

## HSPI Issue Brief Series

### RUNNING A THREE-LEGGED RACE: THE SAN DIEGO POLICE DEPARTMENT, THE INTELLIGENCE COMMUNITY, AND COUNTERTERRORISM

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Despite a decade of political rhetoric, blue ribbon commissions, and grant-making on the part of Congress and the presidency, local police departments remain all but absent from the counterterrorism efforts of America's intelligence community.<sup>1</sup> Although there are understandable reasons for this absence — a misunderstanding of the threat domain, concerns over potential constitutional or statutory prohibitions, a tendency to focus on (perhaps exclusively) more conventional crimes — this deficiency in the United States' approach to counterterrorism intelligence must now be resolved.

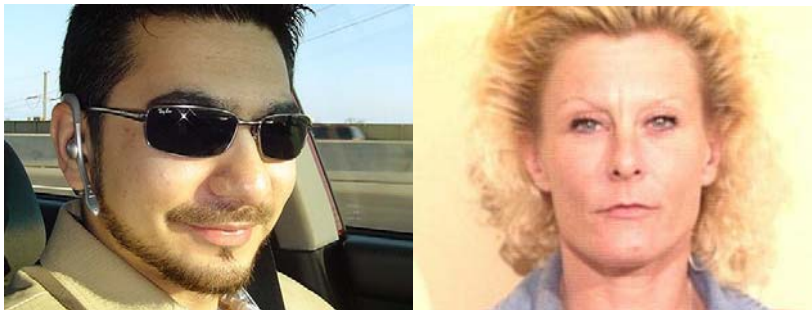
What follows is an account of why local police departments ought to evolve to become active participants in the national intelligence enterprise against jihadi terrorism. It is also a first-hand description of how local law enforcement agencies can adapt and innovate in the face of a shifting threat domain while continuing to meet the primary responsibility each has for protecting the communities it serves. Beginning in 2009, the San Diego Police Department (SDPD) undertook a bold attempt to evaluate and then adjust the processes by which SDPD conceptualized, collected, analyzed, and acted upon counterterrorism-relevant information. The lessons learned have value not just for the counterterrorism efforts and efficacy of US municipalities, but for American counterterrorism efforts writ large.

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<sup>1</sup> There are of course notable exceptions, chief among them the New York Police Department. Nonetheless, the predominant pattern of behavior has followed a 'feast or famine' cycle that mirrors potential or realized crises and demonstrates a lack of the type of effective engagement and partnerships that increase the efficacy of local police departments individually and the intelligence community collectively.

## *The Jihadist Next Door — Looks like You*

The terror threat facing the United States has changed; it has morphed, grown and diffused. The attacks against Khobar Towers, the USS Cole, and even those against the World Trade Center were predominantly foreign-occurring or foreign-directed. They now seem anachronistic. In their place a new, more foreboding, model for terror plots has arisen. Today's threats blend foreign and domestic events, resources, direction, and operators. The June 2011 arrest of two Seattle men who were planning to attack a US military recruiting and processing station, the November 2010 plot to blow up a van at a Christmas tree-lighting in Portland, the May 2010 attempted Times Square bombing, and the recruiting of young men in Minneapolis to fight for al-Shabaab each illustrate a growing trend toward internationally-fused, locally-realized terrorism against American interests.



Faisal Shahzad, who was sentenced to life in prison for the failed Times Square plot (photo from the *New York Daily News*), and Colleen Renee LaRose (aka Jihad Jane), who is on trial for terrorism charges including the attempted murder of Swedish artist Lars Vilks, are just two examples of recent foreign and domestically blended terror plots (photo from the Tom Green County Jail in San Angelo, Texas).

In the ninety-two months from September 11, 2001 through May 2009, there were twenty-one homegrown jihadi terror plots. In the eighteen months that followed, from June 2009 until November 2010, there were more than twenty-two homegrown plots.<sup>2</sup> There is no evidence or expectation that the homegrown threat will diminish. In fact, there is a progressive emphasis on do-it-yourself terrorism that makes such plots more likely. The interconnected terror network represented by al-Qaeda and its franchises (including al-Qaeda in the Arabian Peninsula) is, through the publication of its *Inspire* magazine and internet videos, increasingly focusing its activities on attempts to motivate lone-wolf attacks by homegrown jihadist living in the West.<sup>3</sup>

<sup>2</sup> Bjelopera, Jerome P. and Mark A. Randol. 2010. "American Jihadist Terrorism: Combating a Complex Threat." Washington, DC; Congressional Research Service. The number of terror plots is even larger if you expand it out beyond jihadi plots and include other attacks. The focus on jihadi plots, however, is maintained for two reasons. The first reason is that this: they represent the fastest growing class of plots. The second reason is that such plots currently represent the highest likelihood of a blended threat — one that emerges from simultaneously domestic and foreign events, conditions, and resources.

<sup>3</sup> Cratty, Carol. 2011. "Jihad Web forums suggest targets for terror." Atlanta, GA; CNN. Accessed online at: [http://www.cnn.com/2011/US/06/16/terror.targets/index.html?hpt=hp\\_t2](http://www.cnn.com/2011/US/06/16/terror.targets/index.html?hpt=hp_t2). Freeze, Colin. 2010. "RCMP warns of al-Qaeda pitching 'do-it-yourself' terrorism on the Internet." Toronto, ON; Globe and Mail. Hegghammer, Thomas. 2010. "Un-Inspired." Washington, DC; Jihadica. Jenkins, Brian Michael. 2010. "No Path to Glory: Deterring Homegrown Terrorism." Testimony presented before the Homeland Security Committee, US House of Representatives. Washington, DC; RAND Corporation.

The homegrown jihadists that threaten the US are not easily identifiable on the basis of demographic characteristics. Today's threat is not borne by the stereotypically thick-accented angry young Arab of a Hollywood film. Jihadists are increasingly clean-skin individuals; those who travel with passports from the US or other Western nations and raise little immediate suspicion at the border. According to recent testimony delivered by Peter Bergen before a congressional hearing chaired by Representative Peter King: "...homegrown militants do not fit any particular socio-economic or ethnic profile. Their average age is thirty. Of the cases for which ethnicity could be determined, only a quarter are of Arab descent, while 10% are African-American, 13% are Caucasian, 18% are South Asian, 20% are of Somali descent, and the rest are either mixed race or of other ethnicities. About half the cases involve a US-born American citizen, while another third were nationalized. And of the 94 cases where education could be ascertained, two thirds pursued at least some college courses, and one in ten had completed a Masters, PhD or doctoral equivalent."<sup>4</sup> In short, while those who would strike us may visit ungoverned spaces like Somalia or Yemen, they increasingly reside within the American homeland and blend easily into the US' multi-ethnic pluralistic society.

Yet it is here, within the US homeland, within American cities and neighborhoods, where much of the traditional intelligence community cannot lawfully work to identify and target those who would attack America. If the US is to avoid becoming blind to future waves of terror plots, local law enforcement — with its greater awareness and connection to the communities in which homegrown terrorists would reside<sup>5</sup> — must play an increasingly large (and pivotal) role in the collection and analysis of counterterrorism-relevant information.<sup>6</sup>

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<sup>4</sup> Bergen, Peter. 2011. "Threats to the American Homeland after Killing Bin Laden: An Assessment." Testimony presented before the Committee on Homeland Security, United States House of Representatives. Washington, DC; New America Foundation.

<sup>5</sup> Waxman, Matthew C. 2010. "Police and National Security: American Local Law Enforcement and Counterterrorism After 9/11." *Journal of National Security Law & Policy* Volume 3 (Number 2): 377-407.

<sup>6</sup> Local police are best positioned to, and indeed have, a level of expertise in building the kind of personal relationships needed with local community members and groups to produce counterterrorism relevant information. This is a skill federal entities simply cannot match. As noted by Rex Brynen, this skill set is very similar to those used in the collection of human intelligence: "Many of the chief tools of counter terrorism are remarkably similar to those of good community policing." See, Brynen, Rex. 2002. "Diaspora Populations and Security Issues in Host Countries." Paper presented at the Metropolis Interconference Seminar: "Immigrants and Homeland" in Dubrovnik, Croatia. Full text of the paper can be found at: <http://international.metropolis.net/events/croatia/brynen.pdf>. Accessed 16 July 2011. Furthermore, the diaspora networks that local law enforcement routinely interact with in the US are particularly well equipped to detect potential terrorist activities within their neighborhoods. See Howard, Russell D. 2007. "Intelligence in Denied Areas, New Concepts for a Changing Security Environment." Hurlburt Field, FL; Joint Special Operations University.

## *One Step Forward — In a Three-Legged Race*

Successful counterterrorism depends upon active and effective cooperation and coordination. The efficacy, or even increasing efficacy, of any local jurisdiction or federal entity pays little dividend without being part of a larger intertwined effort. As was alluded to above, modern terrorism is often the product of events and actors in multiple areas. Jihadi propaganda, financing, recruiting, training, planning, and attacks occur within various domestic, international, and even cyber jurisdictions — sometimes sequentially, sometimes simultaneously.<sup>7</sup>

Successful military leaders have long understood the importance of linked units. Military commanders have historically appreciated the need to maintain an understanding of actors and events beyond one's own area of operations. The military understands that the interrelation among the tactical, strategic, and temporal components of any struggle affect its outcome. For these reasons, the analogy of the military campaign as a model for modern counterterrorism has been attractive. This was especially true in the wake of the September 2001 attacks and resulting US invasion of Afghanistan. Yet the military analogy, with its hierarchical command structure, common doctrine, common mission, and single level of government, fails to capture the difficulty of the challenge faced today. The military analogy offers little in the way of descriptive leverage or prescriptive benefit in addressing homegrown jihadi terrorism. A better understanding of the operational challenges is by the analogy of the three-legged race.

In a three-legged race, two teammates (who may or may not know one another prior to the event) are bound together, one member having their left leg tied to the right leg of their partner. Success, beating other teams to the objective, is as much a product of effective cooperation and coordination as it is speed — or any other tactical, strategic, and temporal component. For the United States, with its decentralized federal system, the objective of successful long-term counterterrorism operations will only be realized if local law enforcement and the traditional (read, predominantly federal) members of the intelligence community come to realize they are bound together and that they must learn to cooperate and coordinate to accomplish their goals. Because such cooperation and coordination is a product of knowledge and understanding, about both

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<sup>7</sup> For more on this, particularly on how the process fuels the foreign fighters phenomenon, see: Cilluffo, Frank, Jeffrey Cozzens, and Magnus Ranstorp. 2010. "Foreign Fighters: Trends, Trajectories & Conflict Zones." Washington, DC; Homeland Security Policy Institute.

one another and the terrain upon which and within which they operate, information (read, intelligence) becomes the lynchpin for success.

After the attacks of September 2001, while the traditional members of the intelligence community were advancing their knowledge, skills, and ability to collect counterterrorism relevant information — members of local police departments stood their posts in much the same manner as they always had. That such should be the case is not particularly surprising, for there was little chance that members of local law enforcement agencies would come face to face with a suicide bomber or other terrorists. The odds that on any given day a patrol officer or detective could expect to encounter a jihadist actively engaged in terrorism were remote — especially when compared to the odds they would encounter a drug dealer, thief, or even murderer. History, daily reality, and local political concerns served to trump the shock of 9/11, to reinforce the status quo, and to impede the type of organizational learning that would lead local law enforcement to develop an active role as part of the US' national intelligence community.<sup>8</sup>

Yet, at the same time local police officers were routinely told “you are our eyes and ears” by state and federal authorities, two peculiar pathologies began to affect the national intelligence enterprise in the US.<sup>9</sup> These pathologies undermined the very interagency knowledge and understanding that would be needed for cooperation and coordination. First, without the collection and analysis training that would allow local police departments to discriminate the value of what was being seen and heard, and place such information in context, the 833,000 sets of eyes and ears that comprise local law enforcement did little more than create a lot of well intended (and often purely nonsensical) white noise.<sup>10</sup> Second, the intelligence efforts of local police were

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<sup>8</sup> Cox, Tony. 2003. “Interview with Mayors Thomas Menino and Michael Coleman to discuss the financial hardships facing cities across the nation.” Travis Smiley Show. Los Angeles, CA; National Public Radio. Domanick, Joe. 2003. “Counter-Terrorism; Scrutiny for LA’s Own Secret Police.” Los Angeles, CA; Los Angeles Times. Thacher, David. 2005. “The Local Role in Homeland Security.” *Law & Society Review*. Vol. 39, No. 3. Oxford, UK; Blackwell Publishing. US Conference of Mayors. 2002. “The Costs of Heightened Security in America’s Cities: A 192-City Survey.” Washington, DC; US Conference of Mayors.

<sup>9</sup> Ashcroft, John. 2001. “Cooperation with State and Local Officials in the Fight Against Terrorism.” Memorandum to All United States Attorneys. Washington, DC; Department of Justice. Accessed online at: <http://www.fas.org/irp/agency/doj/agdirective5.pdf>. Codey, Richard. 2005. “Codey Remarks on Heightened Security” Statement of the Acting Governor on the Terrorist Bombings in London. Trenton, NJ; Office of the Governor. Accessed on-line at: [http://www.nj.gov/cgi-bin/governor/njnewsline/view\\_article.pl?id=2623](http://www.nj.gov/cgi-bin/governor/njnewsline/view_article.pl?id=2623). Napolitano, Janet. 2009. “The Path Forward.” Testimony before the House Committee on Homeland Security. Washington, DC; Department of Homeland Security. Accessed on-line at: [http://www.dhs.gov/ynews/testimony/testimony\\_1235577134817.shtm](http://www.dhs.gov/ynews/testimony/testimony_1235577134817.shtm). Rollins, John and Timothy Connors. 2007. “State Fusion Center Processes and Procedures: Best Practices and Recommendations.” New York, NY; Manhattan Institute for Policy Research.

<sup>10</sup> Reaves, Brian A. 2007. “Census of State and Local Law Enforcement Agencies, 2004.” In Bureau of Justice Statistics. Washington, DC; US Department of Justice. Palmieri, Lisa M. 2005. “Information Vs. Intelligence: What Police Executives Need to Know.” *The Police Chief*. Vol. 72, No. 6. Alexandria, VA; International Association of Chiefs of Police. Found online at:

occasionally viewed as a political or operational liability. Requests for information made by local law enforcement to the traditional members of the intelligence community were often only given cursory attention — for fear that such information might be leaked and compromise ongoing federal investigations.<sup>11</sup> What such mixed signals demonstrate is that although it became popularly accepted that local law enforcement and the traditional members of the intelligence community were bound together in the race to fight terrorism — it remained unclear which way police departments were to run (or even whether they were to be running) to achieve the US' counterterrorism objectives.

Another example of this which way do we run problem on the part of local law enforcement is observed in the predominant police response to 9/11. After the attacks, traditional members of the intelligence community went about aggressively targeting al-Qaeda, while local police officers all over the country sat listening to well paid consultants tell them about people who were soon to be (or were already in) the bulls-eye of a hellfire missile. To adjust to the terror threat and protect their communities, the “eyes and ears” of local law enforcement went into classrooms and learned more and more about specific threats that were becoming less and less relevant.<sup>12</sup> Information was being pushed downward.

In essence, the dynamics described above had two effects. First, it made the law enforcement member of the team a reactive partner — one who waited for the other to signal when and where to run. Second, it oriented the focus of local police on the threats of the recent past — rather than those of the present or future. Although the dynamic that developed between the local law enforcement and the traditional members of the intelligence community after September 2001 got them moving in the race against terrorists, their progress was uneven and



Police officers in Kansas City attend classroom instruction as part of their professional development (photo from the Kansas City Police Academy).

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[http://www.policechiefmagazine.org/magazine/index.cfm?fuseaction=display\\_arch&article\\_id=610&issue\\_id=62005](http://www.policechiefmagazine.org/magazine/index.cfm?fuseaction=display_arch&article_id=610&issue_id=62005). Accessed 17 July 2011.

<sup>11</sup> Cordner, Gary and Kathryn Scarborough. 2010. “Information Sharing: Exploring the Intersection of Policing with National and Military Intelligence.” *Homeland Security Affairs*. Vol. 6, No. 1. Monterey, CA; Naval Postgraduate School.

<sup>12</sup> California Specialized Training Institute. 2009. “Terrorism I: International Terrorism, Non-Procedure Participant Guide September.” San Luis Obispo, CA; State of California

inefficient. Individually the US's law enforcement and intelligence community runners were (and are) among the most fit on the planet. Nonetheless, in this three-legged race they still strain to keep up with novices and wannabes who have just taken up the sport.<sup>13</sup>

### *Proving the "I" Stands for Intelligence — Learning What you Need to Learn*

Historically, San Diego's Police Department has been able to boast about its Criminal Intelligence Unit (CIU). SDPD's CIU has racked up investigative successes against traditional threats. Murder for hire plots, the wise guys's of organized crime, animal rights and environmental radicals, the knuckle draggers of Russian organized crime, and members of the Hell's Angels have all regularly paid the price for capturing the attention of San Diego's CIU.

In the years following 9/11, the counterterrorism efforts of SDPD's CIU (like those of similar units across the country) were limited to reading a few reports a week from the local fusion center and knowing the difference between Hezbollah and Hamas. These reports, however, and others like them had an important effect. They indicated that Hezbollah had a strong presence in Mexico, something that naturally posed a serious concern for San Diego. Over time, members of the CIU came to the internal realization that what they did not know, could hurt them and the people of their city. As the CIU began to ask more and more questions about the potential threat domain posed by Hezbollah and other terrorist organizations, it became clear that San Diego's CIU lacked the information necessary to generate a clear threat picture for their jurisdiction.

Unsettling as it was, this realization generated a positive outcome — it ignited an internal dialogue among the members of the CIU. That dialogue led to a search for more information about the potential, yet unknown, terror threat San Diego might be facing.

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<sup>13</sup> To clarify the argument being presented and place it in context, two ancillary points should be made. The first point is that in many ways the US is the victim of its own success. When the counterterrorism struggle was focused against a stronger, more centralized threat from al-Qaeda itself, the historic relative strengths of both local law enforcement and the traditional members of the intelligence community could operate much as they always had. During this period there was less of a simultaneous blending of the foreign and local threat domains. As noted earlier, that has changed. The second point is that fiscal austerity will reduce the personnel and material resources available for counterterrorism at the local, state, and federal levels. The three-legged race analogy fits best the emerging terrorist paradigm typified by homegrown jihadists. It also captures the increased importance of cooperation and coordination as a means for increasing counterterrorism efficiency in the face of diminished budgets.

As they searched for more information about the threat domain, members of the CIU turned to the FBI. It had been the CIU's expectation that if the FBI learned of an imminent threat, such information would be passed along to the SDPD. This expectation was based upon two core beliefs. The first belief was that the CIU and FBI shared a common definition of imminent threat. As it turned out, the operational definitions of imminence varied greatly between the two organizations — mainly on the basis of the maturity of any potential plot. For the FBI, an imminent threat was one in which individuals were already in possession of weapons and were believed to be ready to act. For the CIU, the threshold for imminence was any individual or group of individuals with the willingness, capability, and intent — regardless of where they were in the planning cycle. The second belief centered around concepts of operational success. From the perspective of local law enforcement, police want and need the opportunity to prevent, disrupt and stop a terror event before it starts. If an attack takes place, and some three-year patrol cop is pulling his AR-15 rifle from the rack of the patrol car while running Code-3 to the call — CIU failed. Although the FBI shared the objective of preventing an actual attack, the Bureau had to factor in string-'em-up or string-'em-along calculations about when to arrest known plotters and when to continue to exploit them as intelligence targets. As a result, the CIU's initial discussions with the FBI were disappointing.

Members of the FBI graciously explained that it was not their job to open the Bureau's intelligence stores for a little window-shopping on the part of local police. In spite of sincere promises to share critical information about imminent terrorist actions on the part of federal authorities, the operational comfort of SDPD's CIU was not the FBI's highest priority. Although frustrating, members of the CIU understood and sympathized with the FBI's position. The experience would represent a short-term set back — yet it would also set the stage for the long-term innovation and success that would ultimately establish the CIU as an active member of the intelligence community.

People learn during moments of reflection. Such moments are often triggered by an observed mismatch between experience and expectation. Organizational learning is fueled by similar processes. It is often motivated by a desire to minimize performance gaps and maximize future success.<sup>14</sup> As members of the CIU began to move past their initial experience with the FBI and continued their search for additional information about the terror domain they faced, such dynamics emerged.

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<sup>14</sup> Downie, Richard Duncan. 1998. *Learning from Conflict: the U.S. Military in Vietnam, El Salvador, and the Drug War*. Westport, CT; Praeger. Haas, Ernst B. 1980. "Why Collaborate? Issue-Linkage and International Regimes." *World Politics* 32 (3):357-405. Kolb, David A. 1984. *Experiential Learning: Experience as the Source of Learning and Development*. Upper Saddle River, NJ; Prentice-Hall. Nye, Joseph S. 1987. "Nuclear Learning and US-Soviet Security Regimes." *International Organization* 41 (3):371-402



Faced with concerns about what was unknown about their potential threat environment and a mismatch between experience and expectation (both in terms of the operational environment and the type of support that could be expected from federal partners), the members of the CIU began a critical examination of their own operations. Two questions drove their inquiry: *are we looking at the right things, are we looking in the right direction?*

To answer the above question and evaluate CIU's operations, an inventory of cases and investigations was carried out by SDPD's intelligence managers. This is what they found. *"We had a La Cosa Nostra (LCN) case going, but the suspects were three guys using walkers and gambling at the Del Mar race track with a couple of their gumbas' with hearing aids yelling, 'What did you say Rocko?' ALF/ELF [Animal Liberation Front / Earth Liberation Front] eco-terrorists were a threat, but weak due to previous arrests. The Outlaw Motorcycle Gangs were active, but certainly did not rate the top spot for time and resources. Uneasiness set in as we came to the realization we were flailing in the dark, without a clear strategy or set of collection objectives. Our efforts were random and confined to picking the low hanging fruit or stuff that sounded fun and sexy. And that meant we were neglecting the most serious threats."*<sup>15</sup> The inventory made it clear. CIU lacked appropriate metrics to determine intelligence priorities and identify significant threats. They would have to build a system from ground zero.<sup>16</sup>

### *Building (and Testing) a Domain Assessment*

As the CIU began the work of constructing systematic mechanisms for discovering, defining, and prioritizing SDPD's intelligence needs, they again reached out to the FBI in an attempt to garner best practices that could then be tailored to San Diego. From the FBI, CIU sat down with Assistant Special Agent in Charge Daron Borst from the San Diego Field Intelligence Group (FIG). Borst explained how the FBI determined its intelligence domains and ultimately its collection priorities. Based on what the CIU had learned from its own self-assessment and from the input of the FBI and LAPD, the CIU created a matrix for guiding intelligence officers through the process of determining the threat level and capability of a potential target. The new matrix represented more than a change in the operational processes of the CIU, it represented

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<sup>15</sup> Mills, Andrew. 2011. Personal account of CIU's internal review process.

<sup>16</sup> In speaking with local police counterparts around the country, members of the CIU found it evident that many of their colleagues were in the same boat.

a change in the very way the SDPD was conceptualizing and thinking about the threat picture.

Later, the CIU met with representatives from the Los Angeles Police Department (LAPD). LAPD shared a flow chart that was being used to determine what threats constituted the highest priority. The chart diagrammed open source information from members of the traditional intelligence community, from their local fusion center, from the FBI, and from other local, state, and federal agencies. Like it had with the FBI, the CIU incorporated lessons learned and best practices from LAPD as its new intelligence matrix evolved.

**CIU Threat Assessment Matrix**

CATEGORY	Level 1 Non-existent Threat	Level 2 Low Threat	Level 3 Medium Treat	Level 4 High Threat	Score
<b>4. Vulnerability</b>	Based on the below rating criteria, the actions of the group/organization cannot exploit our vulnerabilities.	Based on the below rating criteria, the actions of the group/organization could possibly exploit our vulnerabilities.	Based on the below rating criteria, the actions of the group/organization will exploit some of our key vulnerabilities.	Based on the below rating criteria, the actions of the group/organization will exploit most or all of our key vulnerabilities.	Select One
Use the below columns on the far right to indicate the specific levels relating to the 'Vulnerability' criteria.					
Vulnerability Criteria	Standard		Presence of criterion	Absence of criterion	Unknown (Intel Gap*)
A. Target Richness	The group/organization capitalizes on our target richness (quality or quantity of viable targets)				
B. Defensive Capability	The group/organization can overcome our defensive capabilities (Security measures, LE TTP, etc.)				
C. Access	The group/organization can exploit our vulnerabilities by gaining access to critical areas/locations				
D. Preventability	The superior tradecraft of the group/organization overcomes or negates our level of preventability (through prevention, training, security, etc.)				
Comments:					

Part of the new intelligence matrix developed by the Criminal Intelligence Unit of San Diego's Police Department.

The new matrix was developed after members of the unit came to the realization that they lacked a clear understanding of the threat domain they faced.

The CIU realized that its new intelligence matrix needed to be field tested — that its real value rested on how well it drove the prioritization process and allowed for accurate assessments. The matrix was subjected to fact checking on the part of patrol commands, specialized investigations, the San Diego County Sheriff's office, the FBI's local FIG and Joint Terrorism Task Force (JTTF), violence squads, and other members of the intelligence community. In each case, the CIU asked individuals to evaluate the validity of their new matrix by looking at the priorities that were being identified. At the same time, the CIU also tested the matrix against open source media and reached out discreetly to community leaders. From community leaders the CIU wanted to know if the matrix was identifying events or conditions that in fact rose to the level of substantial threat. The CIU's field testing was all driven by the desire to answer a very

basic question: was it going to work, would the new matrix serve as a useful tool mapping out SDPD's threat domain? The answer was yes. Responses to the matrix were positive, the CIU was on to something. The matrix and the associated feedback gave the CIU a truly robust understanding of the threat priorities relevant to SDPD's area of operation.

The new matrix yielded several benefits. First, the matrix allowed the CIU to set clear priorities focused on the appropriate objective — given SDPD's fairly small intelligence section this was vital in improving the efficiency and efficacy of the CIU. Second, CIU's mission statement and focus changed based on an immediate threat that had been identified. SDPD now became focused on emerging and expanding homegrown and foreign based groups who possessed a radical ideology and the capability and intent to violently harm or exploit the citizens of San Diego. Third, the matrix and relationships that were being developed allowed the CIU to leverage other primary intelligence collectors to accomplish its mission. In short, the learning process that led to the new matrix had also made the CIU an active member of the intelligence community.

### *SDPD Picks a Partner and Suits up for the Three Legged Race*

Based on what the CIU had learned from its new matrix, it seemed best that the SDPD work with the local FBI office. The CIU's Lt. Mills and the FBI's ASAC Borst met to discuss their top priorities and identify areas where the two could coordinate and cooperate on efforts. Several of the priorities overlapped, allowing the SDPD and FBI to create a synergistic force for locally-driven intelligence collection. Their cooperation and alignment acted as a force multiplier — one that expanded as relationships were forged not just among the leadership, but among detectives and special agents.

As these local relationships expanded in practice, so did their intelligence value. As detectives and Special Agents got comfortable with each other, they began sharing information and in some cases sources. Other collection needs and priorities became visible to each organization, and cooperation expanded. CIU had access to people the FBI and other traditional members of the intelligence community needed in order to gather information — the FBI and traditional members of the intelligence community, in turn, had the direction and information CIU needed to clarify and target their investigations. For example, subjects the CIU had little interest in, such as espionage, were important to the FBI and the CIU had sources with direct access to the targets the FBI was interested in. Such sources were ultimately tasked to collect in a wider range

of intelligence arenas. Although this level of mutual benefit was unforeseen, it was readily accepted.

### *Implementing a New Approach to Intelligence*

The CIU had developed a new intelligence matrix — and with it new partnerships and a new approach to intelligence. To solidify the innovations that been brought about, they needed to be operationalized within the SDPD itself. The CIU had changed, but it was important that the SDPD itself change as well. It was important that the entire department alter its approach to the collection process.

To operationalize a new approach to collection, the CIU began by securing the support of San Diego's Chief of Police. Chief William Lansdowne was presented with a *Strategic Intelligence Brief* that laid out the changing threat picture facing San Diego. The brief also contained CIU's recommendations regarding how the collection process ought to be modified in order to improve SDPD's ability to detect, monitor, and respond to a changing threat domain. Chief Lansdowne agreed with the threat picture presented and was supportive of new efforts to enhance collection. Next, with the established domains/directives generated by the new matrix in place, the CIU reached out to Jim Roth at The Langley Group for help in developing a collection plan. Roth, a former CIA officer with considerable expertise in establishing intelligence collection plans and who had local police experience, reviewed CIU's intelligence priorities and collection plan. Based on Roth's feedback, members of the CIU realized there were a lot of gaps that needed to close — quickly.

To close the identified gaps between priorities and collection, the CIU developed an intelligence driven and targeted collection process for the SDPD. The process began with the production of a background report providing general information and an articulation of the threat (or problem) faced. That report would then become the catalyst for internal conversations about information needs. In short, the report would become the basis for asking *what does the SDPD need to know, where can SDPD learn it, from whom should SDPD be seeking input and information, and what are the best means for collecting information?*<sup>17</sup> Based on the answers to the above, and the intelligence gaps they revealed, collection priorities were distributed throughout the department. Standing Information Needs (SINs), regularly collected information requests based on the top five identified priorities, were sent to police officers and

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<sup>17</sup> Spelman, William. 1995. "Criminal Careers of Public Places." *Crime Prevention Studies*. Vol. 4. Madison, WI; Center for Problem-Oriented Policing.

detectives working in the field. Requests for Information (RFI) are also sent out to specific individuals or groups to fulfill identified knowledge gaps concerning a given threat. The RFI's were focused and limited to specific and well defined targets, cases where collection was called for were based on clearly identifiable foundations of reasonable suspicion.<sup>18</sup> SDPD's experiences in regard to the al-Shabaab terror group illustrate CIU's innovations, and their operational benefit.

Al-Shabaab emerged as one of the most significant domains identified by the SDPD's new threat picture. San Diego is home to a large Somali population, and is a primary point of entry for Somalis claiming asylum. As noted above, CIU's work to establish intelligence priorities and a collection plan to meet this domain began with the writing of a thorough report about what was known about the local Somali diaspora. To develop a complete understanding of the collection process, each of the questions (those about what, where, from whom, and how to gather information) were addressed from each side of the crime triangle: the location, the suspect, and the victim. Based on the dialogue generated by these questions, CIU sergeants met with their teams to form a specific plan for collecting against recognized gaps.<sup>19</sup>

Identified gaps concerning the al-Shabaab threat domain were distributed as SINS to field forces for collection opportunities. Al-Shabaab-specific SINS gave San Diego's police officers an understanding of what to collect against with their limited time and resources. In addition, the Terrorism Liaison Officers (TLO) from each command were called together for a meeting and given the identified priorities with a background on the al-Shabaab domain. This meeting went well beyond an overview of terrorism and behaviors typically provided for pre-operational surveillance. It involved specific case information, including a detailed briefing on the threats relevant to their commands.<sup>20</sup>

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<sup>18</sup> Prior to adopting a Collection Planning approach, gathering information was left to each individual officer's discretion. With that approach, collection was more likely to be unfocused, and there was more risk that it would be based on an individual officer's prejudice, rather than the observation of specific criminal behaviors. Systematic intelligence collection consequently enhances the protection of civil liberties as it forces managers to limit the focus to actual criminal behaviors and provides an internal level of transparency.

<sup>19</sup> As noted earlier, local police officers are familiar with this analytical approach, it is part of the doctrine of Problem-Oriented Policing. During the analysis of local criminal trends and problems, officers are taught to ask the following questions: What do I need to know about this problem? Where or from whom do I collect the information? CIU added: What mechanism of collection is most appropriate?

<sup>20</sup> This process was (and is) repeated for each threat domain. When the program was launched — for the first time — patrol officers in each area command gained a complete understanding of the high priority terror, transnational crime, and cartel groups CIU was targeting and why.

RFIs also played a key role in defining the specific al-Shabaab threat domain faced by San Diego. One of the identified gaps was the relationship between al-Shabaab and local Somali street gangs. Uniformed gang officers and mid-city patrol offices were tasked with a specific RFI to find out what, if any, relationship between the two existed. The nature of the RFI was very specific. CIU focused the RFI on a specific street gang, the African Mafia Crips (AMC). The logic behind targeting AMC was this: when a khat shipment (khat is a recreational drug most often used by people who are indigenous to East Africa) arrived — it was believed AMC would be involved and that the shipment would provide opportunities to establish what contact might exist between AMC and al-Shabaab jihadists within the US.

To the right, the black and white flag of al-Shabaab and the traditional blue colors of the Crips. The presence of the black and white al-Shabaab flag indicated a division within the members of the African Mafia Crips – it became a key piece of intelligence collected as a result of the new CIU matrix.



When the next khat shipment arrived, patrol officers used traffic stops as a mechanism for collecting data. Within a week officers examined several phones of AMC gang members. The phones yielded a treasure trove of intelligence. From the information gathered, CIU learned the number of al-Shabaab sympathizers in AMC. It also gathered information about the suspects' phone numbers, Facebook pages, relationships with each other — and the fact that the al-Shabaab sympathizers were weaponized. But the information did not stop there, it went beyond traditional criminal data. It included key cultural information. CIU learned there was a potential wedge between those gang members whose loyalties rested with the AMC and those whose loyalties rested with al-Shabaab. Several gang members had al-Shabaab flags on their phones and used a common phrase when text messaging — *“black and white forever.”* That phrase was peculiar because AMC gang colors were traditional Crip blue; the al-Shabaab flag features white Islamic script on a black background. The RFI helped map out the relationships and potential for exploitable vulnerabilities that existed between AMC and al-Shabaab.

## *Challenges and Opportunities Ahead — The View from a Three-Legged Runner*

Three things can be garnered from the lessons learned by SDPD's CIU. The first of which is this: local police departments can (and must) play an active role as members of the US intelligence community. The intelligence enterprise, especially in regard to counterterrorism, must be a truly national endeavor. Yet, in terms of intelligence collection and the ability to evaluate threats to their communities, local law enforcement is where traditional members of the intelligence community were on September 12, 2001 — and that estimate may be generous. Second, there are significant areas of opportunity for police departments to improve their ability to collect intelligence. Local police need the ability to pro-actively collect human intelligence (HUMINT). Although police officers are good at twisting information out of prisoners when lawful leverage is present, they are not particularly good at identifying people who either have (or have access to) critical pieces of information. Nor are police officers good at identifying the needs of potential targets and then exploiting those needs as a means of soliciting information.<sup>21</sup> Third, self-assessment, questioning, and dialogue are a healthy part of the learning process. These attributes support technical and critical thinking skills. They also foster greater operational performance and efficacy and help lead to safer societies. Furthermore, the learning process must not end — chiefs, commanders, and individual officers must continue to question the appropriateness of current operations. They must be willing to expand on success and walk away from failure (no matter how ingrained the processes are that generate such). In short, self-assessment, questioning, and dialogue are a healthy part of a learning process that can make local law enforcement departments stronger and more effective organizations.

The San Diego Police Department is continuing to develop its ability to collect primary intelligence. The CIU is now breaking down identified domains into SINS and collection requirements that are then tasked to specific people. To ensure that all relevant arrests include one-on-one debriefs of suspects by police officers concerning identified intelligence needs, the SDPD has embarked on an aggressive push to obtain HUMINT training. The SDPD has contracted with Jim Roth and The Langley Group to train investigators and to continue to walk the department through the intelligence collection process and follow up with suggestions for improvement. The CIU's intent is that officers learn pro-active recruitment and elicitation techniques for application

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<sup>21</sup> It is noteworthy that when it comes to counternarcotics, police forces are much better at this last point. For example, the best sources we have against the major drug cartels are never arrested and are welcome in cartel circles — making them a more versatile asset for us. Such individuals are recruited (and recruitable) because the police have something they need and are thus motivated to work for it.

against local threat targets as well as the general principles of battlefield HUMINT. Furthermore, SDPD intel analysts are being trained in Open Source Intelligence (OSINT), Signals Intelligence (SIGINT), Financial Intelligence (FININT), Geospatial Intelligence (GEOINT), Measurement and Signature Intelligence (MASINT) and Technical Intelligence (TECHINT); and the department is working to maintain close relationships with other agencies (thanks to the San Diego FIG, one SDPD detective was given a spot in the FBI's Domestic Human Intelligence Collection class).

Although San Diego offers a positive example of learning and innovation in terms of police intelligence, as noted at the beginning, the increased capability of any single jurisdiction pays little dividend if not connected to the efforts of others. When it comes to the three-legged counterterrorism race, more needs to be done to foster excellence among teammates. Fusion Centers are the key to increased involvement by the local police. Not only do they have the resources desperately needed by local law enforcement, they have access to the traditional members of the intelligence community. The Fusion Centers should be the repository for each agency's intelligence domains. This would allow them to help with Standing Information Needs — not only at the local police level, but at the national level as well. Local, State and Federal agencies with a right and need to know must have access to the domains and SIN's of every major region in the US. Where domains overlap there should be opportunities to learn from and task relevant jurisdictions for collection. In such an environment the San Diego Police Department could send an RFI to Boston police asking them to collect against a local money exchange business. Dallas could request the FBI in Atlanta collect against *La Familia*. The CIA could request source coverage from Columbus police on Somalis traveling to Kenya. Learning each other's needs is the first step and the Fusion Centers should be the central repository. They can also act as a quality assurance watchdog for collection protocols, ensuring there is a criminal predicate (such as a reasonable suspicion or an existing warrant).<sup>22</sup> In short, the Fusion Centers can be the place where local, state, and federal partners learn to run the three-legged race together.

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<sup>22</sup> The US Department of Justice's Bureau of Justice Assistance defines criminal predicate with the following: "Reasonable Suspicion" or "Criminal Predicate" is established when information exists that establishes sufficient facts to give a trained law enforcement or criminal investigative agency officer, investigator, or employee a basis to believe there is a reasonable possibility that an individual or organization is involved in a definable criminal activity or enterprise. In an interjurisdictional intelligence system, the project is responsible for establishing the existence of reasonable suspicion of or criminal predicate for criminal activity either through examination of supporting information submitted by a participating agency or by delegation of this responsibility to a properly trained participating agency that is subject to routine inspection and audit procedures established by the project." Found online at: <http://www.ojp.usdoj.gov/BJA/txt/chap13.txt>. Accessed 25 July 2011.



For now, however, the potential for leveraging the national body of knowledge with the force multiplying strength of the local and state police is staggering — yet untapped.

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*Founded in 2003, the **George Washington University Homeland Security Policy Institute (HSPI)** is a nonpartisan “think and do” tank whose mission is to build bridges between theory and practice to advance homeland security through an interdisciplinary approach. By convening domestic and international policymakers and practitioners at all levels of government, the private and non-profit sectors, and academia, HSPI creates innovative strategies and solutions to current and future threats to the nation. The opinions expressed in this Issue Brief are those of the authors alone. Comments should be directed to [hspi@gwu.edu](mailto:hspi@gwu.edu).*

#### **FAST FACTS**

The San Diego Police Department:

- 1841 sworn officers,
- 600 civilian employees,
- policing 1.32 million residents.

The SDPD has one of the lowest officer per citizen ratios in the country at 1.38 per 1,000 residents.

By comparison, the average for a city over 250,000 residents is 2.5 officers per 1,000.<sup>i</sup>

San Diego enjoys one of the lowest violent crime rates in the country.<sup>ii</sup>

i. International Association of Chiefs of Police. 2007. “Police Officer to Population Ratios.” Alexandria, VA; Research Center Directorate. Found online at: <http://www.theiacp.org/LinkClick.aspx?fileticket=LF7xdW1tPk%3d&tabid=87>. Accessed on 16 July 2011.

ii City of San Diego. 2011. “Crime Statistics and Maps.” Website. San Diego, CA; San Diego Police Department. Found online at: <http://www.sandiego.gov/police/stats/>. Accessed on 16 July 2011.