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Integrating Fusion Centers and Law Enforcement in Utilization of the Intelligence Cycle

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Under the title

Integrating Fusion Centers and Law Enforcement in Utilization of the Intelligence Cycle

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INTEGRATING FUSION CENTERS AND LAW ENFORCEMENT IN
UTILIZATION OF THE INTELLIGENCE CYCLE

A Master Thesis

Submitted to the Faculty

of

American Public University System

by

Edward F. Scott III

In Partial Fulfillment of the

Requirement for the Degree

of

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Charles Town, WV

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DEDICATION

I dedicate this thesis to my wife and children. With the myriad of demands on all of our time, I would not have been able to complete my studies without the unconditional support, understanding, patience, and love that the three of you supplied to me.

I also dedicate this thesis to all the men and women of law enforcement who have made the ultimate sacrifice while serving and protecting their communities.

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I have found my course work throughout the intelligence studies program to be stimulating and thoughtful, providing me with the tools with which to explore both past and present ideas and issues.

ABSTRACT OF THE THESIS

INTEGRATING FUSION CENTERS AND LAW ENFORCEMENT IN
UTILIZATION OF THE INTELLIGENCE CYCLE

by

Edward F. Scott III

American Public University System, October 2014

Charles Town, West Virginia

Dr. James Hess, Thesis Professor

Fusion centers were created after 9/11/01 to increase information sharing and improve intelligence production by utilizing information collected at the state and local level to enhance intelligence production. Fusion centers and their law enforcement counterparts engage in various parts of the intelligence cycle to aid fusion centers in creating quality intelligence products. A 2012 Senate report revealed that fusion centers are failing to produce quality intelligence. This thesis presents an exploratory research study to determine how to more effectively integrate fusion centers and state and local law enforcement officers together in utilization of the intelligence cycle to improve fusion center intelligence production. The researcher conducted interviews with federal, state, and local fusion center analysts in addition to law enforcement personnel associated with their fusion centers and their local police training

academy to assess the current level of interaction. Through a comparative study, the researcher identified three specific areas in which fusion centers and their law enforcement counterparts can be more effectively integrated: knowledge of collection priorities, feedback, and communications. By increasing integration in the three areas identified, fusion centers would improve the quality of intelligence they disseminate.

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CHAPTER ONE

INTRODUCTION

We have intelligence estimates that look at threats to the Homeland. But what do we have where you have a legitimate homegrown threat? ... The world over here has an effect over there, and vice versa. So I would argue the emphasis should be pushing out our capabilities to support and enable our fusion centers on the front lines. State and local law enforcement is ultimately best positioned and, in many cases, most competent to deal with these issues.

–Frank Cilluffo, Testifying before the Committee on
Homeland Security, September 20, 2012

The strategies employed to secure and protect the United States have taken a dramatic shift since September 11, 2001 (9/11). One impetus for this shift was the lack of information sharing that occurred on the macro-level between the United States Intelligence Community (USIC) and law enforcement agencies at all levels prior to and on 9/11. To overcome the information sharing challenges, both the USIC and law enforcement has had to engage in cultural and systemic changes in the way they conducted business prior to 9/11.

The strategy of policing has undergone a dramatic change since the events of 9/11. Prior to 9/11, most state and local police agencies utilized “the standard model” of policing in their respective communities since their focus was on criminal behavior with little thought of terrorism actually occurring within their cities and towns. The standard model of policing is based on “patrolling to deter offenders, rapid responses to a wide variety of calls for police service, follow-up investigations of crimes, and other law enforcement activities that make little distinction among the characteristics of the people, places, times, or situations” (Clarke & Eck 2005, 18). After the results of several post-mortem 9/11 studies revealed that some of the terrorists resided within the United States for over 19 months prior to the operation, attended local flight schools, obtained state drivers licenses, and that one even worked at a local gas

station where he allegedly “let slip a prediction that he would become famous” (National Commission on Terrorist Attacks upon the United States 2004, 322), state and local law enforcement agencies around the country came to the realization that the standard model of policing was no longer adequate or effective in combatting the new international terrorist threat that resided in their communities. The post-mortem studies also revealed that prior to 9/11, several agencies, from the USIC and federal law enforcement, possessed information on some of the would-be terrorists. The USIC and federal law enforcement never shared this information with their federal counterparts or the state and local police agencies that were in the greatest position to interdict the terrorists.

To remedy the deficiencies that the various post-9/11 investigations identified, explicitly the lack of information sharing and underutilization of “all the elements of [U.S.] national power” (National Commission on Terrorist Attacks upon the United States 2004, L), specifically intelligence and law enforcement, *The 9/11 Commission Report* recommended engaging and “unifying the many participants in the counterterrorism effort and their knowledge in a network-based information-sharing system that transcends traditional governmental boundaries” (National Commission on Terrorist Attacks upon the United States 2004, 571). The implementation of this recommendation was done by the United States Department of Homeland Security (DHS) through the creation of a plethora of state and local fusion centers around the United States. The *Implementing Recommendations of the 9/11 Commission Act of 2007* defines fusion centers as: “a collaborative effort of 2 or more Federal, State, local, or tribal government agencies that combines resources, expertise, or information with the goal of maximizing the ability of such agencies to detect, prevent, investigate, apprehend, and respond to criminal or terrorist activity” (Implementing Recommendations of the 9/11 Commission Act 2007, 266). The primary goal of

the creation of these newly created fusion centers was to “leverage information and intelligence developed through [local, state and private sector] processes and systems to support the rapid identification of patterns and trends that may be indicative of an emerging threat condition” (Grano et al. 2005, 3). As was noted by the DHS in their 2011 progress report, *Implementing 9/11 Commission Recommendations*, “state and local law enforcement are often in the best position to notice the first signs of a planned attack” (United States Department of Homeland Security 2011, 10). In addition, as was stated at the 2004 National Community Policing Conference in Washington D.C. “every act of terrorism is a local event” (Carter 2004, 7).

Nationwide, even with local law enforcement located in the streets of their communities and optimally positioned to observe and report criminal and terrorist behaviors and activities to their fusion centers, the reporting coming from the fusion centers is less than perfect. A 2012 investigation by the United States Senate Permanent Subcommittee on Investigations found that “fusion centers forwarded “intelligence” of uneven quality – oftentimes shoddy, rarely timely” (United States Senate 2012, 1).

To aid in the construction of quality intelligence products, state and local law enforcement officers, by the nature of their intimate involvement with their communities, are in the best position to obtain information and input this information into the intelligence cycle for analysis and fusion with other data. The issue is ensuring that this information is based on quality rather than quantity. Collecting quality information is not simply second nature for many state and local law enforcement officers. Rather it is a task that at times can be diametrically opposed to the standard information or evidence collection techniques that officers are taught from the time they enter their initial training. For the collection component of the intelligence cycle to work effectively and fusion centers to optimize their resources, state and local law enforcement

officers must receive the proper training in intelligence collection. Collectively, state and local law enforcement officers and fusion centers must work together in utilization of the intelligence cycle to produce intelligence for homeland security practitioners to use in detecting, deterring and preventing all threats to the United States. Only through combining resources and increasing interaction will fusion centers operate as designed, to enhance and maximize the homeland security intelligence community as a whole.

Research Question: How can state and local law enforcement officers together with the fusion centers they support be more effectively integrated into the intelligence cycle to enhance fusion center production?

Hypothesis: If fusion centers and state and local law enforcement officers were more effectively engaged in the intelligence cycle, specifically in collection and feedback, then law enforcement officers would increase the quality of the information they collected and submitted to fusion centers, thereby enabling fusion center analysts to produce better intelligence products.

PURPOSE STATEMENT

The purpose of this thesis is to examine how fusion centers were designed to improve information sharing specifically by engaging with state and local law enforcement in utilization of the intelligence cycle to create quality intelligence products. An additional focus of this thesis will be on the evolution of state and local law enforcement officers from pre-9/11, when traditional crime prevention and criminal apprehension was the main goal, to the current climate of intelligence led policing and the on-going cultural shift of state and local law enforcement officers in the broader homeland security intelligence community. The thesis will explore how the level of interaction and engagement between fusion centers and the state and local law

enforcement agencies that support them could be affecting the quality of the intelligence they produce and disseminate. To ascertain the level of interaction and engagement between fusion centers and their law enforcement counterparts, this thesis will explore the following: do fusion centers establish collection priorities, how do they provide that information to the law enforcement officers responsible for gathering the information; do fusion centers solicit and provide feedback to their law enforcement counterparts on the intelligence products they create and the information that the law enforcement officers collect and submit; and do fusion centers have communication and outreach plans to educate the law enforcement as a whole regarding the functions and capabilities of the fusion center.

This research study used two independent variables to measure the dependent variable, which is the quality of fusion center intelligence production. The first independent variable is how engaged fusion centers are with the law enforcement community that supports the fusion center. The second independent variable is how engaged law enforcement agencies are with their dedicated fusion center. Both independent variables were measured and evaluated in conjunction with the processes of the intelligence cycle, because neither the fusion center nor law enforcement can produce quality intelligence products without assistance of the other.

CHAPTER TWO

LITERATURE REVIEW

When I served as US Attorney for the Southern District of Indiana, I very proudly helped establish the Indiana Intelligence Fusion Center. I recently had the opportunity to visit it again as a Member of Congress. I was then, and I remain, a firm believer in the value of both individual fusion centers and the National Network of Fusion Centers. Fusion centers are a vital partner in the vast national homeland security mission space including, in many cases, a partner in emergency response and recovery efforts.

–Congresswoman Susan W. Brooks, Question for the Record,
Committee on Homeland Security, Full Committee Hearing, April 18, 2013

Introduction

Fusion centers were created after September 11, 2001 to “leverage information and intelligence developed through processes and systems to support the rapid identification of patterns and trends that may be indicative of an emerging threat condition” (Grano et al. 2005, 3). In addition, fusion centers were created to remedy the lack of information sharing that was cited as a major failure of law enforcement at all levels prior to September 11, 2001. To identify and prevent threats to the United States, fusion centers, federal, state and local law enforcement, the private sector and the member agencies of the United States Intelligence Community (USIC) engage in various parts of the intelligence cycle for the purpose of aiding fusion centers in creating and disseminating quality intelligence products for both strategic and operational purposes. The Federal Bureau of Investigation (FBI) defines the intelligence cycle as “the process of developing unrefined data into polished intelligence for the use of policymakers” (FBI.gov 2014, 1). According to the Global Intelligence Working Group, there are six steps in the intelligence cycle: planning and direction, collection, processing and collation, analysis, dissemination and re-evaluation (Global Intelligence Working Group 2003, 3). For clarity, throughout this thesis the following definitions of the various parts of the intelligence cycle

according to the FBI were used in the research study. “Collection is the gathering of raw information based on requirements; processing involves converting the vast amount of information collected into a form usable by analysts; analysis is the conversion of raw information into intelligence; and dissemination is the distribution of raw or finished intelligence to the consumers whose needs initiated the intelligence requirements” (FBI.gov 2014, 1). Setting requirements and to some extent planning and direction are done at the highest levels of federal, state, and local government. This research study was conducted assuming that the established requirements at all levels of government are acceptable, therefore this research is solely focused on the relationship between fusion centers and state and local law enforcement and how they accomplish the specific tasks of the intelligence cycle of collection, processing, analysis and dissemination and re-evaluation or feedback.

In order for fusion centers to create quality intelligence products, they need raw information to analyze. State and local law enforcement agencies have been tasked with this responsibility. This process is conducive with the *The 9/11 Commission Report* recommendation, which encouraged the creation of a system that “unif[ied] the many participants in the counterterrorism effort and their knowledge in a network-based information-sharing system that transcends traditional governmental boundaries” (National Commission on Terrorist Attacks upon the United States 2004, 363 & 400). Unfortunately, fusion centers have not been producing the quality intelligence reports envisioned during their creation. A 2012 investigation report on fusion centers, issued by the U.S. Senate Permanent Subcommittee on Investigations, found that “fusion centers often produced irrelevant, useless or inappropriate intelligence reporting to DHS, and many produced no intelligence reporting whatsoever” (United States Senate 2012, 2).

Post 9/11, fusion centers and the functions they are designed to perform are a vital component of the current homeland security infrastructure. Therefore, this literature review will explore existing literature on what is inhibiting fusion centers from operating at their maximum capability, thus leaving the United States vulnerable to another attack. Specific focus is on the relationship and interaction between fusion centers, which are responsible for establishing collection priorities, analyzing raw information, and creating intelligence products from the information they receive and state and local law enforcement agencies, which serve as both collectors and customers of intelligence, and are responsible for collecting and reporting the aforementioned information to the fusion centers. Underlying this review of literature is the effect of social position, or role theory, on law enforcement officers and fusion center personnel. Role theory explains that both agency and individual characteristic patterns of behavior, or roles, occur because both individual and groups of “persons are members of social positions and hold expectations for their own behaviors and those of other persons” (Biddle 1986, 1). For the intelligence cycle to be effective, whereby fusion centers produce quality intelligence, fusion centers and their supporting law enforcement agencies need to know their individual roles and have a close working relationship with open dialogue.

Fusion centers and the evolution of law enforcement strategies have been individually well documented through a multitude of media that include scholarly articles, books, magazines and the internet. The criteria for sources selected for this literature review are they must be scholarly works or United States government documents that discuss how fusion centers are designed to function, with specific focus on the interaction and relationship fusion centers must have with law enforcement in the utilization of the intelligence cycle. In an attempt to expose how relationships could be affecting the quality of the intelligence coming from fusion centers,

this literature review will examine how fusion centers are supposed to engage with their specific law enforcement community as well as how the law enforcement community is supposed to engage with their fusion centers in an attempt to expose how these relationships could be affecting the quality of the intelligence coming from fusion centers.

The following literature review details the creation and evolution of fusion centers; how public safety, to specifically include state and local law enforcement officers, are supposed to be incorporated into the intelligence cycle; the challenges law enforcement agencies have in performing a traditional intelligence function; how social identity (Role Theory) could be a factor affecting how law enforcement officers and fusion center personnel are interacting; the creation of the National Suspicious Activity Reporting Initiative (NSI); the importance of creating standardization; Homeland Intelligence Reports (HIRs); and the lack of clarity on the national level of how to integrate law enforcement into the intelligence cycle.

Creation and evolution of fusion centers

In exploring the evolution of fusion centers, an article in *Homeland Security Affairs* explains that the concept of fusion centers originated after 9/11 with the findings that “the nation’s law enforcement community’s information sharing and intelligence capability, necessary to inform decision-makers about the threat of terrorism, was both ineffective and inefficient” (Abold et al. 2012, 3). With this realization the National Criminal Intelligence Sharing Plan (NCISP) was developed with the singular intended goal of improving information and intelligence sharing amongst law enforcement agencies through better mechanisms (Taylor 2012, 185). The NCISP “combines the public partnership concepts of community policing with problem-solving tactics that aim to enhance police efficiency and draw attention to the primary concern of intelligence-led policing: *preventing crime and terrorist attacks through effective*

communication and coordination” (Taylor 2012, 185). The mechanisms referenced in the NCISP to improve the sharing of information and intelligence “have taken form as fusion centers,” geographically located and dispersed throughout the country (Taylor 2012, 185).

According to *Fusion Center Guidelines, Developing and Sharing Information in a New Era*, the function of each fusion center is to “act as an analytical hub, processing, evaluating, and disseminating critical information for law enforcement, public safety, and private partners, based on a criminal predicate, threat, or public safety need” (United States Department of Justice 2006, 13). Fusion centers, by nature of their diverse customer base, have taken form as multi-agency information depots tasked with the responsibility of ensuring that information, once collected and processed, is being shared both vertically, from the state and local level up to the federal level, and horizontally among state and local agencies, which include other fusion centers.

To accomplish the task of receiving, processing and disseminating information and intelligence, fusion centers are encouraged to embrace and utilize the intelligence cycle. In *Fusion Center Guidelines, Developing and Sharing Information in a New Era*, it states that “the functions within a state fusion center should be based on the intelligence cycle, including requirements, priorities, identified collectors, indicators for the collectors to be aware of, [and] collection mechanisms” (United States Department of Justice 2006, 14). In addition, it states that “public safety and private sector entities, along with the general public, are a critical part of this plan and should be incorporated into the intelligence cycle as collectors and recipients of information” (United States Department of Justice 2006, 14).

Law enforcement paradigm shift to Intelligence Led Policing

The process of incorporating “public safety” into the intelligence cycle was captured in the National Strategy for Homeland Security, which stated that “9/11 has forced the nation to develop a strategy that mobilizes and organizes the nation’s law enforcement agencies in a coordinated effort to prevent future attacks” (Jackson et al. 2007, 112). In addition to the National Strategy for Homeland Security, the 9/11 Commission Report identified that law enforcement is “one of the primary first responders to any incident of crime and terror” and therefore is instrumental in collecting and sharing information (National Commission on Terrorist Attacks upon the United States 2004, 375). A major part of engaging and mobilizing the state and local law enforcement agencies is the strategy of Intelligence Led Policing (ILP).

ILP became the strategy of choice for law enforcement agencies after 9/11, when the realization that the traditional model of policing was not adequate enough to identify and prevent trans-national terrorism. ILP is designed to identify and locate threat areas so that the appropriate resources can be allocated to those specific areas of the community to address any threats present. The New Jersey State Police (NJSP), a leading law enforcement agency in the utilization of ILP, uses four primary principles to guide the ongoing implementation of ILP in their organization: “the reorganization of the NJSP to ensure an adaptable force construct for flexible deployment; adoption of the Intelligence Cycle for processing and analyzing data; development and integration of [the New Jersey Regional Operations and Intelligence Center] (ROIC) functions; and use of strategic planning and intelligence-driven analyses to set priorities and allocate resources” (Fuentes 2006, 5).

“ILP integrates these processes with other police responsibilities such as handling calls for service and criminal investigations” (Carter et al. 2012, 140). Frank E. Rodgers, Lieutenant Colonel of the New Jersey State Police states that “intelligence, as a structure, a process, and a

product, is capable of strengthening a law enforcement organization's approach to better understanding the environment in which they police (Fuentes 2006,7). Like fusion centers, "at the heart of ILP is an information management process that embodies the 'intelligence cycle'" (Carter et al. 2012, 141).

For state and local law enforcement agencies, ILP is based on front line law enforcement officers proactively collecting information on terrorism and criminal activities within their communities for analysis by fusion centers or their own analytic components. This is a cultural shift in the law enforcement community; law enforcement agencies are traditionally reactive when collecting information and intelligence. Analysis and the broad sharing of information is where fusion centers and the law enforcement communities intersect. "Law enforcement agencies have been collecting intelligence on both criminal and non-criminal activities for decades," the problem is that they "have not been able for a variety of reasons to convert their intelligence into what has been identified by the 9/11 Commission as 'actionable' intelligence" (Jackson et al. 2007, 113).

Law enforcement challenges in embracing Intelligence Led Policing

There are several possible reasons that law enforcement agencies traditionally have not been effective in translating collected information into intelligence, which could be contributing to the ineffective intelligence reporting coming from fusion centers. As was stated in *Ensuring Efficiency, Interagency Cooperation, and Protection*, "although 'intelligence' in general is a familiar concept to local law enforcement, both its conceptualization and use by local law enforcement is oftentimes problematic" (Jackson et al. 2007, 114). Effective ILP strategies in state and local law enforcement agencies require and "emphasizes the need for common

definitions and the need for a national program” (Jackson et al. 2007, 115). In addition, “in order to meet the goals identified by the 9/11 Commission and the Department of Homeland Security, local, state, and tribal law enforcement must begin to not only develop a common intelligence definition;... but intelligence that can be utilized to solve not only local crimes, but assist with the national fight against terrorism” (Jackson et al. 2007, 115).

How social identity (Role Theory) could be a factor affecting how law enforcement officers and fusion center personnel are interacting

Both law enforcement officers and fusion center personnel belong to different sub-cultures within the domestic homeland security infrastructure. Fusion centers, by design, are extensions of the United States Intelligence Community (USIC) and therefore self-identify as part of the intelligence community. Contrary to fusion centers, law enforcement has its own culture and self-identifies as sworn law enforcement officers. Role theory states “that human beings behave in ways that are different and predictable depending on their respective social identities” (Biddle 1986, 2). In addition, role theory “presumes that expectations are the major generators of roles, that expectations are learned through experience, and that persons are aware of the expectations they hold” (Biddle 1986, 3). According to the report *The Intelligence Community in the 21st Century* issued by the Staff Study Permanent Select Committee on Intelligence in June 1996, several years before 9/11, it states that even though law enforcement and the intelligence community were interacting more, problems were still arising when it came to “coordination and cooperation” because “the two cultures differ in their rules, objectives, procedures, use of human sources and standards relating to the quality and quantity of information they collect” (United States House 1996, 1). In addition, the report also states that at the core of the problems was that law enforcement and the intelligence community possess “differences in the roles and cultures of the two communities, as both have [traditionally had]

different responsibilities and objectives, as well as expectations regarding information acquisition and management, and because of differing end uses for that information” (United States House 1996, 1).

Implementation of the National Suspicious Activity Reporting Initiative (NSI)

In an attempt to utilize the intelligence collected at the state and local level for both local communities and at the national level, DHS has created a national suspicious activity reporting program. An article from *Police Practice and Research* explains that the National Suspicious Activity Reporting Initiative (NSI) uses ‘Suspicious Activity Reports’ (SARs) as the mechanism for police to “input raw information in the form of observable human behavior into the law enforcement intelligence cycle,” for analysis in fusion centers (Carter et al. 2012, 138). Equally important is ensuring that the information that is being input is sufficient for the needs of the analysts. The authors pointedly state that any “SAR program must educate their partners [police] and community members on the purpose of the program, the type of information that is needed, and that they should participate in the program” (Carter et al. 2012, 143). According to the 2010 Information Sharing Environment (ISE) report by DHS, “based on lessons learned from law enforcement agencies engaged in community policing,” law enforcement must be actively engaged in the community, teaching community members “the type of information that is needed” for input into SAR reports (Carter et al. 2012, 143). Delving further into educating those on the type of information needed for SARs is teaching them how to identify “suspicious behavior,” so that state and local law enforcement agencies, to include fusion centers, are not inundated with gross amounts of possible SARs (Carter et al. 2012, 143). “This new process will obviously require that a national doctrine and vernacular be established in order to ensure that all participants are able to communicate and cooperate with each other for the safety of the

homeland” (Jackson et al. 2007, 125). While the average citizen may believe that police possess this tool naturally, further exploration into what fusion centers and more specifically SARs identify as suspicious behavior may not be so organically ingrained into law enforcement officers. The lack of a clear understanding by law enforcement of what constitutes suspicious activity for input into SARs only perpetuates the reporting problems by the community, who in most circumstances are being informed by their state and local law enforcement officers.

Need for common standards

The first step in ensuring that fusion centers and state and local law enforcement officers, who supply information to and receive information from fusion centers, is to establish common standards in processes, procedures, and vernacular. Establishing common standards enable both entities to ensure they are focusing on a common mission. In an article in *Homeland Security Affairs* it describes the importance of establishing standardization across the nationwide network of fusion centers. The article explains that standardization of “common operating procedures and capabilities across a network [enable] collaboration and cooperation between fusion centers” (Abold et al. 2012, 2). It further explains that fusion centers are naturally individual and diverse, as are many law enforcement agencies are. Establishing standards among the broad network tightens the fusion center network by uniting a “diverse group of centers not only around a common cause of securing the homeland but also around a common framework for communicating and doing business” (Abold et al. 2012, 2). In addition, “the intelligence collecting process requires many local, state, and tribal law enforcement agencies to learn new skills and a vernacular that for the most part has been either military or federal law enforcement vernacular” (Jackson et al. 2007, 124). *Fusion Center Guidelines, Developing and Sharing Information in a New Era* states that “while national guidelines should guide the process, the

actual technologies and operational protocols used by individual jurisdictions should be based on the specific capabilities” (United States Department of Justice 2006, 14). Unfortunately, “although fusion centers share many of the [same] characteristics, there is no “standard model’ of a fusion center” (Abold et al. 2012, 4).

The lack of a ‘standard model’ of a fusion center, may be one of the contributing factors to the deficiencies noted in the 2012 U.S. Senate Permanent Subcommittee Investigation report titled *Federal Support For and Involvement in State and Local Fusion Centers*. Congress has defined fusion centers as “a collaborative effort of 2 or more Federal, State, local, or tribal government agencies that combines resources, expertise, or information with the goal of maximizing the ability of such agencies to detect, prevent, investigate, apprehend, and respond to criminal or terrorist activity” (United States Senate 2012, 5). In the report it cites that “fusion centers often produced irrelevant, useless or inappropriate intelligence reporting to DHS, and many produced no intelligence reporting whatsoever” (United States Senate 2012, 2). In regards to the reporting coming from state and local law enforcement officers on the streets collecting information for the fusion centers, it was noted by the investigators that “at times they expressed amazement at the poor quality of reporting” (United States Senate 2012, 5). Much of the poor reporting to fusion centers, in addition to the intelligence coming from fusion centers, can be traced back to poor or inadequate training. Barbara Alexander, then Director of DHS Office of Intelligence and Analysis (I&A) Collections and Requirements Division stated “The improper reporting of this information, is likely a result of a lack of training on proper collection and reporting procedures . . .” (United States Senate 2012, 36).

Intelligence distribution through Homeland Intelligence Reports (HIRs)

HIRs or Homeland Intelligence Reports are raw intelligence that is sent from fusion centers to DHS for further processing. HIRs are the primary method DHS uses to publish and distribute the raw intelligence it gathers to Federal intelligence and law enforcement agencies (United States Senate 2012, 18). “HIRs from fusion centers are typically composed of information drawn from local law enforcement records” (United States Senate 2012, 19). Therefore there is a direct correlation between the information that state and local law enforcement officers are collecting and the quality of the information that fusion centers are sending to DHS or reporting out to other law enforcement agencies and/or fusion centers. HIRs are typically “two to three pages in length, not including the list of recipients which accompanies each report” and provide details about “an event, incident or observation, [to include] when the information was obtained, the source of the information, and codes indicating the origin of the report, the author, the existence of sensitive U.S. person information and why it is legal to include it, the date and time it was published, and what intelligence needs the report addresses” (United State Senate 2012, 19). HIRs are drafted at the fusion center by fusion center personnel, who in some occasions are police officers or fire fighters assigned to the fusion center. “According to DHS officials, in 2007 and 2008, the Department of Homeland Security trained state and local personnel [assigned to fusion centers], including firefighters and policemen, on how to draft an HIR” (United States Senate 2012, 19). But, even with the training provided to the local public safety officers, DHS still does not feel comfortable with accepting their HIRs. An excerpt from the Senate Permanent Subcommittee on Investigations report explains the level of discomfort with non-federal employees filing HIRs:

The Department confirmed that DHS “does not explicitly prohibit” non-Federal officials from filing intelligence reports, and that as recently as 2010, DHS published intelligence reports prepared by non-Federal officials. However, in a separate statement the Department acknowledged “it would be inadvisable” to

allow non-Federal officials to file intelligence reports, because DHS “lacks the legal authority to compel State, local, tribal, territorial, and private sector entities to abide by” Executive Order 12333, which regulates national intelligence activities (United States Senate 2012, 19).

Expanding further on the lack of training and guidance provided to state and local law enforcement officers, “DHS produced a memo explaining I&A’s collection authorities and fourteen collection categories,” but “DHS officials told the Subcommittee the Department has no written guidance or training to explain...what specific intelligence collection practices are allowable or prohibited under those authorities” (United States Senate 2012, 19). The lack of guidance and/or training may be the real driving force behind limiting the quantity of HIRs that DHS allows local public safety officers to report.

Lack of clarity on how law enforcement is supposed to collect information for fusion centers

While the literature details the creation of fusion centers to include their function, it only states that state and local law enforcement “should be incorporated into the intelligence cycle as collectors” for fusion centers (United States Department of Justice 2006, 14). While the intelligence cycle as a whole is ubiquitous in the intelligence community, the individual parts of the cycle are not. At the forefront of creating common standards and goals between fusion centers and law enforcement is creating “common definitions” and more specifically a “common intelligence definition” (Jackson et al. 2007, 115). In addition to standard definitions, fusion centers and law enforcement need to create standard and “common operating procedures” (Abold et al. 2012, 2). As was stated in *Homeland Security Affairs*, once fusion centers and law enforcement agencies establish common standards, they will be able to create a unified fusion center network, which includes the law enforcement community, “around a common cause of securing the homeland but also around a common framework for communicating and doing

business” (Abold et al. 2012, 2). To start to remedy these shortcomings, in *Fusion Process Capabilities*, it states that “Fusion center personnel should consider regular meetings with information providers to discuss information collection requirements” (United States Senate 2012, 120).

Implementation of fusion center liaison programs to increase engagement and interaction between law enforcement agencies and fusion centers

In addition to regular meetings, DHS and the Department of Justice established a fusion center liaison program to assist fusion centers and their partner agencies in improving communication and overall interaction. Specifically for law enforcement agencies, the fusion center liaison program provides assistance in creating and managing fusion center liaison officers (FLO). FLO’s are normally sworn officers of a state or local law enforcement agency, who are assigned as an FLO to their state or regional fusion center. “While the fusion center is the core for the management of the FLO program and associated outreach to participating agencies, the FLO becomes the go-to person for two-way information exchange between the FLO’s agency and the fusion center” (Saupp 2010, 3). According to Kevin Saupp, Section Chief for Prevention and Protection, National Preparedness Directorate, Federal Emergency Management Agency (FEMA), “FLO programs provide an effective way for law enforcement agencies to engage with fusion centers since FLOs serve as liaisons between their agency and the fusion center” (Saupp 2010, 1). The goal of FLOs is to bridge the gap between the fusion center and the law enforcement agencies where the FLO is employed. This promotes interagency cooperation, increased information sharing and overall interaction between the fusion center and the law enforcement agency. “A simple but powerful premise is at the core of any FLO program: training officers on criminal and terrorist indicators and developing policies and procedures for sharing

information in accordance with privacy and civil liberties protections will increase safety and security of the community” (Saupp 2010, 2).

Outside of FLOs, there is a prominent gap in literature explaining other mechanisms or processes for fusion centers and the state and local law enforcement agencies that support them to interact in utilization of the intelligence cycle to produce and disseminate both strategic and tactical intelligence.

Conclusion

The preceding review of scholarly works describes how fusion centers were created after September 11, 2001 to remedy the lack of information sharing cited by multiple post-mortem studies. It also describes how fusion centers and state and local law enforcement agencies are supposed to interact in the utilization of the intelligence cycle. Fusion centers are supposed to set collection priorities so that law enforcement officers know what information they are supposed to be focusing and reporting on. Once law enforcement collects and inputs the raw information into the fusion center, the fusion center is responsible for analyzing and creating an intelligence product for dissemination out to the community, including law enforcement agencies.

Unfortunately, as was described in the preceding literature review, quality of intelligence coming from fusion centers after utilization of the intelligence cycle is less than adequate to keep this nation secure. Existing literature explores neither the level of interaction required or necessary between fusion centers and the state and local law enforcement agencies that serve as both information collectors for and receivers of information from fusion centers; nor does it explore how the level of interaction could be affecting the quality of intelligence coming from fusion centers.

CHAPTER THREE

METHODOLOGY

Information is the principle element of knowledge and as such is a critical input for rational decision-making.

–New Jersey State Police, Practical Guide to Intelligence Led Policing

Introduction

Recent reports, such as the 2012 investigation by the U.S. Senate Permanent Subcommittee on Investigations found that fusion centers were not operating at their maximum capability and in some circumstances were actually performing at a sub-standard level. This research was conducted to determine if the relationship between fusion centers and the state and local law enforcement agencies that support the fusion center, was affecting intelligence production coming from fusion center. The research looked at the level of interaction and engagement between fusion centers and their state and local counterparts in the utilization and execution of the intelligence cycle. While there are four steps and two continuing activities to the intelligence cycle, the focus of this research is on the four steps: collection, processing, analysis and dissemination (Global Intelligence Working Group 2003, 3). Creating intelligence products adequate to deter, prevent, or respond to a terrorist event or criminal activity requires active involvement of the fusion centers and the law enforcement agencies and/or officers responsible for collecting and inputting into the fusion center. Establishing and maintaining positive engagement and interaction between fusion centers and state and local law enforcement officers is critical to effectively accomplish these four intelligence cycle tasks.

Hypothesis and Variables

This research study took an exploratory approach to understanding the interaction of law enforcement officers and fusion centers in the utilization of the intelligence cycle to produce

intelligence products. The collaboration of both law enforcement and fusion center personnel in producing intelligence was explored through the following hypothesis: If fusion centers and state and local law enforcement officers were more effectively engaged in the intelligence cycle, specifically in collection and feedback, then law enforcement officers would increase the quality of the information they collected and submitted to fusion centers, thereby enabling fusion center analysts to produce better intelligence products.

The dependent variable in this research study is the quality of intelligence products that fusion centers are producing. This is difficult to ascertain since intelligence products can serve a tactical purpose, a strategic purpose or both. Quality intelligence products that enabled decision-makers to be proactive in preventing or deterring a terrorist or criminal event are difficult to quantify and differentiate from a threat that was non-existent. Therefore, more focus was placed on the overall interaction between fusion centers and their law enforcement counterparts, to include communication, in producing the intelligence rather than tangible actions taken as a result of the intelligence.

This research study used two independent variables to evaluate the quality of fusion center intelligence production. The first independent variable is how engaged fusion centers are with the law enforcement community that supports the fusion center. The second independent variable is how engaged law enforcement agencies are with their dedicated fusion center. Both independent variables were evaluated in conjunction with the processes of the intelligence cycle, because neither the fusion center nor law enforcement can produce quality intelligence products without the assistance of the other. Therefore, assessing how engaged fusion centers and law enforcement agencies are, individually and collectively, in utilizing the intelligence cycle, is

important in ascertaining how each component, individually and together affects the quality of intelligence being created and disseminated by fusion centers.

Research Question

The research question used to conduct this study was: How can state and local law enforcement officers together with the fusion centers they support be more effectively integrated into the intelligence cycle to specifically enhance fusion center production?

Research Method

The research method utilized for this study is the mixed method research method. Mixed method research may be best defined as “the collection or analysis of both quantitative and qualitative data in a single study in which the data are collected concurrently or sequentially, are given a priority, and involve the integration of the data at one or more stages in the process of research” (Hanson et al. 2005, p. 226). The goal of mixed method research is to examine the interaction between fusion centers and state and local law enforcement agencies from multiple perspectives and enhance the final analysis. “When both quantitative and qualitative data are included in a study, researchers may enrich their results in ways that one form of data does not allow” (Hanson et al. 2005, p. 226). Using the mixed method research approach allowed the researcher to “uncover some unique variances which otherwise may have been neglected by a single method” (Jick, 1979, p. 603). Mixed method research also enabled flexibility in the research by allowing new data that was collected by primary research to be explored immediately through additional primary research and secondary data review.

Qualitative data collection is defined as “research that is intended to help you better understand (1) meanings and perspectives of the people [and programs] you study – seeing the world from their point of view, rather than simply from your own; (2) how their perspectives are

shaped by, and shape, their physical, social, and cultural contexts; and (3) the specific processes that are involved in maintaining or altering these phenomena and relationships” (Maxwell 2012, viii). By design qualitative research and data collection is flexible, allowing the researcher to delve into and further explore mini-phenomena that could be occurring on a local level to place the phenomena and data into context. Contrary to qualitative data collection is quantitative data collection. Quantitative data collection is more rigid than qualitative and looks specifically at the quantifiable relationship between variables. Quantitative research “is restricted to measuring those elements that, by definition and distortion, are common to all” (Winter 2000, 1).

Research Design

To ascertain the current level of engagement between fusion centers and state and local law enforcement agencies at the local level, the researcher chose a cross-sectional research design. The researcher conducted semi-structured interviews with analysts employed at pre-selected fusion centers and personnel at state and/or local police academies in the area of responsibility (AOR) of the pre-selected fusion center. In addition to collecting primary data, the researcher also used secondary resources to evaluate the relationship and engagement between fusion centers and state and local law enforcement agencies from a national perspective. The researcher then conducted a comparative study of the local primary data and the nationwide secondary data to ascertain how they relate.

As this study required the participation of human subjects as respondents to the interview questions, certain approvals and considerations were measured and sought. The American Public University System (APUS) Institution Review Board (IRB) approved this study, which authorized the researcher to conduct the interviews (See Appendix A). Prior to conducting any interviews, the researcher explained the purpose and aim of the study to all participants and also

answered any questions. The researcher then obtained consent prior to conducting the interviews. By partaking in these steps, each participant clearly understood the purpose of the study and their role during the interview. The participants were also advised that they could withdraw or modify their consent at any time. Additionally, participants were advised that no question would compromise operational security of the fusion center or police agency and there would be no classified questions.

For the primary data collection, this research utilized fusion center personnel from three different fusion centers: two primary fusion centers and one recognized fusion center, as respondents to interviews. According to DHS, “Primary fusion centers serve as the focal points within the state and local environment for the receipt, analysis, gathering and sharing of threat-related information and have additional responsibilities related to the coordination of critical operational capabilities across the statewide fusion process with other recognized fusion centers” (DHS.gov 2014, 1). While a recognized fusion center is “any designated fusion center, including major urban area fusion centers, not designated as a primary fusion center” (DHS.gov 2014, 1). The two primary fusion centers are the Arizona Counter Terrorism Information Center (ACTIC) and the New Jersey Regional Operations Intelligence Center (NJROIC). The recognized fusion center is the Boston Regional Intelligence Center (BRIC). The three listed fusion centers were selected based on geographic location and proximity/experience with national threats. Arizona is a border state that focuses a great amount of attention to countering the smuggling of people and various contraband items in addition to general criminal activity. New Jersey is a state that borders New York City and has been associated with several actual and planned terrorist events, including September 11, 2001 and the “Fort Dix Six”. Boston is a city where the most recent and successful terrorist attack since September 11, 2001 occurred, the April 2013 Boston Marathon

bombings. In addition to the listed fusion centers, personnel from law enforcement academies associated with the state and local law enforcement departments who collect and send information to the aforementioned fusion centers, were also respondents to interviews. For the secondary data, the researcher utilized annual assessment reports from the Department of Homeland Security on fusion centers to extract information. Evaluating data from both primary research and secondary research allowed the researcher to analyze the relationship between fusion centers and state and local law enforcement agencies both qualitatively and quantitatively.

Fusion centers and police academies nationwide have similarities, but they also have unique differences. Therefore, the researcher opted to conduct both qualitative and quantitative research to be able to focus on the overall national status of fusion center production while still exploring local relationships in their natural state.

To evaluate the local status of fusion centers the researcher conducted primary research. The participants in the primary research came from the three aforementioned fusion centers and three police academies. There were a total of six respondents from fusion centers and three respondents from various police academies. One DHS analyst and one state and/or local analyst was interviewed from each primary fusion center, while two local analysts were interviewed from the recognized fusion center. In addition, one police academy personnel from each fusion center AOR were interviewed. To maintain consistency in the research, specific inclusion criteria was set for both groups. For the fusion center personnel to be selected, they had to be either a DHS intelligence analyst employee or a state or locally employed analyst assigned to the fusion center. The state or local analyst could be either a direct employee of the fusion center or an analyst employed by a state or local law enforcement agency assigned to the fusion center. The only caveat regarding the analyst of a state or local law enforcement agency assigned to the

fusion center is that they could not be a sworn law enforcement officer. Prohibiting a sworn law enforcement officer from being interviewed as an analyst enabled the researcher to ascertain the level of interaction between fusion centers and law enforcement personnel from an analysts' perspective without a law enforcement cultural bias. For the police academy personnel to be selected, they had to be sworn law enforcement officers, possess direct knowledge of the academy curriculum, and possess knowledge of the instructor staff.

To solicit the participants, the researcher, who is a federal law enforcement officer and member of the New England DHS Intelligence Enterprise (DHS IE), was able to ask a DHS intelligence analyst assigned to the DHS IE, for the name and contact information for a DHS analyst or local analyst at each of three aforementioned fusion centers. After receiving contact information on at least one analyst at each fusion center, the researcher solicited their participation via email. From the analysts initially solicited, the researcher was able to solicit one other analyst, for a total of two, from each fusion center. To solicit the police academy personnel, the researcher asked the DHS analysts and the state and/or local analysts which police department collects and/or submits the most information into the fusion center and which police department collects/submits the best quality information in your opinion, to the fusion center? If the analysts provided the same department to both questions, the researcher asked for the police department that provided the second most amount of information to the fusion center. Once the departments were identified, the researcher used the internet to ascertain the contact information for each police department. The researcher then asked each police department to identify which police academy they utilized. The researcher was also able to obtain the contact information for the police academy personnel from the police department. The researcher then contacted each police academy via telephone to explain the study and solicit their participation.

A semi-structured interview was used for all participants. The interview questions are divided into those for the analysts (See Appendix B) and those for the police academy personnel (See Appendix C). Each set of questions explored the actual and perceived relationship between fusion centers and state and local law enforcement agencies from each respondent's point of view. For the fusion center personnel, the interview questions probed the level of engagement between the fusion center and the law enforcement agencies that support the fusion center from the perspective of the fusion center analyst. The fusion center interview questions explored the following areas: fusion center interaction with specific law enforcement agencies; how the fusion center engages with the law enforcement agencies to receive information and provide feedback; and if the fusion center has some form of established collection requirements, known formally in fusion centers as Standing Information Needs (SINs), so that the law enforcement officers are aware of what information they are supposed to be collecting. For the law enforcement personnel, the interview questions investigated whether recruit officers received instruction on the role of fusion centers in homeland security and if they are taught the importance of collecting and reporting information for utilization in the intelligence cycle.

After all interviews were completed, a qualitative review of the responses analyzed the fusion center analysts' responses separately from the police academy personnel. The fusion center personnel responses were analyzed to ascertain the level of interaction from fusion centers toward the law enforcement agencies that collect and submit information. The police academy personnel responses were analyzed to ascertain the level of interaction and feedback they receive from fusion centers.

To evaluate the national status of fusion centers with specific focus on their interaction with state and local law enforcement officers, the researcher utilized secondary research to

conduct program theory evaluation (PTE). PTE “is making explicit the underlying assumptions about how programs are expected to work-the program theory-and then using this theory to guide the evaluation” (Rogers et al. 2000, 1). The researcher utilized the 2011, 2012 and 2013 National Network of Fusion Centers Final reports. These reports are annual assessments of fusion centers that evaluate four Critical Operational Capabilities (COCs) and four Enabling Capabilities (ECs). The COCs and ECs were created during the 2010 National Fusion Center Conference, when the federal government and Fusion Center Directors identified four COCs, which represent the “operational priorities of the National Network” of fusion centers, and four ECs that “provide a foundation for the fusion process” (United States Department of Homeland Security 2012, vi). The four COCs are: COC 1 – Receive; COC 2 – Analyze; COC 3 – Disseminate; and COC 4 – Gather. The four ECs are: EC 1 – Privacy, Civil Rights, and Civil Liberties (P/CRCL) Protections; EC 2 – Sustainment Strategy; EC 3 – Communications and Outreach; and EC 4 – Security. “For each COC and EC” the federal government and Fusion Center Directors “identified key attributes [they believe are] critical to successfully performing the fusion process” (United States Department of Homeland Security 2012, 6). Within the four COCs and four ECs are a total of 50 attributes “that contribute to the full achievement of the COCs and ECs to understand the current capabilities within the National Network” (United States Department of Homeland Security 2013, 3). After the creation of the four COCs and four ECs, fusion centers nationwide engaged in the 2010 Baseline Capabilities Assessment (BCA), which at the time was a “pilot assessment process designed to measure fusion center capabilities” (United States Department of Homeland Security 2012, 3). “The BCA was conducted in two phases: (1) an online Self-Assessment based on the Baseline Capabilities for State and Major Urban Area Fusion Centers (Baseline Capabilities) and (2) on-site validation assessments focused on four

Critical Operations Capabilities (COCs)” (United States Department of Homeland Security 2012, 3).

From the four COCs and four ECs with their included attributes, the researcher chose two attributes from two different COCs and one attribute from one EC to investigate. From COC 2 – Analyze, Attribute 9: Fusion center has a structured customer feedback mechanism for some or all of its analytic products, and Attribute 10: Fusion center evaluates the effectiveness of the customer feedback mechanism for analytic products on an annual basis, were evaluated. From COC 4 - Gather, Attribute 5: Fusion center has approved [Standing Information Needs] (SINs), and Attribute 6: Fusion center has an annual process to review and refresh its SINs, were evaluated. In EC 3 – Communications and Outreach, Attribute 2: Fusion center has an approved communications plan was evaluated. The aforementioned attributes were selected because they directly pertain to evaluating the level of engagement fusion centers have with their stakeholders, specifically their law enforcement counterparts.

After the primary data on the local status of fusion centers and secondary data on the national status of fusion centers were collected and individually analyzed, a comparative study was conducted analyzing the national findings and local findings, with the foci on interaction and engagement. The researcher analyzed fusion center communications and outreach; the quality, quantity and effectiveness of feedback between fusion centers and their law enforcement counterparts; and whether fusion centers and their law enforcement counterparts are communicating regarding the needs of the fusion center. By comparing the results of the primary and secondary research data, the researcher was able to assess the current level of interaction and offer ways to further integrate fusion centers and their law enforcement counterparts in utilization of the intelligence cycle.

Limitations

As an exploratory study investigating levels of interaction and engagement, this research is limited by opinions, the unquantifiable and the simply unknown. While according to DHS, there are currently 78 fusion centers nationwide, which include at least one in every state, the primary data collection was limited on the local level to two primary and one recognized fusion center. In addition, because fusion centers have only been conducting annual assessments since 2011, the data utilized as secondary sources only reveal the state of fusion centers from 2011 to 2013, which is a short window in which to assess the direction fusion centers are moving. Also, the DHS annual final reports on fusion centers were limited to aggregate data on the national network of fusion centers and failed to provide any individual data on specific fusion centers. The DHS annual final reports were also constructed in different manners each year, therefore extracting data with context served difficult at times. Another limitation of this thesis is the ability to rate the quality of intelligence coming from fusion center either quantitatively or qualitatively. Unlike citations or convictions, which are easily quantifiable in assessing the effectiveness of a law enforcement strategy, assessing the quality or effectiveness of intelligence products is difficult if not impossible. One more limitation noted, is that all the information collected was either unclassified or open source. While noting these limitations, the researcher does not feel they negatively impact the results. The primary data was collected from individuals who are intimately involved in the relationship between fusion centers and law enforcement, and are therefore considered quality sources who can speak of the reality to the interaction rather than how it is conceptually supposed to work. In addition, the secondary data comes from self-reported information validated by an outside entity.

CHAPTER FOUR

FINDINGS & ANALYSIS

The goal is to rapidly identify emerging threats; support multidisciplinary, proactive, and community-focused problem-solving activities; support predictive analysis capabilities; and improve the delivery of emergency and nonemergency services.

–Fusion Center Guidelines, 2006

Introduction

To ascertain how interactive and engaged fusion centers and their law enforcement counterparts are in utilization of the intelligence cycle nationwide, the researcher conducted qualitative interviews with intelligence analysts from three different pre-selected fusion centers and law enforcement personnel from agencies that collect and receive information from the pre-selected fusion centers. The researcher also conducted quantitative analysis of the only three Nation Network of Fusion Center Final reports. A comparative study was then conducted with the data collected during the qualitative interviews and the data extracted during the quantitative review of the aforementioned fusion center reports.

FUSION CENTER ANALYSTS INTERVIEWS

From the three pre-selected fusion centers, two are primary fusion centers and one is a recognized fusion center. The three fusion centers are geographically dispersed from each other. From the three fusion centers a total of six analysts were interviewed, two from each fusion center. From the six analysts, two were DHS intelligence analysts and four were state or local fusion center analysts. This provided the researcher perspective from a federal viewpoint as well as a local viewpoint. The questions in the interview were geared toward three main areas: fusion center interaction with specific law enforcement agencies; how the fusion center engages with the law enforcement agencies to receive information and provide feedback; and if the fusion

center has Standing Information Needs (SINs) or other collection requirements so that the law enforcement officers collecting information know what they are supposed to be collecting information on.

Fusion center interaction with law enforcement agencies

All of the analysts replied that the fusion centers they represent are served by the state police agency as well as numerous local agencies. All the analysts also stated that the information that they received from the state and local law enforcement was typically of quality that was good enough for further analysis. When asked if there was a single law enforcement department that consistently submitted the highest quality reports, every analyst stated that they could not name one specific department. Rather, all the analysts stated that the highest quality reports are the work of motivated individual officers who take the initiative themselves and not linked to any individual department. When asked if there were any common traits with the departments and/or officers that submit quality reports, all the analysts stated that officers whose agency has an active fusion liaison officer program officer (FLO) consistently provided the best reports. In addition, several analysts indicated that the younger officers in the department who had been trained in intelligence collection and the intelligence cycle, for the most part, produce better reports while the older officers do not seem to buy into the fusion center as much. When asked about the generational differences, several analysts stated that they believe that information collection for the fusion center, rather than for an arrest or a typical police report, is a new phenomenon for the older officers. The younger officers, specifically those hired after the creation of the fusion center, do not know a different way, so they feel more comfortable collecting and submitting information.

Fusion center engagement with law enforcement to receive information and provide feedback

The analysts were all asked if their fusion centers utilize the Suspicious Activity Reports (SARs) to receive information. The analysts advised that two of the three fusion centers use SARs but in a different format. One of the two fusion centers utilizes a third party application that enables officers on the street to input information directly into the fusion center. The other fusion center that uses SARs uses a different variation of an application but does not possess the capability for officers on the street to simply input the information. The quickest manner for an officer to supply information to the fusion center would be for them to telephone a designated desk where an analyst could input the information for the officer or the officer could email the fusion center. The other analysts stated that the third fusion center uses police reports as their main mechanism to get information. An analyst from the third fusion center stated that someone from the fusion center goes through the police reports on a daily basis to extract information. This makes it extremely difficult, if not impossible, to conduct a query search for specific information if something is missed on the initial review. The analysts were then asked if the fusion center engages on any level in training law enforcement officers in what is suspicious activity. All the analysts stated that their fusion centers do. It was reported that two of the three fusion centers utilize their FLO to train and educate their law enforcement departments on suspicious activity, while the third fusion reportedly uses an actual training unit. The analysts were also asked about providing and receiving feedback from law enforcement officers on the information they collect and the intelligence products they receive from the fusion center. All the analysts stated that they formally solicit feedback with every intelligence product they produce via a feedback form attached to the actual intelligence product. Unfortunately, all the analysts also indicated that they receive little feedback from law enforcement through the feedback forms

or any other mechanism. When discussing providing feedback to officers on the information they collect and input into the fusion center, all of the analysts stated that there is no formal feedback process. Several of the analysts stated that when they receive what they consider a good information report from a law enforcement officer, they personally take the initiative to keep the officer updated on how the information is being used. In addition, several analysts stated that they try to get the report read by the FLOs during role call or at least brought to the attention of the officers' supervisor, so that other officers may be motivated to take the time to collect and report quality information. When asked if feedback is provided on less than adequate reports, all the analysts but one stated that they just let it go, while the lone analyst stated that they send a message to the officer asking if the report was meant to be submitted in its current condition. Other than that, none of analysts were aware of any other means to provide timely feedback to officers who collect and submit information into their fusion centers.

The analysts were then asked about their respective fusion centers possessing Standing Information Needs (SINs) or other collection requirements. All the analysts indicated that their fusion centers do have SINs. When asked if the SINs are sent and reviewed with the law enforcement agencies that support the fusion centers, it was reported that two fusion centers do, while one fusion center uses the SINs as more of an internal tracking mechanism for intelligence products that are created. The analysts were then asked if their fusion center SINs get updated at least annually. All the analysts reported that their fusion center does update their respective SINs and that they use stakeholder input prior to updating.

In closing the interviews with the analysts, each was asked if there was anything about the relationship between the fusion center and their law enforcement counterparts that was important but not addressed in the interview. The common response indicated that even with

FLOs and various fusion center outreach programs; they still encounter law enforcement officers who do not know the specific function of the fusion center. The analyst's common belief is that this lack of understanding adversely affects: a) how officers view the fusion center; and b) the officers understanding of their roles in the fusion center.

LAW ENFORCEMENT PERSONNEL INTERVIEWS

For each of the three pre-selected fusion centers, one law enforcement agency that receives and supplies information to the fusion center was selected. From each law enforcement agency, a sworn law enforcement officer who teaches at the agency's police academy was solicited for interview. Two of the police officers interviewed were local officers and one was a state law enforcement officer, and all were assigned to their respective law enforcement academy where new hire recruits are taught. The interview questions were based on two main areas: teaching recruit officers the role of fusion centers in homeland security; and teaching recruit officers the importance of collecting and reporting information for utilization in the intelligence cycle.

Teaching recruit officers the role of the fusion center

All three officers were asked if their law enforcement academies provide at least one block of instruction on what a fusion center is and the role it plays in domestic homeland security. All the officers stated that their academies do teach about fusion centers and how the fusion center serves their law enforcement agency. In addition, all three officers stated that their academy discusses the role of the law enforcement agency in supporting the fusion center.

Teaching recruit officers the importance of collecting and reporting information for utilization in the intelligence cycle

The three officers were asked questions regarding police academy curricula pertaining to supporting their fusion center. All were asked if their academies distinguish between intelligence collection and evidence collection. Two officers stated that they specifically discuss the differences in collecting information for input into the fusion center as compared to collecting evidence. One officer stated that their academy discusses officers receiving intelligence from the fusion center but did not truly delineate the difference in collecting and/or reporting. The officers were asked if their academy teaches recruits what the intelligence cycle is and how fusion centers operate to produce intelligence with the assistance of stakeholders like the law enforcement agencies for which they work. All the officers stated that their academies do discuss the intelligence cycle and how law enforcement and fusion centers fit into the cycle. The officers were then asked if they instruct on Standing Information Needs (SINs) or other collection requirements. Only one officer indicated that they actually instruct from their fusion centers annual SINs. The other two officers stated that they teach about how to observe suspicious activity and report their observations. The officers were then asked if they instruct recruits how to input information into their fusion centers through Suspicious Activity Reports (SARs) or another mechanism. One officer stated that the focus of his academy is on writing good police reports with good details, but did teach separate report writing for suspicious activity. The other officers stated that their academies do teach about SARs and the mechanisms that their fusion centers have established for officers to input information into the fusion center. The officers were asked if their academies discuss feedback on either the information that officers collect and input into the fusion center or on the products that officers receive from the fusion centers. All the officers reported that they were familiar with feedback forms that come with intelligence products but none of them were familiar with any type of feedback on information input into the

fusion center, therefore none of the academies discuss feedback at all. The officers were asked if the recruits received instruction on the role of a Fusion Liaison Officer (FLO). All the officers stated that their academies do instruct on FLOs and two of the officers stated that one of their FLOs actually instructs at least one block of instruction at the academy.

In closing the interviews with the officers, each was asked if there was anything about the relationship between the fusion center and the law enforcement community that they felt was important but not addressed in the interview. Two of the officers stated, that even with new-hire recruit training on fusion centers, many officers still do not understand what the fusion center capabilities are and how they, individually, can support the fusion center. One of the officers indicated that even though all officers get some type of training on fusion centers, the older more seasoned officers still view their job as strictly law enforcement and that the fusion center can get whatever information they want from their police reports but they are not actively looking for suspicious activity to report. The officer went on to say, that, with older and retiring officers being replaced with newly hired officers trained on fusion centers, hopefully, the overall understanding and utilization of the fusion center will increase.

ANALYSIS OF THE NATIONAL NETWORK OF FUSION CENTER FINAL REPORTS

In 2010 during the National Fusion Center Conference the federal government together with Fusion Center Directors identified four Critical Operational Capabilities (COCs), which represent the “operational priorities of the National Network” of fusion centers (United States Department of Homeland Security 2012, vi). In addition, they identified four Enabling Capabilities (ECs) that “provide a foundation for the fusion process” (United States Department of Homeland Security 2012, vi). After the establishment of the four COCs and four ECs in 2010,

fusion centers nationwide engaged in the 2010 Baseline Capabilities Assessment (BCA), which at the time was a “pilot assessment process designed to measure fusion center capabilities” (United States Department of Homeland Security 2012, 3). “The BCA was conducted in two phases: (1) an online Self-Assessment based on the Baseline Capabilities for State and Major Urban Area Fusion Centers (Baseline Capabilities) and (2) on-site validation assessments focused on four Critical Operations Capabilities (COCs)” (United States Department of Homeland Security 2012, 3). Since that original BCA, fusion centers nationwide have been assessed on the four COCs and four ECs, by having the attributes within each COC and EC individually analyzed. The following data was derived by analyzing the 2011, 2012, and most recent 2013 National Network of Fusion Centers Final Reports.

COC 2 – Analyze

According to DHS, COC 2 – Analyze is “the ability to assess the local implications of threat information through the use of a formal risk assessment” (United States Department of Homeland Security 2014, 1). This COC has 11 individual attributes which are assessed annually. Two of the attributes, Attribute 9 and Attribute 10, were evaluated to assess the quantity and quality of feedback that fusion centers provide and receive. Fusion centers require feedback to ensure the products they produce are serving the needs of their customers. Table 1 details the national aggregate results of these Attributes from the 2011, 2012 and 2013 annual assessments on the national network of fusion centers.

Table 1. Number of fusion centers and percentage of the total number of fusion centers that possess Attribute 9 and Attribute 10 in COC 2- Analyze, 2011-2013

COC 2 - Analyze		2011		2012		2013	
		# of fusion centers	% of fusion center network	# of fusion centers	% of fusion center network	# of fusion centers	% of fusion center network
Attribute 9	Fusion center has a structured customer feedback mechanism for some or all of its analytic products	38	59.4	65	84.4	62	79.5
Attribute 10	Fusion center evaluates the effectiveness of the customer feedback mechanism for analytic products on an annual basis	51	79.7	66	85.7	70	89

Source: Data adapted from Nation Network of Fusion Center Final reports, 2011-2013 (U.S. Department of Homeland Security 2012, 2013, and 2014).

Analysis of Attribute 9 reveals that a majority of fusion centers do possess a structured feedback mechanism to solicit feedback, but in comparing 2013 to 2012, three less fusion centers have maintained that mechanism. Analysis of Attribute 10 reveals there was an increase from 2012 to 2013 in fusion centers evaluating the efficacy of their feedback mechanism. Attribute 10 also reveals that fusion centers that do not possess a structured feedback mechanism, reflected in Attribute 9, do possess some type of unstructured feedback mechanism, which they evaluate annually. Encouraging and supporting fusion centers in converting their unstructured feedback mechanisms into structured mechanisms would enable fusion centers to better capture and process feedback and the mechanism through which it is solicited. This would enable fusion centers to better evaluate their feedback mechanisms and make effective changes each year.

COC 4 – Gather

According to DHS, COC 4 – Gather is “the ability to gather locally generated information, aggregate it, analyze it, and share it with federal partners as appropriate” (United States Department of Homeland Security 2014, 1). This COC has eight individual attributes

which are assessed annually. Two of the attributes, Attribute 5 and Attribute 6, which this research evaluated, are directly related to fusion center Standing Information Needs (SINs). “SINs are the enduring subjects of intelligence or operational interest for an entity or jurisdiction” (United States Department of Homeland Security 2014, 21). SINs are based on customer needs and provide the law enforcement community specific areas of focus for the gathering and collecting of information for input into the fusion center. Table 2 details the national aggregate results from the 2011, 2012 and 2013 annual assessments on the national network of fusion centers.

Table 2. Number of fusion centers and percentage of the total number of fusion centers that possess Attribute 5 and Attribute 6 in COC 4 – Gather, 2011-2013

COC 4 – Gather		2011		2012		2013	
		# of fusion centers	% of fusion center network	# of fusion centers	% of fusion center network	# of fusion centers	% of fusion center network
Attribute 5	Fusion center has approved SINs	39	54.2	59	76.6	66	84.6
Attribute 6	Fusion center has an annual process to review and refresh its SINs	50	80.6	65	84.4	66	84.6

Source: Data adapted from Nation Network of Fusion Center Final reports, 2011-2013 (U.S. Department of Homeland Security 2012, 2013, and 2014).

Analysis of Attribute 5 reveals that a large majority of fusion centers is creating and having their SINs approved, which can be beneficial for their law enforcement counterparts. This is important in evaluating engagement; when law enforcement is collecting information, they need to know what information the fusion center needs for their analytic products. Attribute 5 has shown a steady and consistent increase since 2011.

Attribute 6 reveals that prior to 2013, there were fusion centers in the national network that possessed SINs, but failed to have them approved. Nonetheless, those fusion centers still reviewed and refreshed their SINs as did the fusion centers with approved SINs, at least

annually. In 2013, all 66 of the current 78 fusion centers with SINs, had their SINs approved and reviewed them annually. Maintaining and increasing the number of fusion centers with approved SINs that also review and refresh them on an annual basis will ensure that the information that fusion centers need is relevant to current and emerging threats. Attribute 6 has maintained its current level from 2012.

EC 3 – Communications and Outreach

According to DHS, EC 3 – Communications and Outreach is “the ability to develop and execute a communications and outreach plan” (United States Department of Homeland Security 2014, 1). This EC has three individual attributes which are assessed annually. The sole attribute, Attribute 2, which this research evaluated, is critical for fusion centers to build relationships, specifically with the various state and local law enforcement departments that serve the fusion center. Table 3 details the national aggregate results from the 2011, 2012 and 2013 annual assessments on the national network of fusion centers.

Table 3. Number of fusion centers and percentage of the total number of fusion centers that possess Attribute 5 in EC 5 - Communication and Outreach, 2011-2013

EC 3 - Communications and Outreach		2011		2012		2013	
		# of fusion centers	% of fusion center network	# of fusion centers	% of fusion center network	# of fusion centers	% of fusion center network
Attribute 2	Fusion center has an approved communications plan	30	47.1	51	66.2	64	82.1

Source: Data adapted from Nation Network of Fusion Center Final reports, 2011-2013 (U.S. Department of Homeland Security 2012, 2013, and 2014).

Analysis of the EC 3, Attribute 2 reveals that currently a large majority of fusion centers have an approved communications plan. This is a considerable increase from 2012, and a 35% increase from the 2011 figures. Approved communications plans are critical for fusion centers to

be able to “enhance awareness of the fusion center’s purpose, mission, functions, and value among customers and stakeholders” (United States Department of Homeland Security 2013, 29)

COMPARATIVE STUDY FINDINGS

In analyzing the findings of the qualitative interviews and the quantitative review of the National Network of Fusion Centers Final reports, fusion centers and the local law enforcement agencies that support them are not sufficiently integrated or engaged so as to maximize the use of the intelligence cycle and thereby enhance fusion center production.

A comparative analysis of the interviews and COC 2 – Analyze, (Attribute 9 and Attribute 10), to assess the level of interaction in which the fusion centers and law enforcement agencies engage regarding feedback, reveals that the number of fusion centers that possess a mechanism to solicit feedback was down in 2013 from 2012 (See Table 1). Four out of five fusion centers report having a mechanism to solicit feedback and that almost 90% of the fusion centers with a mechanism to solicit feedback attempt to identify ways to improve the feedback mechanism annually. Compared to the interviews, the findings are consistent. Both analysts and law enforcement officers report that they are familiar with fusion centers soliciting feedback via a form attached to intelligence products they disseminate. Unfortunately, COC 2, Attribute 9 and Attribute 10 do not address feedback to collectors of information, specifically law enforcement. The interviews revealed that feedback to the law enforcement officers who are on the streets and in the best position to collect information and intelligence are minimal at best. Of the feedback that is inconsistently provided, it is only given to those officers who collect and submit a good information report. None of the interviews revealed any specific incident where a law enforcement officer who supplied inadequate or poor information received feedback on the

information that was submitted. When asked about the lack of feedback provided, specifically when unacceptable reports are submitted, two different analysts from different fusion centers stated that there is a cultural divide between analyst and law enforcement, and that there is no way that a law enforcement officer would listen to the feedback of an analyst, especially if it is negative. When the analysts were asked why they do not approach law enforcement officers who they know and who are assigned to the fusion center, the common answer was that they do not want to be seen as complaining about the law enforcement officers and their reporting.

Establishing mechanisms to provide feedback to both fusion centers and the law enforcement agencies that collect and report information to the fusion centers is paramount for fusion centers and their law enforcement counterparts to enhance their collective integration in the utilization of the intelligence cycle. According to the U.S. Office and Personnel Management (OPM), “effective and timely feedback is a critical component of a successful performance management program, because without feedback, you’re walking blind” (OPM.gov 2014, 1). Soliciting and receiving feedback, without regard to the agency of the person supplying the feedback, will enable fusion centers and their law enforcement counterparts to know exactly what information is needed and the manner in which to report it. If fusion centers and law enforcement can collectively mature to a level where feedback is as much a part of the process as collection and analysis, the information collected and reported will be of higher quality enabling fusion centers to produce higher quality intelligence reports.

A comparative analysis of the interviews and COC 4 – Gather, revealed that fusion centers are continuing to develop and publish SINS, which are the focus of collection in the fusion centers areas’ of responsibility (AOR). The interviews revealed that even though nearly 85% of fusion centers have approved SINS, only one of the three law enforcement officers stated

that recruits are taught what the SINS of the fusion center are. In addition, only two of the three analysts stated that they were aware of the SINS being sent to their law enforcement counterparts. One analyst stated that the SINS of the fusion center are for internal use only.

SINS are developed within fusion centers in partnerships with fusion center stakeholders whereby all parties agree what information is needed to address current or future threats. The information needs that are identified should become priorities for the personnel responsible for collecting information, especially the law enforcement officers that are in the towns and communities serviced by the various fusion centers. Without passing this information out to every law enforcement officer, the fusion center is limiting its resource pool and potentially missing out on valuable information that could truly enhance the analysis of a product. In addition, without direction or guidance law enforcement officers on the street are going to revert back to their law enforcement mindset and only collect information that pertains to an investigation or arrest.

To increase integration between fusion centers and their law enforcement counterparts, fusion centers need to provide the law enforcement community the collection priorities identified by the fusion centers. Once law enforcement possesses the collection priorities, they can proactively focus on collecting that information. Law enforcement has various means to collect information from confidential informants to community leaders, but prior to inquiring with these sources, law enforcement needs to know what to look for. If law enforcement starts collecting the information that fusion centers need to further their analysis, the fusion centers will conceptually start receiving information that directly pertains to pre-established priorities and inevitably will enhance fusion center production.

A comparative analysis of the interviews and EC 3 - Communications and Outreach, reveals that creating an approved communications plan was a high priority for fusion centers in 2013, with 13 more fusion centers, or an almost 16% increase, in 2013 from 2012 (See Table 3). Unfortunately, even with 82.1% of fusion centers nationwide, including the three used for this research study, both analysts and law enforcement officers reported that too many law enforcement officers on the streets do not have a good understanding of the capabilities, functions or role that fusion centers play in keeping their communities safe. Both analysts and the law enforcement officers reported that this is in spite of the fact that all three fusion centers used in this study reported that their agencies conduct fusion center training and outreach to educate their law enforcement counterparts.

Since fusion centers are relatively new in the domestic homeland security infrastructure, generational differences could be playing a role in the lack of understanding of the fusion center by law enforcement officers. The law enforcement officers reported that recruits over the last several years have received blocks of instruction on the functions of the fusion center. They also stated that they feel that when the recruits graduate, they conceptually have a good idea of how the fusion center works. Unfortunately, when these recruits graduate, they are assigned to field training officers (FTOs), who are normally seasoned officers and who started their careers pre-fusion centers. The FTOs lack of understanding of the fusion center and their resistance to using the fusion center could be affecting the understanding and utilization of the fusion center by the new officers.

Increasing communication and outreach is necessary for fusion centers to increase integration into the law enforcement community. It is the responsibility of both the fusion center and the law enforcement community to increase knowledge and further integrate the two entities

in utilization of the intelligence cycle. According to Table 2 in the 2013 National Network of Fusion Centers Final Report, 39, or 50% of fusion centers in 2013 are collocated with State, county, or city law enforcement (United States Department of Homeland Security 2014, 14). By being collocated, the opportunities for fusion centers to offer tours and open-houses to the law enforcement officers located in the same structure are abundant. At the same time, law enforcement officers must take the initiative to educate themselves on a very valuable tool and resource that can aid them in the performance of their duties. In addition to what the fusion center can provide the law enforcement officers on the street; improving awareness, knowledge and understanding of the fusion center will provide the law enforcement officers information about the needs of the fusion center. All of this leads to further integration of both fusion centers and law enforcement officers in utilization of the intelligence cycle. This will undoubtedly improve the quality of fusion center production.

CONCLUSION

Collectively, fusion centers and their law enforcement counterparts can be much more effectively integrated into the intelligence cycle. Fusion centers need to create and publish SINs so that law enforcement officers know what information is important for the fusion center so that they can go into the community and target that information. In addition, if the feedback loop between fusion centers and law enforcement was fully established and used, not only would law enforcement officers collect better information but they would also increase their knowledge of the functions and capabilities of the fusion centers. The fusion centers would also produce better intelligence products, which law enforcement officers could use with greater effect.

Conceptually, when law enforcement officers receive timely and effective intelligence reports they would feel compelled to collect additional information to further enhance intelligence

products coming from fusion centers. For the analysts, better information would enable them to produce and disseminate better strategic intelligence products with more confidence. An increase in confidence would enable analysts to disseminate their products more timely, rather than waiting for another outlet to validate their products first.

CHAPTER FIVE

CONCLUSIONS AND RECOMMENDATIONS

After [the Boston Marathon bombings], a point was made – there was no chatter, there was no international intelligence coming. I think that’s going to be the wave of the future is going to be attacks that are under the radar screen, and it’s more important than ever that the local police be involved, because no one has a better feel for the community than the local police.

–Congressman Peter T. King, Committee on
Homeland Security Full Committee Hearing, May 9, 2013

Conclusions

The national network of fusion centers is a critical piece of the domestic homeland security infrastructure that has been designed after September 11, 2001 to protect the United States. For fusion centers to accomplish their primary objective of “receiving, gathering, analyzing and disseminating information and intelligence among constituencies that have a law enforcement, counter terrorism, public safety, or homeland security mission or focus,” they must be effectively engaged with their law enforcement counterparts in utilization of the intelligence cycle (Abold 2012, 52). Unfortunately, as late as 2012, an investigation by the U.S. Senate Permanent Subcommittee on Investigations found that “fusion centers forwarded “intelligence” of uneven quality – oftentimes shoddy, rarely timely” (United States Senate 2012, 1). Therefore, this research study set out to explore the level of engagement between fusion centers and the state and local law enforcement agencies that support them and to answer the following question: How can state and local law enforcement officers together with the fusion centers they support be more effectively integrated into the intelligence cycle to specifically enhance fusion center production?

To assess the current level of engagement between fusion centers and state and local law enforcement, the researcher first identified the structure and design of fusion centers in the post 9-11 domestic homeland security infrastructure utilizing scholarly and government literature. A review of existing literature established that fusion centers and state and local law enforcement officers are supposed to interact in utilization of the intelligence cycle for fusion centers to produce intelligence. Fusion centers set collection requirements and priorities, and the state and local law enforcement agencies use those priorities to collect and input information into the fusion center for processing. Once fusion centers analyze the information coming into the fusion center, they disseminate intelligence products out to law enforcement, public safety and/or stakeholders who have a need for the information. Absent from existing literature was the level of interaction necessary between fusion centers and law enforcement to effectively use the intelligence cycle to enhance current fusion center production.

To ascertain how to enhance fusion center production through greater integration between fusion centers and their law enforcement counterparts, this study utilized a mixed method research method. Primary data was collected through semi-structured interviews of federal, state and local fusion center analysts and law enforcement academy personnel directly associated with the analysts' fusion centers. Secondary data was collected utilizing the 2011-2013 National Network of Fusion Centers Final reports. A comparative study was then conducted of the primary local data and the secondary national data.

The findings of the analysis of the primary and secondary data revealed that fusion centers and law enforcement are engaged in utilization of the intelligence cycle but that there are deficiencies which inhibit both groups from obtaining closer interaction, specifically in setting collection priorities; feedback; and communication and outreach.

This research revealed that not all of the fusion centers in the national network are establishing collection requirement and priorities, otherwise known as standing information needs (SINs). In addition, the interviews revealed that not all fusion centers with SINs are distributing them to the state and local law enforcement officers, who are responsible for collecting information. Without providing state and local law enforcement with the necessary information on which to focus their intelligence collection, fusion centers are blindly hoping that the law enforcement officers in their AOR collect information and/or intelligence that they deem a priority. In addition, lack of guidance forces law enforcement to rely on their traditional information focus, which is crime detection rather than strategic crime prevention.

This research also revealed that fusion centers are soliciting feedback, through structured mechanisms, from the law enforcement community to which they send their products. Feedback is an important interactive process in the relationship between two entities trying to establish effective procedures in the accomplishment of a goal or objective. Unfortunately, formal feedback is only occurring in one direction. The research revealed that there is little to no feedback provided to the law enforcement officers who collect and input information into fusion centers for analysis. In addition, even though fusion centers solicit feedback on their intelligence products they disseminate, they receive little feedback from the law enforcement officers who receive, read, and utilize the products. Improving and formalizing the feedback loop from collection to analysis and dissemination, will enable both fusion centers and the state and local law enforcement agencies that support them, greater interaction and engagement, enabling the processes to mature to the point that each party knows what the other wants/needs to perform their mission.

Lastly, the research discovered that fusion centers made great strides in 2013 in establishing communication and outreach plans, up almost 16% from 2012 (See Table 3). While this is a great improvement, almost 18% of the National Network of Fusion Centers still do not possess an approved communication and outreach plan. This is detrimental to enhancing the integration of fusion centers and the state and local law enforcement agencies that support them; as reported collectively during the interviews, too many state and local law enforcement officers do not know the functions, capabilities, or role of the fusion center in domestic homeland security. For law enforcement officers, understanding the function of the fusion center is the first step in understanding how their law enforcement agency as a whole, and they individually, serve an important role in the fusion center process and specifically in the intelligence cycle. Increasing outreach and education to the state and local law enforcement officers that support the fusion centers is paramount in enhancing engagement and interaction in utilization of the intelligence cycle. In addition, for fusion centers, becoming a known entity and asset in the community like law enforcement is critical for fusion centers to mature to the point where information is exchanged with the frequency that is necessary to detect, deter and/or prevent all threats and hazards to the communities they serve.

Recommendations for Future Research

Future research into the relationship between fusion centers and their law enforcement counterparts is of paramount importance in increasing effectiveness as intelligence producers and enhancing information sharing. This research study has only scratched the surface in revealing inhibiting factors affecting closer integration and interaction between fusion centers and their law enforcement counterparts. While fusion centers are individualistic by design, the process of informing the law enforcement communities responsible for information collection on the

priorities of the fusion center need to be universal. In addition, creating a process for feedback to be effectively supplied to both fusion center personnel creating intelligence products and law enforcement officers collecting and reporting information to the fusion center is necessary to ensure that each entity is receiving the information necessary for them to operate at peak performance. Lastly, fusion centers need to become a staple of the domestic homeland security infrastructure. The first step is creating communication and outreach programs to educate the various law enforcement agencies and other stakeholders that the fusion centers serve. In addition, exploring existing best practices or developing new ideas to address issues presented in this study such as: how best to inform law enforcement on established collection priorities; how to establish a feedback loop that transcends any particular agency; and creating or improving community outreach, are just a few of the topics that should be considered for future research. To continue to find ways to improve the overall effectiveness of fusion centers in integrating with state and local law enforcement to keep all the towns and cities in the United States safe from future threats, fusion centers need to operate at their maximum capability.

Summary

This research study has exposed deficiencies in the relationship between fusion centers and the state and local law enforcement officers that collect information from and supply information to the fusion centers. The deficiencies are in collection priorities; feedback; and communication and outreach. These deficiencies are inhibiting the overall engagement between fusion centers and their law enforcement counterparts and negatively affecting the quality of intelligence coming from fusion centers. Fusion centers are designed to serve as “multiagency task forces who specialize in receiving, gathering, analyzing, and disseminating information and intelligence among constituencies that have a law enforcement, counter terrorism, public safety,

or homeland security mission or focus” (Abold et al. 2012, 3). Their value lies in their ability to share information both vertically, from the state and local level up to the federal level, and horizontally, throughout the varied and geographically dispersed state and local public safety population. In addition to information sharing, fusion centers are positioned at the state and local level to enable them to tap into a previously underutilized national asset, law enforcement.

As seasoned intelligence experts and information analysts from all levels of government will concede, some of the most important and actionable intelligence that we depend on to protect the country flows up, not down – the knowledge is collected at a granular State or local level and then fused to permit all levels of government to act decisively in the protection of Americans. (Abold et al. 2012, 2)

The ability of fusion centers to interact and engage with state and local law enforcement officers, who according to the 2010 National Security Strategy are in the best positions to collect and report both terrorism and crime information, is imperative for effective intelligence production through utilization of the intelligence cycle. Overcoming the deficiencies and engaging in the recommendations presented in this study, will more effectively integrate fusion centers and their law enforcement counterparts in utilization of the intelligence cycle, which will enhance fusion center production, and ultimately make the United States safer.

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APPENDIX A



American Public University System

American Military University
American Public University



Institutional Review Board (IRB)

29 August 2014

Dear Edward Scott,

The APUS IRB has reviewed and approved your revised application # 7-2014-41 (submitted 8/25/2014). The approval covers one calendar year. Should you need an extension beyond the one year timeframe, an extension request will have to be submitted. However, this does not mean your research must be complete within the one year time frame. Should your research using human subjects extend beyond the time covered by this approval, you will need to submit an extension request to the IRB.

Sincerely,

Patricia J. Campbell
Chair, IRB

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APPENDIX B

IRB Approved Fusion Center Questionnaire.

FUSION CENTER QUESTIONS:

1. What police departments provide information or what police departments does your fusion center get information from for analysis?
2. Which police department collects and/or submits the most information into the fusion center?
3. Which police department collects/submits the best quality information in your opinion, to the fusion center?
4. To your knowledge, do all of those departments have Fusion Liaison Officer's (FLOs)?
5. Do you know how many FLOs each department has?
6. Does your fusion center use Suspicious Activity Reports (SARs) as the main mechanism for getting information from state and local law enforcement to the fusion center?
7. To your knowledge, does your fusion center provide any training to the state and local law enforcement agencies or FLOs in completing SARs? If yes, how?
8. To your knowledge, does your fusion center provide any training to the state and local law enforcement agencies or FLOs in intelligence collection as compared to criminal prosecution evidence collection? If yes, how?
9. To your knowledge, does your fusion either directly, or through another process, provide feedback to the state and local law enforcement agencies that provide intelligence to the fusion center and/or solicit feedback from them on the intelligence products they receive from the fusion center? If yes, how?
10. To your knowledge, does your fusion center have Standing Information Needs (SINs) or other collection requirements published? If yes, can I obtain a copy?
11. To your knowledge, does your fusion center distribute the SINs or other collection requirements to the state and local law enforcement agencies? If yes, how often?
12. Does information collected have to be linked to an SIN or other collection requirement?
13. In your opinion, do you believe that the relationship between your fusion center and state and local law enforcement is adequate for effective use of the intelligence cycle to produce quality intelligence?

14. Is there anything about the relationship or interaction between your fusion center and the state and local law enforcement community that I did not ask you about, that you believe is important for me to know to adequately analyze the relationship?

APPENDIX C

IRB Approved Law Enforcement Academy Questionnaire.

LAW ENFORCEMENT ACADEMY PERSONNEL QUESTIONS:

1. Does your academy curriculum for new hire recruits delineate between intelligence collection for fusion centers and criminal prosecution evidence collection?
2. Does your academy curriculum for new hire recruits have a block of instruction on the fusion center and the function they play in the homeland security intelligence? If yes, does someone from the fusion center teach it?
3. Does your academy discuss the Fusion Liaison Officer (FLO) program?
4. Does your academy curriculum for new hire recruits have a block of instruction on the intelligence cycle?
5. Does your academy curriculum for new hire recruits have a block of instruction on Suspicious Activity Reports (SARs)? If yes, is the instructor a police officer or a person from the fusion center?
6. Does your academy curriculum for new hire recruits discuss intelligence collection requirements set by the fusion center? If yes, who sets the requirements?
7. Does your academy curriculum for new hire recruits discuss feedback from fusion centers as a critical element for effectively collecting and reporting information to fusion centers for analysis?
8. Is there anything about the relationship or interaction between the state and local law enforcement community and the fusion center that I did not ask you about, that you believe is important for me to know to adequately analyze the relationship?