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**Government of the District of Columbia**



**Metropolitan Police Department**

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Testimony of  
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*Hearing on the State of Intelligence Reform*

United States Senate  
Select Committee on Intelligence  
Senator John D. Rockefeller IV, Chair  
Senator Christopher S. Bond, Vice Chair

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Mr. Chairman, members of the Committee, staff and guests – thank you for the opportunity to present this statement concerning homeland security and information sharing in the national capital region.

Since “Nine-Eleven,” people often refer to local law enforcement officers as “first responders” – and appropriately so. As demonstrated so vividly and heroically by the brave men and women who responded to the World Trade Center and the Pentagon on that fateful day, our police officers – along with firefighters and emergency medical services personnel – are the very first to rush toward danger, even as others are fleeing. Local law enforcement is very good at responding to danger: that is what we train for; that is what we are equipped to do; and that is what our professional mission demands of us.

But I would argue that our mission demands that local police be more than just first responders to incidents that have already happened, whether those incidents involve street crime or terrorism. In the post-9/11 world in particular, our local police must be viewed “first preventers” as well – as professionals who have the knowledge, skills and abilities to support the global war on terrorism, and who are uniquely positioned to detect and prevent terrorist incidents right here in our communities. After all, it is the women and men of local law enforcement who know best the neighborhoods they patrol and, most importantly, who are in the best position to detect and investigate criminal activity that might be connected to terrorism. A local money-laundering scheme, identity-theft case, burglary or even a suspicious request to a local business – if discovered early and matched with the right intelligence, could help detect, disrupt and prevent a terrorist plot.

For local law enforcement to perform this role of “first preventers” – and to perform it effectively – our police officers must be equipped with the right intelligence, at the right time. And in order for local law enforcement to be equipped with the right intelligence, there needs to be an organized, effective and trusting flow of information between our federal partners and local police.

You will notice that I qualified our need for intelligence by referring to the “right” intelligence. By the “right” intelligence, I am referring to intelligence that is relevant to the local jurisdiction, that is timely, and that is actionable by the police. Local law enforcement is not seeking access to every piece of intelligence generated nationally or internationally by the intelligence community. But when there is intelligence that is detailed and specific – and when the intelligence has potential public safety implications for our communities – then I believe the intelligence community has an obligation to share that information in a timely fashion with local law enforcement. If we learn about a threat only when it becomes imminent, then it is too late. Just like our federal partners, local law enforcement needs time for training, equipment acquisition and the development of response, mitigation and prevention strategies. Trying to do all these under the pressure of an imminent threat is nearly impossible and certainly inefficient.

Mr. Chairman, in your letter of invitation to me, you asked about the impact that the Joint Terrorism Task Forces and fusion centers have had on anti-terrorism efforts. I must say that here in the national capital region, the flow of information among federal, state and local partners through our JTTF has been, and continues to be, quite good. Part of the reason for this is that our agencies have worked together for years – predating the 9/11 attacks – on sharing information and coordinating responses to a variety of situations. The fact that we had pre-established relationships and a track record of

trust made the transition into the post-9/11 environment much smoother than it might otherwise have been. Another important factor is that the JTTFs understand what local law enforcement does, and they appreciate what we can do, when given access to the right information at the right time.

I believe that other parts of the federal homeland security community could learn from the experiences of the JTTFs and could apply some of the same principles in its relationships and interactions with local law enforcement. Has information sharing among federal, state and local entities improved in recent years? Absolutely. But are we where we need to be in terms of information sharing – so that we can coordinate and maximize all of our resources in the fight against terrorism? Not yet, I am afraid.

Part of the problem, I believe, lies in historical cultural differences between the intelligence community and law enforcement. For decades, our government erected a wall – a very solid wall – between these two functions, and it is difficult to change that dynamic overnight. Part of the problem also lies in a difference of perspective. For the most part, the Department of Homeland Security has adopted an “all hazards” focus, which encompasses not only criminal activity but also natural disasters and other non-criminal events. While local law enforcement certainly has a role to play in responding to natural disasters, our homeland security focus must be a narrower, “all crimes” perspective. We are most concerned with criminal activity that may be related to terrorism, because intervening in that activity and preventing crime are what we do best.

When looking at the whole issue of information sharing, I believe our federal partners need to keep this distinction in mind. Information about weather patterns and similar topics may be interesting and sometimes useful to local law enforcement. But our information needs are more specific, more detailed and more focused on criminal activity and the public safety implications for our communities. This type of “all crimes” approach is what local police need in order to do our part in responding to and, yes, preventing crime – including the crime of terrorism.

As I am sure the Committee is aware, Representative Thompson of Mississippi, the new chairman of the House Committee on Homeland Security, recently released a report titled “LEAP: A Law Enforcement Assistance and Partnership Strategy.” This report contains seven proposals to improve information sharing between the federal government and state, local and tribal law enforcement agencies. I think these seven, common-sense proposals provide an excellent framework for future discussions about information sharing – discussions that, I hope, will lead to a common, nationwide approach to this issue.

The LEAP report also touches upon an issue that is critical to the success of our homeland security efforts. Often times, we talk about federal-state-local information sharing as strictly a one-way street, with information flowing from the federal government to state and local agencies. I, personally, don’t view the situation that way, and I don’t think my fellow police chiefs and sheriffs do either. We recognize that in addition to needing timely intelligence from federal agencies, we also must be willing and able to share timely and useful information gathered at the local level with our federal partners. In the minds of most local law enforcement executives, this is what the whole fusion center concept is all about. And we stand ready and determined to do our part in contributing to – and receiving and acting upon – the information that we hope will be shared more extensively in the future.

I would like to close with one final observation. Even as we are working to enhance intelligence-sharing with law enforcement, it is essential that we look ahead to the next steps. I recommend that we start planning now for an even broader “two-way street.” From firefighters and paramedics, to health workers and tax auditors, local governments are filled with professionals well positioned to contribute valuable information to help protect our communities and the country. Here in the District of Columbia, Mayor Adrian Fenty has committed to enhancing homeland security training throughout the government. The police department can help train other agencies to identify and share critical intelligence – but that will only create a one-way street. In order to harness this resource, intelligence-sharing networks must be more inclusive of other government resources. The intelligence community will still need to work on developing and sharing intelligence that is actionable for other professions. I hope that we can begin planning for this new front now.

As I wrote in a recent column in the Washington Post, “for too long, the participation of local law enforcement in terrorism-prevention efforts has been an afterthought. I am heartened that we finally have Congress’s attention” – including the focus of this important Committee. I look forward to working with this Committee and others in developing and implementing a national information-sharing strategy that makes sense and that helps to make our communities safer and more secure. Thank you again for the opportunity to appear before you today.