what your true needs are, but then we are providing product to meet your individual need, so they are very tailor-fitted. So, we are not driving that blast of information on a daily basis. Some days we are because it has to be, its more reactionary at that point, but when we are looking at intelligence-led policing and helping commanders make decision, whether it be internally or externally, or even our private sector, when they come to us and say, 'hey, can you give us a product on X?' Then we take them through a process to actually get to what they want and then give them a very targeted product.

An outside consultant reiterated the importance of identifying and prioritizing analysis based on executive leader's identification of threats, not analysts. He stated,

I think you sit down and identify what are the chief threats to public safety, and that's what your intelligence activity focuses on. And that should not be a decision of the intelligence activity. That should be a decision of the executives, which I don't know if that is necessarily happening either.

Several participants did indicate that while analyst-driven products dominated analyst's time early on in Site A's implementation, over time there has been a shift whereby a greater portion of products are being requested by outside customers.

Moreover, when tasked by customers needs, the quality and utility of their products is reportedly increased since it is addressing customer's specified needs, rather than their presumed needs. While it cannot be concluded with certainty, this finding does indicate that fusion center's analytical services and products are solicited more than in the past, their products likely used more, and thus slowly becoming more valued by outside users.

### *Summary*

The findings suggest select user groups in some circumstances are properly tasking the fusion center and utilizing the center's products; however, this is neither uniform nor pervasive. Moreover, the findings also indicate that fusion center's analytical services and products are largely utilized to support tactical and operational needs rather than strategic ones. The following two conclusions can be tentatively inferred from this. Specifically, analytical products and services are largely supporting reactive needs, and they have yet to be centrally placed within user's decision-making processes. Rather, it appears that products and services remain supplemental resources. It should be noted that this research is limited in its ability to thoroughly address this particular issue since the spectrum of potential customer's perspectives were not thoroughly represented in the study's sample. To more accurately examine this particular issue, inclusion of non-liaison customers primarily at the local and state levels would be necessary, as well as more rigorous research design.

### **Research Question 5: Are fusion centers innovative?**

Are fusion centers activities and products helping law enforcement carry out *traditional* police tasks in *new* ways, as well as enabling police organizations to identify and define *new* tasks in *novel* ways? Are fusion centers facilitating law enforcement's abilities to perform tasks they could not or did not in the past? Are law enforcement organizations and other partner entities able to provide their services more effectively and efficiently due to the conceptual and structural foundation of fusion centers? In other words, are fusion centers innovative?

Addressing this issue is complex and there is no simple, straightforward answer. There is no single best way to approach assessing whether the fusion centers are innovative since innovation in itself is not a bounded, absolute concept. In the case of fusion centers, the notion of *newness* is prevalent conceptually, administratively, technically and practically; thus, it is difficult, if not impossible, to tease out the innovative influence of each type of innovation since they are not exclusive, and this is clearly beyond the scope of this research. As the DOJ senior policy advisor explained,

I don't think there is one answer to that because I think that if you, in one sense, if you do what you always did you get what you always got, so you don't want to continue to repackage the old. There are certain issues of old that you need to be constant. [For example], you can't just use DNA to solve a crime without good interrogation and interview techniques. The same thing holds true in terms of fusion centers, in that you have to have access to greater databases, the ability to search smarter, to have that common vocabulary to add a number of analytical tools that bring together a number of different sources. I think, it's all positive, and there is a lot of innovation in each of those areas.

One of his DHS counterpart also opined that the fusion center's use of information is innovative, stating,

One thing that I think they do is that they are entrepreneurial. They use information in ways, they merge information that has not been traditionally merged...It is just a whole host of things they blended together from the public safety perspective that has never been looked at. States are very very entrepreneurial.

Nevertheless, based on the collective findings of this research, it is arguable that fusion centers are in fact innovative; however, they are currently in the early stages of diffusing their innovative features into the larger law enforcement and public safety communities. Based on the research findings presented herein, fusion centers, when managed and utilized properly, not only enable law enforcement to carry out traditional policing activities more effectively and efficiently, but they are also facilitating law enforcement to approach old problems in new ways by integrating disparate forms of information, as well as agencies.

Evidence from this research suggests that fusion centers are enabling law enforcement organizations to carry out traditional police activities, particularly for tactical and operational assignments, in new ways. First, the findings from this research indicate that information sharing has increased since fusion centers were established. While information sharing per se is not new to law enforcement, it is shared more often, more systematically, and it is more likely to cross both jurisdictional and disciplinary boundaries than it was in the past. The domestic law enforcement community appears to be sharing information more readily between the federal, state and local levels of government. Moreover, through the fusion center framework, various state agencies, such as departments of transportation and health and human services, seem to be communicating more frequently with the fusion centers, or at least have greater opportunity to do so, and thus a small segment of the overall law enforcement population.

Second, fusion centers' personnel report that there is greater *ongoing* interaction and collaboration between the partner agencies. This is perceived to be a direct result of physically collocating multiple agencies into one facility with adjoining workspace. In the past, multiple law enforcement agencies would collaborate with one another; however, it tended to be under ad hoc, incident-specific conditions or in a task force setting focusing on a single issue. Within the integrated workspace of the fusion center, and guided by the underlying "culture of collaboration" that fusion centers are theoretically founded upon, multiple agencies seem to be engaging in ongoing communication and/or collaboration more consistently than in the past. Not only is communication and collaboration more consistent, but it likely extends beyond single issues to address pervasive and interconnected problems. It is unclear at this point in time, within the design of the current research study, to determine whether this is occurring more between local and state levels of government or state and federal levels.

Third, the results from the current study suggest that the process of sharing information via fusion centers' information channels seems to be more efficient now for two primary reasons: fusion centers represent a sort of help desk, a centralized location to call to either request or provide information regardless of one's jurisdiction since fusion centers are situated to have a broad statewide and/or regional perspective. Also, since the temporal window between requesting and receiving information from a fusion center has, at least in some cases, been minimized, law enforcement personnel are able to perform their tasks more efficiently. For whatever reason, if the fusion center cannot fulfill the request, if sufficiently developed, they have the capability to push that request to the entity that may be better suited to fulfill it.



Finally, as previously addressed, more progressive law enforcement leaders and departments have employed analysts in the past; however, their status and subsequently their products were peripheralized and undervalued by their commissioned colleagues. While this research supports the conclusion that analysts' activities and products are not yet fully integrated, this situation has seemingly improved, at least in a fusion center setting. There is a growing recognition that analysts can add value to the larger law enforcement community by creating relevant and timely analytical products if directed by the needs and requirements of the particular customer. Their status within the fusion center setting has been elevated, thus creating the opportunity to have their skills and products included in and/or supported by the larger decision-making processes of law enforcement.

These improvements taken together enhances officer safety—a tactically paramount responsibility. Fusion centers are intended to be the conduit for which information from disparate sources comes together to be evaluated by an analyst. Analysts are then tasked to develop a product based on the needs of the customer, whether it's a State Police commander considering how to best deploy his troopers, a detective working a specific case, or a local police department preparing to respond to a local incident, so the customer may be in a better position to make an informed decision based on greater information than he or she may have otherwise. Theoretically, the better informed a consumer, the more capable they are of making sound decisions to maximize their resources in order to make the greatest impact.

While it appears that fusion centers are largely assisting law enforcement to carry out old tasks in new ways, the findings also suggest that they are to some degree enabling

law enforcement to engage in new tasks in new ways. In some cases, fusion centers are assisting law enforcement to garner a statewide situational awareness capability, referred by the interviewees as the “birds eye view” or “50,000 foot view,” implying that through the fusion center’s collective services, the ability to have an up-to-date snapshot of statewide incidents, threats, resources, etc. is beginning to emerge. This function is not limited solely to crime but all of public safety.

Moreover, the fusion centers sampled in this study appear to be functioning in some capacity as a centralized clearing house. The fact that there is a focal point for not only locals and state agencies within a particular state, but also other states and the federal government, to plug into to move information and other requests is new. Prior to the fusion center’s development, a permanent, streamlined capability was simply not available. As a centralized clearinghouse, there is access to a greater range of information. The quantity of information the fusion center has potential access is reportedly overwhelming compared to prior to 9/11. This unprecedented access is not limited to state systems, but also federal systems; however, due to a number of practical and technical obstacles, connectivity to local department’s systems is to date much more limited.

Finally, the majority of fusion centers, including three of the four sampled in this study has adopted a broader threat focus. While law enforcement maintains control over crime-related matters, there is the growing recognition that other threats are no longer “other agencies problems.” Expanding the focus from crime to threats again is likely not occurring uniformly across the nation. Those states whose law enforcement entities have

previously had strong emergency management responsibilities are likely adopting the all *crimes, all threats, all hazards* missions more easily than those that have not.

### *Degree of Innovation Diffusion*

As discussed previously, innovation occurs on a spectrum ranging from no innovation to full innovation; however, there are areas in between whereby the innovation may be characterized as either a cosmetic innovation or a partial innovation. A cosmetic innovation would indicate that while it appears innovative changes are taking place; in fact, they are only shallow implementations of traditional activities and strategies. A partial innovation would indicate that some, but not all, of Rogers' innovation attributes (i.e. relative advantage, compatibility, complexity, trialability, and observability) are evident. In this case, some genuine changes and modifications would be taking place; however, such changes would be on a limited scale.

Based on the research findings, Site A was the most innovative research site examined in this study; however, it too has yet to demonstrate all five attributes proposed by Rogers. Based on the research data, it is argued that the fusion center does embody Roger's innovation attribute of relative advantage. The fusion center's one-stop-shop function is advantageous relative to the uncoordinated structure that prevailed before the fusion center's establishment. The center's greatest strength is being a centralized location with connectivity to a number of people, agencies and databases, which in turn facilitates interagency collaboration and information sharing. If successful, not only does the fusion center serve to facilitate information sharing and interagency collaboration, but

its latitude of multiple missions enables a single facility to address threats and problems that would normally require many separate entities, often independently, to address.

The assessment of the remainder of Roger's innovation attributes (i.e. compatibility, complexity, testability, and observability) is less straightforward. When the fusion center is being utilized to undertake traditional law enforcement tasks and support investigative, case support functions, the fusion center's compatibility, complexity, testability and observability is less likely to be called into question since during these times it is reinforcing what the law enforcement community already knows and understands. It is when the fusion center's services are redirected towards more proactive activities, products, and nontraditional collaborations, the larger law enforcement community becomes less comfortable with the fusion center. Moreover, though not directly investigated in this research, it is worth noting that the fusion center's development and growth is clearly dependent on, and restricted by, several internal and external factors.

In addressing the diffusion of community oriented policing, in his introduction Zhao (1996, xi) states, "The most unsettling phase of change is at the beginning, when various innovative programs and strategies are implemented, but their outcomes in terms of effectiveness and efficiency have fallen short of convincing large audience to follow." It is asserted here that this statement accurately reflect the current phase of diffusion that fusion centers are currently undergoing. Organizational change in police agencies begins slowly, incrementally changing until there is demonstrable confidence that the innovations are, in fact, successful. This research indicates that fusion centers may have yet to reach the point of critical mass in the diffusion process, having yet to pervasively

spread beyond the innovators and the early adopters groups. While on the surface it may appear that fusion centers' diffusion process has moved beyond the critical mass point due to the physical presence of an estimated seventy-two fusion centers nationally, it is not the presence of a facility, but the strength of relationships developed, activities occurring within or because of the facility, and the utility of select products disseminated to the larger law enforcement and public safety communities that is innovative.

Based on the research findings, it appears that the fusion center, if sufficiently developed, would represent a partial innovation; however, all fusion centers nationally are not developed and functioning to a point whereby they would be classified as a partial innovation, but rather a cosmetic one. More research would be necessary to determine this with greater confidence.

### *Summary*

In summary, the findings from this research suggest that the four fusion centers included in this study, to varying degrees, are innovative and becoming more so over time as they continue to establish themselves and further develop their capabilities. They are not only enabling the larger law enforcement community to better perform traditional tasks, but they also are, or have the potential to, redefine how law enforcement and other public safety providers may accomplish various responsibilities in new ways. This is not to argue that they are perfect or even equally developing, but rather a work in progress incrementally improving over time. Their foundations have been established, but attention and resources should continue to be invested in the centers' development since they can provide an essential value that no other single entity currently has the capacity to

provide. Nevertheless, as discussed in previous sections, their growth continues to be resisted by select segments of the larger law enforcement population, particularly the ‘old dinosaurs’ that have yet to retire and cycle out of the system. If the fusion center is structured and managed efficiently, it has the potential to be an indispensable asset, not only to the state in which it is situated, but to the nation as a whole as they continue to develop a network among themselves and a bridge to other sectors in both the public and private spheres.

## **Chapter 7: Conclusion**

### **Discussion**

The present research study was designed to address a rather broad range of issues regarding fusion centers purposes and activities, and thus the findings to emerge cover substantial ground, some of which reaffirm prior claims and others that warrant further investigation. The study's subjects were probed regarding perceived changes that have been occurring within the law enforcement community regarding information sharing and analysis since the September 11, 2001 terrorist attacks and the slow establishment and implementation of fusion centers. Participants were also questioned regarding their perceptions of whether fusion centers are fulfilling their intended functions and if they believe that fusion centers are doing so effectively. The participant's responses collectively indicated that there is no single answer; rather, 'partially,' 'sometimes,' and 'it depends' are more fitting than definitive 'yes' or 'no' answers.

This is unsurprising for a couple of reasons. First, fusion centers are relatively new entities, and as new entities there is no central authority regarding their development, thus, they continue to search for their organizational identities and to build their credibility with their constituencies. Similarly, a subfederal collective voice is missing, thus, collectively fusion center's leadership have yet to define what they need (except for financial support) that would help them further develop their center's capabilities. Second, there is considerable variation between fusion centers, and rightfully so to some degree. They should be developing their services and capabilities in response their unique needs; therefore, a one-size-fits-all model is unrealistic and inappropriate. A federal policy advisor from DOJ explained,

in some ways, [that is] the beauty and the resiliency of this stuff because each of these fifty fusion centers are, in effect, different, but that's not bad because, hopefully, they are different because they are responding either the uniqueness of their political structure and/or the uniqueness of the particular problems they are trying to solve, then that's what should happen. But when you are decentralized and being responsive, you don't always move at the same pace in all fifty locations. That's been the case, and I have been doing national programs for thirty years interacting with, and whether its crime prevention or whether its sex offender registries or things of that nature, you have different levels of maturity in each of these in terms of what drives it and where the dollars are.

While they will vary on specific issues, such as their organizational structures and division of labor, fusion centers should have some basic functions and capabilities that are relatively uniform across centers. Arguably, they should have the ability maintain up-to-date situational awareness of their environments, they should have the ability to quickly and reliably move information, and their analytical skill sets should be robust and capable of meeting diverse user's needs.

Nevertheless, the primary conclusions to be drawn from this study are as follows. Interagency and interdisciplinary information sharing has seemingly improved since 9/11, and this, in part, appears to be attributable to fusion centers. Fusion centers offer a centralized point of contact for the highly fragmented law enforcement and public safety communities, and this appears to be their greatest strength at this point in time. Not only are multiple agencies collocated into a single facility, thus decreasing the physical proximity that often hampers communication, but there is also greater collocation of technical databases. This does not mean that any employee from any agency can access any information they want whenever they want; however, it does mean that they have a formal and direct line to the appropriate agency from which they are seeking information if that particular agency have formed a partnership with the fusion center and assigned personnel to the center. Assuming they have the need to know and the right to know (if



the requested information is classified), then they can directly request the information immediately in person, thus improving the timeliness of information sharing.

Not only does the physical architecture of fusion centers minimize or remove some of the physical and technical barriers that have long been identified as troublesome, but they also appear to be helping to minimize some of the cultural barriers that have historically impeded communication and collaboration between local, state and federal agencies, as well as between civilian and enlisted personnel. This is not to claim that this is occurring equally across all fusion centers, but rather participants at all levels of government, regardless of their designation of civilian or enlisted, indicated that fusion centers, in both architecture and concept, have helped minimize some cultural barriers between information sharing and collaboration.

It is important to note, however, that it appears that this finding is largely restricted to within the fusion center. Thus, it is suspected that that physical distance has a positive influence on social distance. As one moves physically farther away from the fusion center, the social distance also increases, and thus support of and commitment to communication and collaboration are diminished. However, as fusion centers become better understood and supported by different user groups, physical distance may become less influential.

While fusion centers appear to be facilitating communication and collaboration by minimizing or removing various barriers, it is argued that they have yet to develop robust analytical components, particularly those with consistent estimative and predictive capabilities. Rather, it seems that a significant amount of fusion centers' analytical activities are solicited to largely support, rather than define, tactical and operational

needs. This research revealed that the analytical activities occurring within the fusion centers largely revolve around investigative, case support activities, such as background checks, facial recognition checks, and network analysis. In addition, analysts are assigned to monitor particular groups or crimes via open source and restricted channels, producing ad hoc bulletins, alerts, as well as scheduled products and assessments.

While fulfilling tactical and operational needs are important, fusion centers are intended to shift the analytical focus towards proactivity and prevention, rather than case support, investigation and prosecution. Their analytical deficits appear to be attributed to several plausible issues, namely that criminal and intelligence analysis within a law enforcement setting is comparatively a professionally young occupation. In addition, some user groups misunderstand the purpose of strategic analysis and analytical products, as well as what are their roles in the overall process. Until a strategic-orientation is incorporated into the current law enforcement cultures and practices, the fusion centers' analytic functions will not likely reach their full potential.

Developing a robust analytical capability is partially influenced by the resources a fusion center is able to secure, primarily financial capital and human capital. A sufficient number of experienced analysts are needed to successfully develop a reliable analytical capability. Analysts employed at the subfederal level appear to be inexperienced in that they are either young, and thus have limited work experience, or they are older, but previously employed in more clerical or dispatcher job roles, both of which do not involve an analytical skill set. Moreover, the analytical field currently lacks standardized training and other professional standards, resulting in a workforce with substantial variation in training and background. Also, the scope of analytical responsibility (i.e.

strategic/proactive vs. tactical/reactive) and the diverse array of (potential) customers (i.e. local vs. state vs. federal, private sector vs. public sector, and executive leaders vs. rank and file officers, and uniform vs. investigations), and thus their needs, also appears to compound the problem. Finally, while the analytical field must continue to professionally mature, the law enforcement community must also change how they engage in the analytical process and how they perceive analysts as colleagues. While analysts' occupational status has seemingly improved over the years, including in a fusion center environment, they are yet to widely be perceived as equals to their commissioned counterparts. Again, enlisted personnel that work closely with analysts appear to be more receptive of their skills and products; however, those that do not often work in conjunction with analysts, may not fully understand and appreciate the added value an analytic function can garner, prolonging an under appreciation of the analytic profession within the larger law enforcement profession.

While fusion centers were established to figuratively 'collect the dots' and analytically 'connect the dots,' they also initially developed with a strong counter terrorism focus. Fusion centers were largely established in response to the 9/11 terrorist attacks based on the prevailing belief at the time that local and state law enforcement agencies should integrate counterterrorist capabilities and responsibilities into their list of duties. However, over the years, determining to what extent counterterrorist activities should be harnessed within fusion centers' missions and activities has shifted towards an all crimes and/or all hazards approach, where counterterrorism is a part but not sole focus.

Based on participant's interviews, it is argued that the threat of terrorism is perceived to be neither absolutely paramount nor trivial to fusion centers' functions and

activities. The terrorist-related incidents or connections that have come to light over the past several months, much less years, however, do suggest that while local and state law enforcement agencies cannot dedicate their time and resources solely to counterterrorism activities, nor should they, they cannot adopt a flippant attitude dismissing law enforcement's counterterrorism role. Since July of 2009, a number of terrorist-related incidents originating and/or occurring on American soil have been uncovered and publicly revealed, many with alleged links to either radical Islamist ideology or known associations. These and other incidents indicate that there is a legitimate threat of terrorism, including homegrown terrorism, motivated by various ideologies, some which were once perceived to be distant. Recent incidents, and others, suggest that the threat of terrorism should not be dismissed by the domestic law enforcement community.

The reality may be that terrorist-related threats will be prioritized differently by each fusion center based on the confluence of several factors, including but not limited to, constituent demands facing each fusion center, a fusion center's geographic location, whether there is a history of terrorism-related incidents in the area, as well as the resources available to a particular center. Terrorist-related threats are not equally distributed, thus each center should assess how best to utilize their resources most efficiently and effectively. Nevertheless, it is argued that a fusion center is the appropriate type of facility where the boundaries between local, state and federal law enforcement, as well as other entities, should lawfully merge or overlap and agencies collaborate with one another to address a range of threats, including terrorist-related ones.

It has been argued up to this point that fusion centers are partially fulfilling their intended purposes; however, it is also argued that fusion centers are still engaging in

marketing their services and capabilities to different constituencies. They continue to market themselves to all levels of government to varying degrees. The fact they continue to focus on marketing implies that they have yet to demonstrate their capability and credibility to their customer base, and thus have not been integrated into the larger systems they are intended to serve, namely law enforcement. This is not to argue that they have not received buy-in from any entities; rather, it is to argue that local, state and federal law enforcement agencies vary in their understanding, acceptance and use of the fusion centers' services and products, as well as their level of commitment to their respective fusion center.

Federally, a field office's supervisory agent largely decides whether to place an agent and/or analyst into a given fusion center. Thus, the degree of commitment and strength of partnerships are largely left to the personalities and managerial style of a federal agency's field office supervisor—a tentative situation, at best. Locally, some Police Chiefs and other administrators buy into the fusion center and actively collaborate, while others choose to not. It appears to be a hit-or-miss with municipal police departments. A number of factors may affect a local police executive's decision to participate with and utilize their fusion center, such as the distance between a local police department and the fusion center, the size of the local department, the extent that the Police Chief is knowledgeable of his or her respective fusion center, the degree he or she values the use of information and intelligence in policing, and how far beyond their borders a local Police Chief is interested in staying abreast of crime and other threats.

Moreover, and most interestingly, fusion centers continue to struggle to receive buy-in and support from the State Police. This finding was initially counter intuitive

since it was presumed if an organization cannot minimize *intra*-agency barriers then *inter*-agency barriers may be more difficult to overcome. However, based on participant's responses, this is not the case and it is not entirely clear as to why. There are a few possible reasons why they have might yet be accepted by the larger State Police organization. The fusion center may be perceived by other bureaus or branches as a drain on already limited resources. Thus, competition over severely limited resources creates conflict between the fusion center and other State Police branches or bureaus. Moreover, older personnel often hold command-level positions, and if are not supportive of the fusion center, then their disdain will likely trickle down and affect their troop's perceptions of the fusion center. Finally, a fusion center may not be providing valuable services or products to their State Police colleagues. Like other users, if they are not perceived to be useful by their customers, then they will likely not be supported.

While fusion centers provide, or have the capacity to provide, multiple communities of interest a centralized platform with one-stop-shop features that help streamline the movement of information and facilitate interagency collaboration, they continue to face a number of formidable challenges. Resource limitations, together with users' shortcomings were cited as the two greatest challenges for fusion centers to mitigate. Not only do fusion centers face financial constraints, space limitations and technical software and interconnectivity challenges, hiring, training and retaining analysts has been one of their greatest challenges. Moreover, if a potential user does not understand how to request their fusion center's services, identify and communicate their needs, and utilize a center's analytical products in their decision making processes, they will likely not collaborate with or otherwise support the fusion center, which in turn

could influence subordinates and colleagues' perceptions of the center. Consequently, this could contaminate potential future users' perceptions of the fusion center. Other challenges were the persistence of subcultural resistance, poor planning and hasty oversight, as well as their latitude of missions.

Fusion centers' development can best be described as an ongoing trail-and-error endeavor. It seems that little forethought was invested in how they would operationalize the concept of fusion; rather, they have improvised and adjusted over the years. This conclusion is evident in a comment from the Director of Site A. He stated, "what works today we will do tomorrow. What does not work today we will get rid of it. We are not wed to anything. So, every time we fly the plane, we trim the paths, make adjustments and keep going." This is somewhat unsurprising since fusion centers are state-driven entities and have received little guidance until relatively recently from the federal government. Again, they still lack a unified voice, which could be leveraged define and refine their needs, as well as to garner greater federal support.

Moreover, as they have continued to develop, disconnections between the fusion centers' internal elements have reportedly occurred, specifically the analytical elements and watch operations function. This has created a stovepipe of sorts in itself. This was reportedly the case in two centers included in the study. The final challenge to emerge from the participant's interviews is the latitude of missions many fusion centers have adopted, particularly those that adhere to the broadly defined *all threats-all hazards* missions. While fusion centers need the latitude of missions to address a wide range of issues, and thus customers, the latitude simultaneously creates a practical burden of trying

to be everything to everybody, particularly when they face the aforementioned challenges.

While the strengths and challenges to surface from this research largely reaffirm those identified in prior literature, as well as by practitioner knowledge, on fusion centers, the importance of management and personalities unexpectedly emerged. While arguably a mundane and managerially predictable finding, the findings from this research suggest that well-structured management, strong, progressive leadership, as well as individual and agency personalities, should not be dismissed, each influencing the potential success of a fusion center. This finding was surprising because it is an area that has been largely ignored in the academic and professional discourse surrounding fusion centers. Not only should there be formal policies and procedures in place to guide a fusion center's activities, but the less tangible influence of people should not be discounted.

### **Policy Implications**

A number of policy implications can be derived from the study's findings. Three general policy areas are presented in this section, specifically the need for a multilayered, *educational* component tailored to different constituent groups, the need for *performance evaluation* of both fusion centers' processes and outcomes, and the need for greater *oversight*. An inclusive policy plan will, among other things, require both substantial forethought and integrated accountability mechanisms—both of which appear to be currently missing from the larger fusion center endeavor. With proper planning, action and funding, it is argued that these three policy areas together may help guide policymakers and leaders further develop their fusion center's services and products.



*Educational Component*

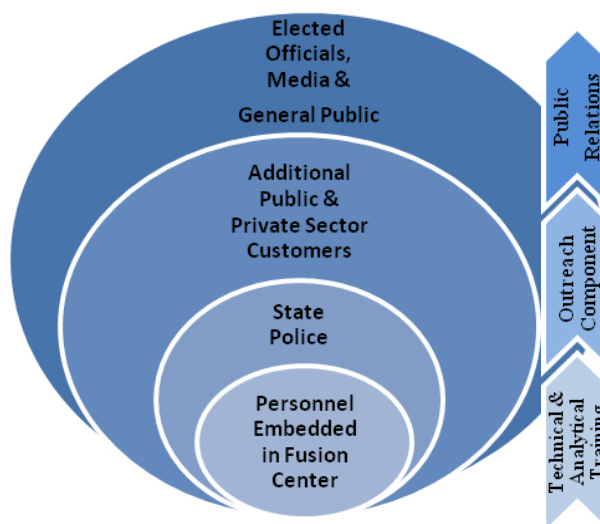
Since a fusion center is tasked to serve a number of diverse users' needs, the term 'education' assumes different meanings as the audience becomes farther removed from the fusion center's structure and activities. As such, a multifaceted educational component is proposed that gradually progresses from targeted training to an outreach function to a public relations campaign (see Figure 5). A fusion center is part of a larger system that at its core is law enforcement-centric; however, like the larger law enforcement community, the fusion is but one symbiotic element of our larger society. A fusion center's place within the larger society can be likened to concentric rings. The fusion center is a microcosm of civilian analysts, commissioned officers, and other embedded personnel from various local, state, and federal entities; however, it is managed by, and itself embedded in, a larger law enforcement organization, typically a State Police agency. A State Police organization is also one piece of a larger public safety puzzle, which together with the private sector, supervises and protects the infrastructure of larger society. The larger society, of course, is collectively governed by public officials, who are elected by the general public.

Fusion centers' primary function is to provide timely, relevant and actionable information and intelligence in some form to a customer however the customer may be defined. Therefore, a fusion center must ultimately serve their customer's needs; otherwise, they are not useful, they will be perceived as a drain on valuable resources and a waste of time, and eventually risk being discounted all together. In order for a fusion center to know which services and products to provide different constituencies, and how best to provide them, relationships should exist between a fusion center and its various

constituencies, whereby each group recognizes and understands the other's capabilities and expectations. To do this effectively, an ongoing and institutionalized educational component tailored to different user groups is imperative, so that each customer group should understand the purpose, tools and processes of a particular fusion center.

Targeted analytical and technical training is clearly necessary for both analysts and officers embedded in a fusion center, while an outreach component would better enable a fusion center to instruct the State Police and other public and private sector customers regarding a fusion center's services, to solicit their participation, and to further develop and strengthen interagency partnerships. A wider public relations campaign is needed to inform elected officials, the media and the general public of a fusion center's presence and capabilities and to help remove some of the uncertainty surrounding their functions.

**Figure 5: Proposed Educational Component Tailored to User Groups**



To sufficiently serve customers' needs, the analysts and commissioned officers assigned to and embedded in a fusion center's analytical component should receive standardized, ongoing analytical and technical training regarding both intelligence and analysis. It is clear from this study's findings that considerable work is needed to both develop analysts' capabilities and officers' understanding of intelligence. This is an area long identified, and receiving considerable attention from the professional, academic, and federal communities, so it will not receive considerable attention here.

An educational component is conceptualized as encompassing more than technical instruction, but an outreach function. An outreach function can not only identify potential users/partners and educate them regarding a fusion center's purpose, resources and products, but also provide an official point of contact for both repeat and new users/partners, including non-traditional partners, from both the public and private sectors. Public sector would include municipal police and sheriffs agencies, the State Police, and other local and state agencies, including emergency management and health and human services. Private sector business, particularly those that own and provide major infrastructure, should also be educated regarding the fusion center's services and capabilities. As an executive from a state-level Office of Homeland Security stated, "Partners and customers need to understand that they are truly part of the fusion center; they make it up. It's only going to be as strong as the number of people that participate with it."

The study's findings indicated that fusion centers are having substantial difficulty receiving buy-in and support from within the State Police. This may be because the State Police is composed of subunits with different functions that may either conflict with one

another or be so removed from one another that there is little reason for them to interact. A targeted outreach component may be beneficial for educating the various bureaus or branches regarding the value the fusion center can provide to each of their duties and functions, regardless if they are investigations, administration or operations.

A public relations campaign should be devised to educate elected officials, the media and the general public regarding fusion centers' purposes and activities. It is important that elected officials, not only at the state level, but the local level have some basic knowledge regarding the fusion center. By engaging with a fusion center, elected leaders, like law enforcement leaders, will be more aware not only of what may be happening within their local jurisdictions, but also in their neighboring jurisdictions and the state at large. Also, it is important that public officials know and understand the fusion center since they can be pivotal in identifying and securing funding streams.

Providing an open, transparent avenue for the media is also a worthwhile endeavor. Not only might this help quell some of the uncertainty, stigma, fear and doubt enshrouding fusion centers and intelligence work, it also sends an unprovoked message that the fusion center is a legitimate resource. Engaging the media may curtail the media's creating news spin that perpetuates misinformation. The public should also have cursory knowledge of the fusion center's existence, purpose, partnerships and activities.

It is not being suggested that private or sensitive information or operational activities be divulged; however, there is little justifiable reason to keep the fusion center cloaked in secrecy, particularly since they are a legitimate law enforcement and public safety support apparatus. The public is well aware of the purpose and activities of their local and state law enforcement officials. In fact, many departments have a community

outreach unit or contact within their department intended to be the link between the department and their constituency, and there is no foreseeable reason the fusion centers should be any different. For example, Site D hosted an open house for their fusion center where they invited both the media and the general public to their facility. Several speakers, including the Superintendent of the State Police, a Captain and a DHS representative gave presentations on different facets of their fusion center, held a questions and answers session, and offered a tour of the facility. This gave both the media and the public an opportunity to become familiar with their fusion center.

A robust educational component addressing the responsibilities and expectations, as well as the weaknesses and misunderstandings, of all relevant participants is necessary if the fusion center effort is to continue to positively progress. Identifying problems, developing requirements based on the identified problems, collecting relevant data, collating and analyzing the data, and product development and dissemination is not restricted to a center's technical and operations, but instead it requires a cultural shift towards truly wanting to engage one another, lawfully moving information in a coordinated fashion, and systematically collaborating on various issues and problems.

Furthermore, an educational component should not be restricted to what services and products the fusion center can provide to its customers, but what customers can provide to the fusion center. Customers, particularly from the law enforcement community, need to be educated regarding how to think through and design ways to solve their own problems, rather than relying on an outside source, a fusion center or otherwise, to do the work for them. As a law enforcement veteran and representative from a state Attorney General's Office opined,

It's really up to the law enforcement community to do things we haven't done so well, and that is to understand the critical function that the fusion center and its analytical component plays in law enforcement and public safety. They go on tour [of the fusion center]; they are amazed by all the graphics and all the screens. I am not truly sure they understand the importance of the component parts, and how they play a role in shaping public safety.

### *Evaluation*

In addition to focusing on a substantial educational component, a systematic evaluation component should be tailored to meet the idiosyncrasies of a particular fusion center so all stakeholders will be able to assess with confidence whether a center's processes and products are useful for their unique needs. Poor planning and hasty implementation, together with the assortment of customers fusion centers are trying to serve, has proven to be challenging. This challenge could be minimized if fusion centers leaders and personnel had a greater sense of certainty of 'what works' for different users and different issues. Not only would the fusion center be able to modify their services and products to be more efficient and effective, but if they could demonstrate their utility with measurable outcomes to better market themselves, then their credibility with outside agencies would likely be increased. Increased credibility would likely positively influence users' confidence levels in the fusion center, potentially garnering greater buy-in, and thus cooperation and support, from various user groups. While measuring absolute success and failure is an inaccurate science in the uncontrolled environment of the real world, having the ability to assess what works, as well as what does not work, for different customers is essential.

Evaluation should be ongoing and should address both the internal activities of the center, as well as the external uses of its products and services; thus, both *process*

*evaluations* and *outcome evaluations* should be prioritized. Together, such evaluations will, in time, accumulate to a detailed body of knowledge for a particular fusion center, its partners, customers and policy makers, which can in turn inform future activities and policy directions for continued growth and improvement. Developing, implementing and monitoring a functional evaluation component will require a dedication of resources to identify, track and monitor predefined performance indicators. Determining performance standards should be, in part, the responsibility of oversight bodies in conjunction with a fusion center's partner agencies, managers and leaders, as well as the leadership of the host organization, namely the State Police.

With the capability to evaluate one's own processes and products, fusion centers would be less likely to create and distribute irrelevant information, contributing to information rut. The information rut is the cyclic process of receiving, rehashing and redistributing information or products in an effort to demonstrate that a particular fusion center or agency is productive. The information rut exemplifies that expectations are poorly defined and grounded evaluation is absent from this relatively new information environment for law enforcement. Law enforcement has traditionally relied on 'bean counting' performance measures, such as the number of citations issued, calls for service and clearance rates—all of which are reactive measures—to assess achievement, and thus success.

The problem in a fusion center environment where the primary goals are prevention and detection the quantity of information does not makes a positive difference. Rather, it is the relevancy, timeliness and actionability of that information that enables decision-makers to anticipate risks and plan strategically that together

determines information's value. If mass quantities of invaluable information are disseminated, then the overall system is burdened and the risk of critical information being missed or not reaching proper consumers that truly need it are high. When information overload occurs, recipients are less likely to pay attention to incoming information, and over time they may altogether ignore the information. Moreover, information production and dissemination should be targeted to the consumer's needs, as defined by the consumer, not the fusion center. A sworn supervisor from Site B explained,

Sometimes, I hear from the people in the field is that there is just too much [information] coming out, like 'why do I need to know about something two counties over why kids are sick?' I believe sometimes there is too much. As a patrol guy, I want to know certain things. I haven't been off the road for too long, so I feel or these guys. They are like, 'here is another one of these messages and I have to look at it.' My concern is that it will get to the point where you just don't look, erase immediately and you will miss the big one...I call it the circle of information. So many people are so big on information, all the states have their centers kicked up, [even] counties form mini groups, and we will sometimes get put on their list. They will put something out, we think its important, kick it out, and then a few months later it gets kicked back to us. Once the information is out there you can't stop it. There is just so much information out there, so much going on.

Currently, if performance measures are being utilized by a fusion center, they are at best rudimentary means of evaluation, such as tracking the number of incoming requests to a fusion center, whether requests are made by new or returning customers, or the number of products disseminated by the center—bean counting measures that mimic how law enforcement performance has traditionally been evaluated. Evaluation may be an abstract and daunting issue for a fusion center's management, particularly if their centers provide a range of services, some reactive and others proactive, some solicited others internally-initiated, some resulting from formal requests and others by informal



ones. Moreover, a fusion center's involvement in a particular incident or investigation is often not recognized or publicized. In fact, a fusion center itself may never know whether information or services they provided or in some way facilitated was used or effective in either a particular investigation or more strategic planning activities. Addressing these gaps will be beneficial not only to the particular center, but it will contribute to a growing body of knowledge that other fusion center's managers can then draw upon.

### *Oversight*

Though not a novel policy matter, the final component of a comprehensive policy agenda is implementing and institutionalizing a permanent oversight function. Not only should there be oversight of a fusion center's technical and operational activities, but also oversight ensuring that their information and intelligence activities remain within lawful parameters. Oversight boards or committees are important supervisory mechanisms that serve a number of functions. They offer guidance, monitor performance, confirm that proper protections are in place, reassure stakeholders' confidence, resolve disputes, and ensure that their respective entities properly adapt to environmental, social, and legal changes over time.

Based on this research, it appears that an oversight function within fusion centers is either superficial or an addendum. Convincing evidence did not surface during the course of this research indicating that advisory or oversight boards, if in place, are integral part of the fusion center's planning and functioning, and the "act now, think later" mentality appears to have dominated fusion centers' activities over time. This is not

to argue that the fusion centers' management and staff are not (overly) sensitive to observing the law and protecting civil liberties; in fact, quite the contrary. Fusion center's leadership and personnel are very attentive to and respectful of the ethical and legal boundaries of collecting, using and sharing information. Rather, it is argued here that a formal oversight infrastructure with expert knowledge, checks and balances, regular input, and close supervision is largely absent. Forethought and strategic planning should be brought to the forefront, prioritized and invested in as a fundamental and critical component of a fusion center.

An oversight function may take a number of forms. A particular fusion center may have a single governing board with various advisory boards and/or committees and subcommittees assigned to oversee and address particular issues. A governing board could be entirely separate and independent from advisory boards. There are different several structural combinations an oversight function may take, and the appropriate combination should be tailored to the individual fusion center. An argument will not be made here regarding how a particular oversight function should be structured and the types of professionals with which it should be staffed; rather, it is argued that an oversight mechanism is crucial and should, thus, be a highly prioritize. An outside consultant skillfully suggested why an oversight function within a fusion center context is not only wise but imperative,

[But] you have to set that [i.e. oversight] in place for at least three reasons...First off, I think the nature of enforcement, whether its law enforcement or other public safety institutions, is to be aggressive. They are going to be aggressive up to the point to where someone tells them to stop, and I think that is just the nature of the activity. So, it's good to have an independent check in place. Two is, I think, it helps with public perception. 'Ok, these guys are doing the right thing; in fact, we believe they are doing it because they have brought in people whose nature of their business is to challenge this sort of stuff, so we know that is being taken care

of. We are being protected. Number three is if you don't put something like that in place, what's going to happen? Sooner or later there is going to be some sort of incident, you know, where somebody does something they shouldn't do. And although 99.99% of what you are doing is right, within the bounds, you have one incident or person that goes outside of it, and then it challenges the entire activity. If you don't intelligently design a system to prevent something like that, then it's going to be foisted on you in a crisis, so I wouldn't wait for the crisis.

For continued growth, a fusion center will need both the support and participation from various partners, customers and constituencies; however, they each must be familiar with and understand their fusion center's purpose, capabilities and activities. Thus, systematic educational components tailored to particular user groups are necessary. Moreover, the fusion center's customers should be confident in the fusion center's capabilities; specifically, that the fusion center will meaningfully and reliably serve their individual needs in a timely manner. As such, fusion centers should have the means to routinely measure their processes and outputs via an institutionalized evaluation component. Finally, a structured oversight function should be prioritized not only to ensure the proper protection and use of citizen's information, but to protect partners and other consumer's participation and other unique needs, as well as the fusion center's credibility.

### **Limitations and Future Research**

It should be expressly noted that these conclusions are based on the research findings extracted from the participant's interviews and site visits. In addition to the methodological limitations outlined in chapter five, the greatest weakness to emerge while analyzing the interview data was the absence of external users' perspectives on the utility and effectiveness of the fusion center's products, activities and services,

particularly at the local level. While representatives from partner agencies and entities at all levels of government either embedded in a fusion center or working closely with fusion centers were included in the study's sample, outside users with less systematic involvement with the fusion centers were not identified, solicited and, thus, included.

While it would be impossible to generate an exhaustive list of potential users there are several subgroups that would be important to solicit for participation in future research, namely troopers, detectives and commanders within the State Police, local Police Chiefs and their top-brass executives, public officials, other public non-law enforcement entities that use the fusion center, as well as private sector entities. Systematically including such perspectives would yield a more accurate appraisal of how useful fusion center's services and products are perceived by their customers, as well as what impact fusion centers' services and products are having on different users' decision-making processes.

In addition to including more user/customer perspectives, future research on the topic should be more focused and controlled. The current research study explored a broad range of topics, and unsurprisingly concluded a broad range of general findings. Multiple fusion centers and multiple perspectives within each fusion center were sought in an effort to determine if responses were generally consistent between sites and subjects. This approach was taken since there is very little documented research on fusion centers available, as well as a great deal of uncertainty whether sites and people would cooperate in the study. Again, law enforcement in general, and fusion centers specifically, are often closed-system environments to outsiders, particularly those asking questions and evaluating their responses. The broad research questions investigated here

have identified areas needing further research. Future research should focus on defining research questions more narrowly and devising measures to operationalize and quantify the various facets of fusion centers activities and products. Moreover, pattern matching centers and people more closely would be beneficial. Centers could be pattern matched on a variety of characteristics, such as structure, partner/liaison representation, product development, and staffing.

### **Summary**

The findings from this research suggest that a number of changes related to how U.S. law enforcement thinks about and provides security have occurred since September 11, 2001. Since 9/11, America's awareness of and sensitivity to the concept of risk has increased, and it would be a grave mistake if the law enforcement community ignores that it too must adapt to changes occurring not only in their immediate environments, but also those occurring on a greater, more global level. The world is becoming figuratively smaller, and threats once regarded as distant and irrelevant are becoming ever more influential. However, this paradigm shift extends beyond threats, into how processes and relationships are changing within and between the law enforcement community and other public safety communities in an ever more technological and interconnected world.

Other service provider industries are changing their views and practices, or are trying to, to better acclimate to the current financial, political and social environments in which they are embedded. Some are rethinking their philosophical foundations, becoming innovatively business-minded and adopting more technologically-driven strategies and practices since traditional paradigms and practices have proven ineffective

and unstable. For example, a recent Newsweek article is devoted to the Cleveland Clinic, a non-profit academic medical center that is revolutionizing the way health care is provided by shifting its philosophical beliefs about how medical treatment should be administered, but also by adopting new organizational practices and harnessing advanced technology to support and facilitate these beliefs (Adler and Interlandi, 2009). In an effort to provide high quality, cost effective medicine, the clinic's president and CEO, Dr. Delos Cosgrove, is relying on evidence-based medicine, using the tools and technology of modern management to integrate and better coordinate hospitals and their doctors.

Among a list of changes, he has restructured departments traditionally organized by specialty into "institutes" organized by disease and organ system. Rather than autonomous doctors competing for patients and doctor's incentives driven by additional tests and procedures, Dr. Cosgrove manages a clinic whose doctors are salaried and annually evaluated on a list of criteria, including infection and readmission rates, patient satisfaction, and research. He has implemented an integrated and interactive computer system that not only tracks in real-time intravenous drug administration, drug supply closets' inventory, and monitors patients with chronic conditions. The clinic not only meticulously monitors and measures its performance across a spectrum of indicators, but they are one of the few hospitals to routinely publish their data and findings, always mindful of how the system can be improved, evidenced by its fifty-person staffed Strategic Planning and Continuous Improvement Department.

This innovation is occurring in an industry that is often resistant to change; not necessarily resistant to changes in medical procedures but resistant to changes in how the *business* of medicine is run and managed. This example is detailed here to make a

point—that changes in various service provider industries, even resistant ones, are occurring, stemming from very clear and recognized needs, namely that the way business has been provided up to this point is neither efficient nor effective and should no longer be sustained. The Cleveland Clinic is changing how medical providers conceptualize and practice medicine, albeit it too is met with resistance and skepticism. The traditionally conservative, autonomous medical industry that too often relies on outdated subjectivity and unfounded allegations of ‘what works’ is changing at the Cleveland Clinic, gravitating to a holistic and teamwork mentality relying on scientific data and evidence-based practices, further empowered by technology and meticulous evaluation. Not only is the clinic dedicated and committed to the present, but also the future, forecasting and exploring how not only to better provide medical services but also to better manage the business of medicine. These same principles, and hurdles, are also applicable to law enforcement’s adoption and use of a robust analytical intelligence function.

Like other industries, the business of policing should also rethink traditional paradigms and practices and proactively seek out ways to advance not only policing strategies but the business of policing. Like the previous example, American policing is an autonomous and highly fragmented profession that, in practice, too often relies heavily on tradition and invalidated assumptions about ‘what works.’ It would serve the law enforcement community well to adopt the Cleveland Clinic’s concepts and principles of strategic business planning, teamwork, and the use of evidence-based practices and technology. Since 9/11, there have been detectable changes, which together could be a prelude to meaningful growth and advancement. As the fiscal environment continues to force police executives to maintain a close eye on the financial bottom line, progressive

police executives will need to build on and further advance the changes that have been accruing since 9/11.

The findings from this research suggest that there has been substantial development and growth in interagency and intra-agency relationships since 9/11. There is a growing belief that local, state and federal agencies are more likely to collaborate and coordinate activities and share information than they were prior to 9/11, and that these practices should become institutionalized. The findings from this research also revealed that the shared work space of fusion centers positively affects the nature of professional relationships. In particular, the subcultural barriers between commissioned officers and analysts, while not totally eliminated, seem to be minimized within the fusion center setting. However, the effects appear to be strongest within the centers' physical space and appear to weaken the farther removed from the fusion center.

There is the growing belief that a robust information and intelligence capability within the domestic law enforcement community would strengthen policing practices; however, the U.S. law enforcement community has yet to achieve and promulgate a strong analytical component. Not only are more analysts with training and experience needed, but their professional institutionalization has yet to take hold. This reluctance supports the finding that fusion centers remain in a marketing phase of sorts; not every user group is yet convinced of their potential. Moreover, while the number of declared fusion centers is estimated at seventy-two, only a small minority of them have achieved an appreciable degree of successful utility.

Since many fusion centers still lack clear direction and concrete guidance, and in some cases leadership with both knowledge and vision regarding the business of



intelligence, they are at high risk of falling into the information rut. Until fusion centers' business practices and analytical activities progress, and the currently inhabited entrepreneurial stage is replaced with concrete definitions, specified goals and objectives, structured processes and patterns of operation, as well as a cultural transformation of how the business of policing with information can be maximized, they will likely continue to struggle to clearly define their purposes and to develop reliable and valid practices. Furthermore, a number of user shortcomings remain that influence a fusion center's ability to develop as intended. Such shortcomings include not only misunderstandings regarding intelligence as both a process and a product, but also the goals of intelligence and how intelligence products should be properly used.

Until a fusion center is substantially developed conceptually, technically, and operationally, and can reliably demonstrate its utility to its constituency, its will remain largely unsupported, and its future will be limited. Currently, the numbers of law enforcement executives who embrace progressive changes are limited. Over time, as the world, and thus policing environment, continues to change, the U.S. domestic law enforcement system will evolve and adapt to its environment or risk becoming incapable of successfully countering not only crime, but a growing range of other threats.

This research supports several assumptions commonly accepted in the practitioner world, and identifies a number of important policy considerations and areas for future research, thus making a useful contribution to the criminal justice literature. This research is of the few known projects to academically explore and document findings regarding fusion centers. From the research findings revealed herein, future research on the topic can be extrapolated and further refined. Using these findings as a baseline,

future research with greater empirical emphasis should be designed and implemented, thus further developing the rather scant knowledge base known and recorded on fusion centers.

Furthermore, policing scholars argue that the practice of policing should be routinely reviewed and updated using scientific means of performance indicators. It is widely known and accepted that traditional policing practices do little to thwart systematic problems, and that arrests are merely band-aids on pervasive crime problems. Coupled with growing public expectations of law enforcement and diminishing social boundaries, it is not only worthwhile but imperative that the law enforcement community continue to explore new ways to address both emerging and inveterate problems. Fusion centers have the potential to be an innovative tool for not only improving policing but improving overall public safety, and it is hoped this research will be used and further developed in this ongoing pursuit.

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## **Appendix: Descriptive Narratives of Sampled Sites**

### **Descriptive Narrative of Site A**

Site A is a fusion center in the northeast, mid-Atlantic region of the U.S. and is managed by the State Police. It is housed in its own separate facility shared by emergency management, which is located on State Police headquarters. The center was officially established in 2005; however, its current location and structure, both physically and technologically, did not emerge until 2006-2007. During this same time frame, the State Police formally adopted and integrated an intelligence-led policing philosophy into the overall organization. Thus, during the fusion center's developmental, and subsequent early operational phases, the managing agency's Investigation's Branch was also undergoing architectural and procedural changes to better align the State Police's adopted philosophy with its goals and tasks.

The fusion center is managed by the Superintendent's Office of the State Police, but it is considered a *state* entity rather than a *State Police* entity, thus it is intended to support all the State Police branches, rather than primarily the Investigations Branch. This distinction is difficult to detect and is often counterintuitive to people or agencies unfamiliar with fusion centers in general, or Site A's fusion center, specifically. The fusion center has a civilian Director, who also had a former career in federal law enforcement. He oversees two of the center's three primary elements, an arrangement purposely implemented for primarily two reasons. First, placing a civilian in a Director role reinforces that the fusion center is not a possession of the State Police, and in particular it's Investigations Branch. Second, a civilian Director with a law enforcement background not only carries the advantage of having a number of contacts with relevant

people and agencies, but also the knowledge of law enforcement culture, politics, and functions, as well as the very real threat environments in which law enforcement and other public security agencies operate.

The fusion center is founded on a task force structure whereby a number of individuals from various agencies are assigned. Its overall mission is an *all crimes-all hazards-all threats* focus. The center is envisioned as a major player in coordinating prevention and response efforts to any threat posed to the state, both manmade and natural. It not only serves the law enforcement community, but any agency or entity with a role ensuring the public safety and security of the state's people and infrastructure, including health, transportation, emergency management, and to a lesser degree the private sector. Site A is composed of three separate, but related, areas: a watch operations element, an emergency management element, and an analysis element. The center's watch operations element is staffed 24 hours a day 7 days a week primarily with enlisted troopers and liaison representatives from state and federal agencies; however, the analytical component is not staffed 24 hours a day. Watch operations is tasked as the tactical and operational call center of the fusion center providing users with real-time, statewide situational awareness, operational support and coordination, as well as connectivity to other local, state and federal agencies. Although this fusion center serves a variety of functions and needs, this research is focused primarily on the center's analysis element, since it is here where the majority of the fusion center's strategic information and intelligence activities are tasked to take place.

### *The Analysis Element's Mission*

The analytical section's reported mission is to provide timely and relevant tactical, operational, and strategic intelligence products using a collaborative evaluation process to address the information needs of their federal, state, local and private sector clients. The fusion center's leadership envisions the center's analytical component adopting and embracing a number of values, including a 'unity of effort' ideal, a concept promoted within the Intelligence Community to strengthen joint efforts and initiatives; the removal of various barriers to increase and improve interagency intelligence work; the importance of source analysis and the removal of systematic resistance to information sharing; the replacement of a 'need to know' culture with a 'need to share' culture; and the importance of respecting databases searchable across agency lines.

In a systematic effort to operationalize and sustain the aforementioned values, the analytical component has delineated five perpetual goals, including the production of timely and relevant intelligence products to drive decision-making, guide leadership's allocation of resources, and aid investigations; maintaining high level intelligence analysis and production proficiencies; maintain in-depth awareness of assigned areas of responsibility (AOR); facilitating and synchronizing interagency collaboration; and sustaining technical capabilities to collaborate, produce, and disseminate information within the intelligence process.

### Timely and relevant intelligence production

In order to produce timely and relevant intelligence products, the organization has specified several objectives. It is implied that if these objectives are fulfilled then the

organization's executive leadership is capable of using the intelligence products to drive decisions regarding strategic, operational and tactical resource allocation so the organization may be more proactive in its activities. Moreover, it is believed that the production of timely and relevant products will support and improve the organization's traditional investigative activities.

When the fusion centers analytical element can demonstrate that it can effectively transform customer's needs into intelligence requirements; lawfully collect information in a logical framework to interpret the criminal operating environment; collate and manage information, as well as validate the information against other sources; produce and disseminate intelligence products and packages to diverse audiences; and manage the analytical element's intelligence portfolio then it will have achieved the first goal.

#### Intelligence analysis and production proficiency

Similar to the goal of producing timely and relevant intelligence, maintaining a high level of proficiency for intelligence analysis and production requires that the analytical element's leadership and analytical staff can convert customer's needs into information requirements and produce finished intelligence products consisting of conclusions regarding the respective threat environment, criminal operations, key individuals, methods of operation and the extent of criminal influence. The analytical staff should be able to demonstrate their ability to apply objective, critical thinking and evaluation skills while being open to varied analytic opinions. They should be able to analyze the information for reliability, validity, sensitivity classification and timeliness, while conforming to Title 28 CFR, Part 23, the state's Attorney General Guidelines for

handling intelligence, other applicable federal and state laws, and the State Police's standard operating procedures.

#### Maintaining in-depth awareness

Areas of responsibility (AOR) are assigned to "desks," and individuals assigned to each area should be capable of collecting information in a logical framework appropriate to their AOR as needed to interpret the environment and provide up-to-date situational awareness. Information should be attained using appropriate and lawful methods that do not compromise undercover personnel, informants, ongoing investigations, collection methods, or providers of sensitive information. Individuals assigned to a particular AOR should maintain contact with subject matter experts and other communities of interest.

#### Interagency collaboration

The fundamental purpose of fusion centers is to break down both cultural and physical barriers so information and intelligence can be shared between agencies in a timelier manner. The analytical element should be able to demonstrate its ability to liaison with partner agencies, interact within the parameters dictated in the Memorandums of Understanding (MOU) between agencies, and understand partner agency's product sensitivities and equities. In engaging in interagency collaboration, all partners should synchronize the production of jointly produced products, collaborate during crisis-generated issues, and quickly resolve disputed issues when they arise. Fusion centers should be the context in which *deconfliction* between agencies takes place.

### Sustaining technical capabilities

A fusion center must have the proper technical capabilities to collaborate, produce and disseminate information within the intelligence process both within the center and among external agencies. The analytical element should be capable of establishing connectivity with allied agencies supporting joint operations with the fusion center and leverage existing IT data and information processes. Furthermore, it should have the capability to utilize the state's information and intelligence management system to submit and query 28 CFR Part 23-related information, law enforcement sensitive resources, as well as open source and other governmental databases.

### *Organizational Structure and Activities of the Analytical Element*

The analytical element is staffed with federal liaisons and state employees, consisting of a mix of both sworn and civilian personnel, as well as a handful of representatives from major municipal police departments. There are approximately thirty-five individuals currently assigned to the analytical element; however, due to a number of mitigating factors, this number fluctuates. A Department of Homeland Security (DHS) intelligence officer is embedded within the fusion center's analysis element, as well as a Federal Bureau of Investigation (FBI) agent and analyst. Other federal partners include the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), U.S. Immigrations and Customs Enforcement (ICE), Federal Air Marshalls (FAMS) and the Coast Guard. State partners embedded at the fusion center include, Department of Transportation, Department of Health and Senior Services, Department of Corrections,



and Park Police, the state's Homeland Security office, and a small number of Detectives from major municipal police departments.

Site A's analysis element is managed by commissioned officers. The supervisor of the analytical element is a Lieutenant with a substantial fifteen year plus career in the state police, as well as an intelligence background. Under the supervisor, a Detective Sergeant First Class, also with a substantial twenty plus career in the state police, is both an assistant supervisor and operations officer. These two leaders oversee the daily functioning and activities of the analytical component of the fusion center.

The analysis component is divided in several areas of responsibility (AOR), or "desks", within each overseen by a Detective Sergeant. The desks focus on general crime analysis, including gangs and drugs, gun violence analysis and gun tracking, and threat analysis and other special topics. The major programmatic areas are designed to contribute timely and detailed information to better inform various crime-related initiatives, all which have been developed to address different dimensions of threats facing the state, as prioritized in the Governor's overall statewide crime plan. Analysts are assigned to each program; the majority of analysts are employed by the state and all are civilian, but liaison agencies also embed analysts and/or sworn personnel into the center's analytical element.

All analytical personnel are collocated in a single area separate from the watch operations element. The supervisor and assistant supervisor each have their own offices, as does the FBI analyst due to the Bureau's security specifications. The remainders of the personnel, including the federal and local partners, all work in a cubicle environment grouped by area of responsibility in an effort to remove physical barriers to facilitate

interagency communication and collaboration. The remainder of the fusion center's task force, primarily the Director and other state police leadership, are located in a separate office area from the analytical element.

There are several initiatives concurrently carried out by the fusion center's analytical element. The first major initiative tracks gun violence statewide, mapping shooting incidents if a victim was hit and/or murdered. The initiative strives to provide a real-time picture of the state's criminal shooting environment and provide a searchable interactive investigative platform for law enforcement investigators equipped with real time maps and incident details. Furthermore, the initiative is a statewide repository of shooting-hit information. From this data, information is collated and analyzed so the analysts may identify leads, trends and patterns. In return, analytical products are disseminated to local law enforcement agencies to assist with their planning, resource allocation and investigative operations.

The second major initiative is a collaborative program between the state police and the Bureau of Alcohol, Tobacco and Firearms (ATF) identifying gun trafficking through the state. Analysts collect gun trace information as police agencies query the National Crime Information Center (NCIC), an FBI criminal information system, to determine whether a seized gun was stolen. Once the information is validated, the ATF codes it, and it is processed at the ATF National Tracing Center. An analyst analyzes trace results to identify trends and patterns indicative of gun trafficking or improper firearm transfer. Analytical products are disseminated to the State Police Commanders and the ATF and are used to assist with the investigation of individuals suspected of moving guns used in crimes through the state.

The third initiative aims to enable law enforcement to identify persons of strategic interest operating throughout the state. Information briefs and intelligence products are provided to all levels of law enforcement regarding violent recidivist offenders and their criminal networks. Analysts collect information from field investigators, open source databases and other law enforcement channels, creating network charts and analytical packages on individual offenders and criminal networks, including suspect's criminal street gang affiliations, criminal activity, propensity for violence, access to weapons and areas of operation.

The fusion center's analysis element is also an official liaison with a number of national and international programs, including International Crime Police Organization (INTERPOL), El Paso Intelligence Center (EPIC), RISS center-MAGLOCLEN (Mid Atlantic -Great Lakes Organized Crime Law Enforcement Network), and the Financial Crimes Enforcement Network (FINCEN).

### *The Daily Huddle*

In an effort to ritualize a culture of collaboration, the AE engages in a brief but mandatory activity daily referred to as "the huddle." All program supervisors and analysts attend the huddle. The huddle is intended to keep the fusion center's analysis office, as a group, informed of the progress of current projects, to notify the group if new developments in their respective areas should arise, and to facilitate cross-team collaboration. It is intended to be a vehicle to promote the fusion process by bringing the desks together to exchange ideas and their respective needs.

In the daily huddle, each desk should provide a brief update of their assigned areas of responsibility, including the phase of current projects (i.e. collection, analysis or production), their daily task list, and requests for information from other desks, if necessary. For supervisors, the daily huddle is a means to ensure the analysts under their direction are receiving adequate and timely support from other desks and/or agencies, and that their analyst's workloads are adequately assigned.

### *Researcher's Notes*

The fusion center is located in a very nice, clean and brand new building stocked with new furniture and computers. The watch operations component is located on the first floor together with a large command-and-control center where, in a crisis situation, multiple agencies would converge. In the large NASA-like room, there are large screens where multiple activities or media feeds can be projected simultaneously. The room is equipped with individual workstations each stocked with a computer. This room is largely unused, but would be activated in an emergency.

The analytical portion is located on the second floor, together with the remainder of the task force offices. Within the cubicled office area of the analytic portion, signs hang from the ceiling designating liaison personnel's workspace or specific initiatives/areas of responsibility. There is still a portion of the second floor under construction, waiting to be finished. It is rumored that the analytical portion of the fusion center will extend into there, although they have not yet filled their desk capacity in the main room, and that State Police dispatch will be transferred to the facility, which would make sense from a coordination standpoint.

Site A is revered as one of the better functioning fusion center's in the country. Not only is the facility capable of fulfilling multiple needs, but the analytical element does create and distribute some analytical products that are useful to a variety of stakeholders. It seems that the center initially received substantial support both financially and from the Superintendent.

One of participants in a management capacity related to the researcher after she had collected her data that some of the sworn personnel in the fusion center commented to him that they were surprised he agreed to let me interview him, voicing the concern that the researcher would portray the fusion center negatively. He reportedly responded that academics are different from the media. Also, it was clear during site visits that some individuals could be careless about the researcher's presence.

## **Descriptive Narrative of Site B**

Site B is a developed criminal intelligence center in the northeast, mid-Atlantic region of the U.S. It was established in 2003 and is managed by the State Police and located on State Police headquarters. Unlike Site A, Site B falls directly under the leadership of the State Police Bureau of Criminal Investigation's Intelligence Division. As such, their primary focus is on collecting, collating, analyzing and disseminating criminal intelligence for the sole purpose of serving the law enforcement community, rather than non-law enforcement agencies, such as emergency management, department of transportation or public health, or the private sector. This is in part due to the fact that the intelligence center is completely funded with State Police funds.

The intelligence center does not conceptualize or define itself as a "true" fusion center since it serves a very limited community and partnerships between other state and federal agencies are limited. The FBI does have an analyst permanently assigned to the center, and the state's Department of Corrections does have an officer liaison with the center. However, due to rather strict state statutes regarding the protection and use of criminal information, as well as other political factors, Site B adheres to an *all crimes* mission, 24 hours a day, 7 days a week. Both sworn and civilian personnel staff the center around the clock. Currently, proposals and negotiations are underway regarding the establishment of traditionally conceived fusion center in the state where a number of federal, state and local agencies, beyond the confines of law enforcement, are permanently collocated. Precisely what role Site B would play in a true fusion center was not yet clearly known at the time of the interviews.

The State Police have structured Site B to be a central point of contact for their law enforcement community's information needs. The center not only offers their law enforcement customers access to a wide range of information to be used to assist their tactical and strategic decision-making needs and investigations, but the center also provides both the state police and municipal police departments resources for investigative support and real-time situational awareness. The intelligence center's analysts produce a number of professional intelligence and information products, including intelligence summaries, daily bulletins, scheduled threat assessments, biographical reports, network analyses, and time event analyses.

#### *Organizational Structure and Activities*

A Captain oversees the Intelligence Division of the Bureau of Criminal Investigation. Again, the criminal intelligence center falls under the Intelligence Division of the Bureau of Criminal Investigation. The center itself is divided into two primary functions: a watch operations section and an analytical intelligence section. Each division is commanded by a Lieutenant. The watch operations commander oversees a handful of troopers that field in-coming calls, monitor the situational awareness both within and outside of the state, and keep the State Police troopers throughout the state up to date on what is occurring within the state's borders. They do not spearhead the state's coordination services; rather, the watch operations component is designated to move information both vertically and laterally on behalf from the State Police.

The analytical intelligence commander over sees an analytical unit, and a Corporeal supervises the day-to-day functioning of the analytical section, to whom a total

of four civilian analyst supervisors report. The analytical section is further divided both conceptually and physically into two primary areas. One side is staffed by intelligence analysts conducting strategic and operational intelligence analysis, while the other area is staffed by research analysts conducting tactical intelligence and information analysis and case support. Two civilian analyst supervisors manage the intelligence analysts and two of the civilian analysts' supervisors oversee the research analysts.<sup>44</sup> All of the approximately 28 analysts are civilians. The intelligence analysts and their respective supervisors are housed in a separate room together with the FBI analyst and the Bureau's secure systems. The research analysts are housed in a room with the Watch operations component, the Director and the other supervisors.

The intelligence analysts are tasked primarily with providing a strategic outlook and product to their consumers. They do offer case support to ongoing investigations often in the form of time-event analyses and link analysis, but each analyst also specializes in a particular area, such as drugs, gangs, or domestic and international threat groups. They are required to produce both ad hoc and scheduled assessments of their respective specialty area.

The research analysts are tasked primarily with short-term, tactical information collection and product development. They regularly compile biographical reports and handle the greater bulk of requests for information with very short turnaround times for product development and dissemination, often within 48 hours. This year alone the intelligence center's requests for information are projected to reach over 16,000 separate

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<sup>44</sup> Research analysts are also classified as management technicians. They are not perceived by the state to perform truly analytical functions; rather, the state has determined that they search, compile and compare information rather than analyze it. This distinction has been and is currently being challenged. An intelligence analyst is considered to be a promotion above a research analyst/management technician.



requests, up from almost 15,000 requests last year.<sup>45</sup> As the Corporeal indicated, they are “the worker bees” of the center since the majority of requests are for the tactical, case support information they regularly oversee and handle.

### *Researcher’s Notes*

Site B’s facility looks rather dated, as does the remainder of the State Police headquarters, but it is clean and tidy. As noted above, Site B is not a fusion center; rather it is a criminal intelligence center serving the law enforcement community. It does nevertheless function at the same analytically capability as centers specifically labeled as fusion centers; however, its collaboration and communication with a multiplicity of other agencies, including the state’s emergency management agency, is on an ad hoc basis when necessary.<sup>46</sup>

What Site does apparently do very well is their separation of duties. Their analysts are separated and task according to strategic needs and tactical needs. The clear division of labor apparently enables the center to better manage the workload and thus be very receptive to their users; however, the physical separation does seem to cause some problems since those supervisors and analysts removed are often left “out of the loop.” As a side note, if Site B adopted Site A’s daily huddle routine, this could minimize some of the separation.

During an interview, the Director related an incident whereby the center had connectivity with real-time notification to the FBI’s Terrorist Screening Center (TSC). The TSC maintains a consolidated database of all known or suspected terrorists, the

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<sup>45</sup> Each request for information may require and yield multiple products.

<sup>46</sup> The only state agency where communication is routine is with the state’s Department of Corrections.

Terrorist Screening Database (TSDB), and supports agencies that screen for terrorists. The TSC also makes terrorist identities information available to local and state law enforcement officers through the NCIC. Thus, when an officer requests a screening through the NCIC and there is a hit on the TSDB, Site B is instantly notified, as is the inquiring officer. The Director related that many fusion centers leadership had complained at a national meeting that when there was a hit on the TSC list, the inquiring officer and FBI was notified, however their fusion centers were not. Fusion center leaders rightfully argued that if someone is stopped and flagged in their state, then the fusion center should be precisely the entity that should be immediately informed of this information. The Captain was both surprised and pleased that his center did not have this problem. As a result, the FBI sent several personnel to the center to identify how Site B was receiving instant notification, so the problem could be resolved in other centers.

## **Descriptive Narrative of Site C**

Site C is a fusion center in the northeast, mid-Atlantic region of the U.S. and is managed by the State Police. The fusion center is an outgrowth of the State Police intelligence and operations units. It is housed in its own separate facility on State Police headquarters, sharing space with their Special Operations section. The center was opened in 2006; however, it was not officially established by executive order until 2007.

The fusion center adheres to an *all crimes-all hazards* mission. It provides 24-hours per day, statewide information sharing capabilities to local, state and federal public safety agencies, as well as the private sector. The center's mission is to collect, evaluate, collate and analyze information and intelligence, and disseminate it, when appropriate, to the proper public safety agencies to counter both terrorism-related and criminal threats facing the state. Thus, the center not only serves the law enforcement community but all public safety systems, including the private sector, serving the state. The center envisions itself as supporting both a preemptive mission of identifying terrorism-related threats, as well as traditional investigative and prosecutorial efforts.

A number of federal and state agencies participate as partners in the fusion center. Federally, a DHS representative is permanently assigned to the fusion center, as well as an FBI Special Agent and an FBI analyst. The FBI Special Agent has been with the Site C since 2007, and he informally supervises the center's analysts. The FBI analyst is newly recruited, previously employed as an analyst by the State Police in the fusion center. Both the National Guard and Coast Guard are represented, as well as the state's Department of Corrections and Office of Homeland Security.

The Special Operations component of the center is staffed 24-hours a day; however, the analytical component, unless needed for a particular event or request, is not staffed with full-time analysts. The Special Operations component, serving as the fusion center's watch operations unit, fields incoming calls, monitors the media, receives tips as well as initial requests for information and intelligence, and coordinates requested services. The analytical unit intelligence disseminates both scheduled and special reports and bulletins supporting both strategic and tactical needs.

### *Organizational Structure*

A commissioned officer, ranking Captain, oversees the fusion center; however, at the time of the interview and site visit he had only assumed the position within the previous year. In addition to the aforementioned partner agencies, there are six State Police analysts. The state in which the fusion center is located is divided into regions, and each analyst is assigned a particular region. Moreover, each analyst is assigned a primary area of responsibility, including gangs and narcotics. Several Detective Sergeants are assigned to the fusion center to be the link between the fusion center and officers in the field. Analysts are assigned to Detective Sergeants with overlapping functions and geographical responsibilities.

**Descriptive Narrative of Site D**

Site D is a fusion center located in the southern region of the United States. It is managed by the State Police and located on State Police headquarters. While the state's fusion center was officially recognized as such in 2004, it has only recently in 2008 evolved to its current level of functioning. It is a direct extension of the State Police Intelligence Unit, intended to be the support apparatus for the organization's larger Investigative Support Section with origins dating as far back as 1969 but reformed in the late 1990s. The fusion center was created to be the central point of contact for the state in identifying and monitoring threats, including terrorism-related ones, and promote deterrence to not only protect state's citizens from organized criminal activity but also protect the state's key infrastructures. The state in which Site D is located has a long history of high crime rates, political corruption and vulnerability to natural disasters.

The fusion center is built upon the philosophy of collaboration, intending to be the link between the state's law enforcement community and their and non-law enforcement partners, including the state's Governors Office, the Sheriff's Office, the state's Department of Wildlife and Fisheries, the National Guard, the U.S. Coast Guard, the Federal Bureau of Investigations and Department of Homeland Security, as well as private sector and critical infrastructure partners. The fusion center falls directly under the command of the State Police Investigative Support Section; thus, it lacks independence as a state entity. Rather, the fusion center is a direct extension of and tool for the State Police. However, it was clarified by the fusion center's Director that the products created and disseminated from the center are not State Police products, but

rather fusion center products. The fusion center, unlike the other center's included in this research, does not have a separate watch center function.

### *Organizational Structure and Activities*

The State Police Bureau of Investigations houses the Investigative Support Section. The Investigative Support Section is comprised of three separate but interrelated units: the criminal intelligence unit, the analytical support unit and the technical support unit. The criminal intelligence unit is tasked with collecting and sharing information to key decision-makers within the organization to counter organized crime, individuals engaging in criminal activity, and terrorism. The technical support unit conducts investigations into cybercrime and supports other law enforcement agencies throughout the state with criminal investigations. The analytical support unit (i.e. the fusion center) is tasked with collecting and analyzing information from various sources, intelligence production and dissemination, and monitoring different threat groups, as well as assigned major infrastructure areas, throughout the state. The focus for this research is on the analytical support unit since it is here that the fusion center's analytical functions of analysis, production and dissemination should be occurring.

Site D does not have a defined watch operations function; however, the analysts within the fusion center do monitor major news sources at both the national and state level. In the event of an emergency, the Governor's Office, through the state Homeland Security and Preparedness Office, is responsible for spearheading coordination efforts, together with the State Police Superintendent. In such an event, the fusion center would become "activated" to alert all relevant state and law enforcement officials. There is

currently discussion regarding opening a satellite center in another part of the state in an effort to better ensure outreach, continuity and coverage. It would not be a separate entity; rather, it would fall under the responsibility of the current Director to manage.

The fusion center is managed by a Lieutenant with a fifteen-year career in the State Police. He directly oversees two sergeants, one of which is responsible for supervising the analysts and one assigned to coordinate the center's technical support function. There are a total of ten civilian analysts, two of which are supervisors. All of the fusion center's analysts have been hired internally from within the State Police, four of which have less than five years of analytical experience. There are three additional State Police personnel assigned to the fusion center as clerical support to the analysts. They often handle requests for photograph line ups, driver's license searches, and employment checks

The analysts are assigned in pairs to monitor specific threat groups/areas. Their areas of responsibility are domestic and international terrorism, hate groups, extremist groups, high profile and violent cases, including sex offender round ups and serial killers, and gangs and narcotics together with a National Guard analyst. Also, each analyst is assigned to monitor a consolidated group of DHS HSIN sectors, and they distribute proper information to the relevant private sector entity.

The FBI has assigned an analyst to the fusion center but not an agent. The Director relayed that the State Police does not have a good relationship with the state's JTTF, but the center does work well with the FBI field intelligence group (FIG). As in other centers, the FBI analyst performs a gate keeper role to the agency's systems and information, rather than collaborating on product development with fusion center

personnel. He also indicated that the fusion center's relationship with the DHS intelligence specialist officer, who has been assigned to the center since 2005, was great and that his being there has been a real benefit for the fusion center. While the Director felt that overall the fusion center's relationships with federal partners was satisfactory to good, he did note that the driving distance between the fusion center and the majority of federal agency field offices has been problematic. The fusion center is located in the state's capital; however, the majority of federal field offices are located in a separate major city approximately eighty miles away. Hence, while many of the federal agencies engage in partnerships with the fusion center, they do not assign a full time representative from their respective agencies to the fusion center.

The fusion center develops and disseminates a number of alerts, bulletins, and scheduled reports to officials both within and outside the state. All partners come together for weekly briefings where both analysts and partners present status of current projects, share information, and identify other needs and solutions.

#### *Researcher's Notes*

The center is relatively small but well maintained and up-to-date. Those in management or supervisory positions each has a separate office, in addition to the federal partner agencies, while the analysts were located in a large room with cubicle desks. There was a large conference room where the weekly meetings are held. Lining the wall were plaques from each partnered agency, symbolizing the collaboration of the partnerships between agencies. It is here where analysts present weekly briefing to the partner agencies. The environment was relaxed, but this may be in part due to the fact



that the center is located in the southern region of the United States where there is a greater sense of hospitality. Similar to visiting Sites B, C, and D a majority of federal representatives were not on site that afternoon. The Director playfully referred to it as “FBI Friday.”

## Vita

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