

Arthur A. Jones, J.D., Dr.jur.
Robin Wiseman, J.D., Dr.h.c.
International Human Rights and Social Policy
1609 Maltman Ave., Los Angeles, CA 90026
Tel: (818) 429-2781 email: arthurjones@fulbrightweb.org

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**SUMMARY OF COMPARISON
OF
UNITED STATES AND EUROPEAN APPROACHES
IN THE
FIGHT AGAINST TERRORISM:
THE ROLE OF POLICING**

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Richard M. Weintraub, Ph.D., Director**

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I.
Divergence of Approaches Between the United States and Europe:
Consequences for Efficiency Measurements

Briefly, Europe favors and practices a composite police response to terrorism, whether emanating from Al Qaeda, Islamic Jihad, Hamas, or other, more loosely affiliated groups or cells. The United States has implemented a strong military response coupled with off-shore detention facilities and specially designed judicial proceedings.

As to domestic preparedness for and prevention of terrorist strikes, the United States Government spends more money every month in Iraq than it does in one year on Homeland Security. The levels of Federal spending for policing remain much lower than they were before the present administration took office and cut the budget for COPS (Community Oriented Policing Services) programs.

It will be one of our tasks, in the near future, to build efficiency measurement paradigms that compare and contrast the U.S. and European approaches in combating terrorism.

A. Entering New Territory:

Until now, we have seen little effort to quantify either the requirements or the intended results of US efforts. Clearly, the subject matter is unique, new to the American experience, and difficult to gauge. Moreover, efficiency measurements may not always be designed with sufficient breadth to include all support efforts behind the public face of preparedness. Also, where efficiency measurements potentially conflict with ideological considerations, the latter are likely to prevail in the current climate. Several recognized authorities have recently addressed this problem:

1. "It would be difficult to point to major theoretical breakthroughs in the field of terrorism prevention studies, but even if new terms appear such as 'asymmetric warfare' or 'networking', these are merely new names for old and well-known realities. It is by no means clear what factors are important and what should be counted and compared." Walter Laqueur, *No End to War: Terrorism in the Twenty-First Century*, Continuum Publishing, New York/London, 2004, p. 141.

2. “The Nation has never needed to perform a universal vulnerability assessment before, and there is no algorithm that will tell policy makers where to spend the money.” Daniel Benjamin and Steven Simon, *The Age of Sacred Terror: Radical Islam’s War Against America*, Random House, 2003, at p. 477.

3. “The simple truth is that the [Bush] Administration does not have any idea how much money is needed for first responders and related state and local homeland security capability, because it has never tried to find out. It has never engaged in a requirements process. It fears that a requirements process will show how it has shortchanged those defending us.” Richard A. Clarke, *Against All Enemies: Inside America’s War on Terrorism*, Free Press/Simon and Schuster, 2004, at p. 261. Although Clarke has been criticized by some for the alleged political content of his arguments, he is nonetheless highly regarded in the intelligence and national security establishment. Indeed, his conclusions are buttressed by the findings of the *9/11 Commission Report*:

4. “Despite congressional deadlines, the Transportation Security Administration (made part of the Department of Homeland Security) has developed neither an integrated strategic plan for the transportation sector nor specific plans for the various modes –air, sea, and ground.”
Then, further,

“Hard choices must be made in allocating limited resources. The U.S. Government should identify and evaluate the transportation assets that need to be protected, set risk-based priorities for defending them, select the most practical and cost-effective ways of doing so, and then develop a plan, budget and funding to implement the effort.” *The 9/11 Commission Report, Authorized Edition*, W.W. Norton & Company, 2004, pp.390-392.

5 “European Union anti-terror coordinator Gijs de Vries lamented that Europe is sometimes viewed as being too weak on terror. In contrast, he drew attention to the Europe-wide police cooperation and raids that resulted in the arrests of terrorists involved in the Madrid bombings. Four further attacks had thus been hindered, he said.

“These services can’t put their secrets in the papers. When you prevent something, you don’t see that something happening. So sometimes the successes are less easy to spot but they are real,” he said. Bernd Rieger in *DW-Welt.de, Deutsche Welle*, September 11, 2004.

B. Finding the Algorithms

Thus, we have no convenient, tested paradigms available against which to match our efforts at disaster prevention and preparedness. Let us indeed strive for clear numbers wherever we can, however, and this brief paper will suggest several models for gathering and ordering quantitative data in a manner that will reflect at least some of the intangible factors inherent in our continuing comparative policing studies.

The uncharted waters we are now entering demand innovation at all levels. Innovation, in turn, demands new methods and approaches. First, we should examine police force efficiency measurements as they are presently used to gauge:

- cause and effect relationships in crime rates;
- police force morale;
- training and educational impact on operational efficiency;
- ethical responses; and
- differential effects between crime suppression and crime prevention.

All the foregoing quantification processes combine objective and subjective components. Cold numbers, e.g., homicide victims in a given year, can often be made more useful and meaningful when combined with subjective factors such as public perceptions of society and public safety. See Law Enforcement Management and Administrative Statistics (**LEMAS**) surveys, Bureau of Justice Statistics, 2004.

One interesting example, and one that will figure heavily into our comparative equation, is the causal connection between Community Policing and crime rates. As defined by the Department of Justice in the 1994 U.S. Crime Act, Community Policing is the pragmatic philosophy that brings communities together with police in a close partnership in fighting and preventing the conditions that breed crime. It means that all sworn officers, generalists and specialists alike, will spend much time in the neighborhoods meeting and talking with citizens, discussing common problems and devising solutions that involve the community. The process emphasizes building trust and confidence as a two-way street between police and citizens, because the preventive effects depend in great part on the quality and depth of that trust.

It should be noted here that the Los Angeles County Sheriff's Department was a pioneer in the field of Community Policing, and that the many innovations developed here were adopted and replicated by police departments throughout the country and abroad. LASD leadership is still

renowned and respected worldwide.

The importance of Community Policing in the present context is that the European war on terrorism relies on Community Policing as one of its chief pillars.

C. Examples of Measurement:

1. The **ZHAO** studies: In early 2000, a comprehensive study was published by the University of Nebraska entitled “**A National Evaluation of the Effect of COPS Grants on Crime from 1994 through 1999**”, by Jihon “Solomon” Zhao, Ph.D., and Quint Thurman, Ph.D. It concluded that the primary reason for continuously declining crime rates in the U.S. during that period was Community Policing. The use of Community Policing programs and strategies directly caused the nationwide reduction in crime.

First, the Zhao study reviewed extrinsic evidence, both statistical and anecdotal, to establish the fundamental reductions in crime rates nationwide. Then, it found that the components and timing of the decrease in crime suggested that the increased numbers of trained Community Policing officers on U.S. streets during that period contributed most heavily to that reduction. The study used statistical evidence to prove that a combination of innovative crime-prevention strategies, problem-oriented practical solutions, and community “embedded” police added up to a successful venture.

Zhao also found, based on data from all U.S. police forces in cities of 100,000+ population collected over a six-year period, that each COPS Grant (i.e., taxpayer) dollar per city resident invested in innovative Community Policing caused a decline of 12.93 violent crimes per 100,000 residents. Similarly, each \$1.00 per person spent in cities on innovative programs produces a reduction of 43.85 property crimes per 100,000 residents.

The **Zhao** study used a number of standard econometric techniques to eliminate or adjust for socio-economic variables frequently associated with debates over policing methods, such as general economic environment and income; heterogeneity or ethnicity; income levels; unemployment; single-parent households; mobility; ratio of young people to population; home ownership; and social disorganization. See MacKinnon, James, and Halbert White, 1985, “*Some Heteroskedasticity-Consistent Covariance Matrix Estimates with Impound Sample Properties*”, **Journal of Econometrics** 29:305-25.

Yet less than six months after the appearance of the **Zhao** study, a neoconservative think tank in

Washington, D.C., *The Heritage Foundation*, published a hastily completed study in which it concluded that Community Policing had little or nothing to do with the sustained six-year drop in crime rates. Instead, according to the Heritage Foundation, the dramatic reduction in violent and property crimes nationwide was caused by more aggressive law enforcement —suppression only— on the part of specialized task forces such as SWAT teams. Heritage cited no statistical evidence or recognized authorities to justify its conclusions, but made crime rates part of its neoconservative ideology. Its hard-hitting polemic found swift and enthusiastic reception among the managers of the Republican presidential campaign.

As a result, when the Bush Administration took office a half-year later, one of its first acts was to slash the budget of the COPS Office to near-zero. No more Community Policing programs were forthcoming, and no new police were hired. In 2002 alone, New York City lost more than 4,000 sworn officers. And NYPD was not alone. Crime rates nationwide leveled off from their steady decline, and are now showing early signs of increasing once more. See Clarke, *op.cit.*, at p. 259.

2. Other examples of quantitative measurement of effective policing —both human elements and technology— will be discussed below, including the *Beck* surveys in Australia, New Zealand, Great Britain, Canada, and portions of the British Commonwealth; the *Niedersachsen* surveys and studies in Germany; and the recent *Polizia di Stato* statistics on Italian homeland security and the role of community policing (“*polizia di prossimità*”) published September 20, 2004. We will also review highlights of the *Dreiländerpilot* project joining Dutch, Belgian and German police forces in disaster response rehearsals and simulations including interoperability communications training.

One of our chief conclusions, set forth at the end of this paper, is that the traditional approach to measuring efficiency, i.e., “put something in numbers wherever you can”, is not always a safeguard against attack from opponents of interdisciplinary thinking. The whole philosophy of Community Policing was laid lame in the U.S., its birthplace, by pseudo-scientific verbiage repeated loudly and frequently by interests who simply wanted to spend the money elsewhere. Even the events of September 11 did not move those forces an inch on the subject of police potential for creating a secure homeland. The best quantitative analysis proved useless in the face of ideological looters.

Perhaps we can best illustrate the relative efficiency of Community Policing in fighting and preventing acts of terrorism by analyzing the European approach.

II.

The U.S. and Europe:

A Common Goal, a Different Road Map

On both sides of the Atlantic, it is generally accepted that the temptation of measuring *efficiency* defined narrowly —quantifying one thing at a time— should not be allowed to mute, marginalize or discourage the lively and open discussion and research of broad comparative studies and *Systems Thinking Analysis*. Instead, we propose that this broader, more inclusive principle, albeit more difficult to track than single-issue statistics, will offer greater insights when comparing U.S. methods with the European counterparts in preventing or responding to terrorist-inspired disasters.

We have often referred, in P.I.F. Committee meetings, to the necessity of viewing policing practices as a continuum. Even Werner Heisenberg, the quantum physicist, would have agreed that an extended video, flowing over several years, will be more enlightening than a collection of unconnected snapshots.

Fighting terrorism presents a similar picture. According to several respected authors, “... [P]revention —or, in this case, *The Precautionary Principle*— calls on us to look beyond immediate activity, in isolation, and toward the whole context in which the activity unfolds.” Jeremy Rifkin, *The European Dream: How Europe’s Vision of the Future is Quietly Eclipsing the American Dream*, Tarcher/Penguin Books, New York, 2004, at p. 334; Chris Rumford, *The European Union: A Political Sociology*, Oxford Publ., U.K.; Blackwell, 2003, at p. 68.

That sense of long-term *chooses in action*, including social justice, human rights, precaution in dealing with the ecosystem, and concerted action in alleviating the misery that breeds religious radicalism, also is consistent with the European approach to terrorism. And that, in a nutshell, is precisely what the 25 member states of the European Union have adopted, and is what distinguishes their philosophy and their actions from those of their American cousins.

A. The European Design

The European Union, together with non-member neighbor states such as Norway and Switzerland, views terrorism as mainly a police problem. The U.S., by contrast, declared war on terrorism, and sees it as a military problem. The response to increased terrorism in the EU is to increase interstate and interagency cooperation. The European strategy is supported by three main pillars:

1. Closer cooperation among police forces and harmonization of laws and police agencies across borders. In this sector, Community Policing plays a major role;
2. A strong element of HUMINT, or human intelligence. Here, tireless studies of the terrorist mind and infiltration of terrorist support cells is proving invaluable. Once again, Community Policing principles form the nucleus of the strategy;
3. Elimination of the root causes of terrorism. This firm conviction does not reflect a Europe “soft on terrorism”, as Bush Administration spokespersons have repeatedly charged. Instead, it shows a willingness to change social and economic conditions in some of the most remote and poverty-stricken areas of the world in order to render Islamic radicalism discredited and unattractive to a new generation. Once again, this sounds remarkably similar to the basic tenets of Community Policing. It also helps explain why European Union foreign aid makes up nearly 50 percent of the world’s total, with the U.S. trailing at 36 percent of annual development and humanitarian aid. Rifkin, *op.cit.*, at p. 305; “*European Union Factsheet: Development Assistance and Humanitarian Aid*”, European Commission, June 25, 2004.

This integrated approach is delivering dividends in the form of successful police sweeps and arrests in many countries, coupled with increased community support and truly willing coalitions of cooperative nations, as discussed *infra*.

European responses to the Madrid train bombings of March 11, 2004, began with the European Commission issuing an Action Paper calling for the following steps to be taken: “Better implementation of existing legislative instruments relevant to the fight against terrorism, and adoption of draft measures already on the Council table, strengthening the fight against terrorist financing, and enhanced operational coordination and cooperation.”

First, the EU created the position of a European Counterterrorism Coordinator and promptly filled the post with an experienced Public Safety Minister from The Netherlands. Then, the EU formed a coordination mechanism joining law enforcement, judicial authorities, and intelligence

services in an intelligence exchange group.

Next, the Commission unified the database of all 25 member states regarding traveler information, to facilitate instant data exchange by airport security, border patrols, and other law enforcement agencies. Biometric data programs and mandatory fingerprinting on all passports and ID cards was then implemented. All EU states are now completing their acquisition and implementation of interoperable digital communications systems. The Task Force of EU Police Chiefs is now fully operational, and is monitoring progress on all fronts while placing new strategies into effect in the field.

Finally, in the wake of the Madrid bombings, the European Union adopted a long-debated Constitution. All in all, the European response was catalyzed by Madrid and produced new impetus toward close police cooperation throughout the Union. Erin La Porte, *The European Union's Answers to Post-Madrid Terrorism*, August 15, 2004, *Le Monde*; Peter J. Cullen, *Anti-Terrorist Measures in the EU: Striking the Right Balance?* Europäische Rechtsakademie Trier, Seminar of 9-10 September 2004.

It is crucial, in discussing EU-US differences, to recognize that the EU places greater emphasis on economic security and peace support operations. This is a basic element of "Soft Power". Not only can European soft power be used to counter some of the unintended consequences of American hard, i.e., military power ---rising anger and antipathy in Muslim nations, increased recruitment into terrorist organizations--- but it can also be a source of assistance and reinforcement for America's own soft power and increase the likelihood of the United States' achieving at least part of its objectives.

European promotion of democracy and human rights forms a powerful argument against terrorist involvement. Because the distribution of wealth in Europe is less disproportionate (or less inequitable) than in the U.S., the EU's efforts cannot as easily be dismissed as hypocrisy. Pre-tax income inequality is higher in the United States than in Europe. Alberto Alesina and Edward L. Glaeser, *Fighting Poverty in the US and Europe: A World of Difference*, Gius. Laterza & Figli, Milano, and Oxford University Press, 2004, at pp. 186-216, "The Ideology of Redistribution".

Also, the EU is the world's largest trading bloc and is now insisting on anti-terrorist cooperation with all its trade partners worldwide as a condition of doing business. Prof. Joseph S. Nye, Jr., former Chairman of the National Intelligence Council, *Soft Power: The Means to Succeed in World Politics*, Public Affairs/Perseus Books Group, 2004, at p. 81.

Well and good, but is the European approach efficient? First, a few cold numbers. While up to ten bombs exploded in Madrid trains on March 11, Spanish police found four more bombs and defused them in time, thus preventing four more attacks. A few days later, police traced the central cell of train bombers and surrounded them. In an ensuing fire fight, nearly all the terrorists in the apartment were killed or committed suicide. The remaining ones were arrested.

Between March 11 and September 15, 2004, Spanish police arrested 55 persons in connection with the train bombings. In addition, French police arrested 35 suspected terrorists in the same time period while Italian police, concentrating on logistical support cells, arrested 17 persons in June and 10 more in August, 2004. **BORR** Centre de notícies per a la difusió de les Ciències Criminològiques, Barcelona, September 15, 2004.

In Belgium and Italy, a coordinated international strike resulted in the arrests of 17 terror suspects, including train bomb specialists and a mastermind of several attacks in Europe and the Middle East. In so doing, police destroyed various terrorist planning, bomb manufacturing, communications and logistical support cells in Milan, Antwerp and Brussels. Agence France Presse/Reuters, September 9, 2004.

Then, on October 18 and 19, 2004, Spanish police conducted a sweep in five major cities that netted a total of eight terrorist cell members. They are suspected of having participated in the Madrid train bombing attack preparations, and the evidence found at their living quarters indicated that, at the time of their arrest, they were actively engaged in preparing a truck bomb attack on the Spanish Supreme Court and Criminal Appellate Court buildings in Madrid. The bombs would have been aimed at killing over 300 employees including the investigating magistrates in charge of gathering evidence in the Madrid train bombing. The truck bombs would also have destroyed crucial evidence concerning terrorist support cells, their locations, members' identities and connections. Martine Silber in *Le Monde*, Paris, France, Oct. 20, 2004.

The following day, in Bern, Switzerland, Swiss police acting in concert with French and Spanish police arrested Mohammed Ashra, a high-ranking Al Qaeda member who had recently left Spain. Ashra is suspected of being a top recruiter, and evidence shows that he managed much of the March 11 Madrid attacks. His more recent activities included sending money to the United States and maintaining ties with various logistical cells in the U.S. *Spiegel Online*, October 20, 2004; *Neue Zürcher Zeitung*, Zurich, Switzerland (daily), October 20, 2004.

Thus, Europe is now achieving noticeable progress using its new anti-terrorist structures such as intensified police cooperation and human intelligence gathering. Javier Solana, formerly Secretary-General of NATO and now Secretary-General of the European Union, divides this visionary task into two interwoven categories: "network threats" by terrorist organizations and

“transition challenges” to countries and regions striving for pluralistic modernity. Both must be addressed successfully: “The best way to advance the cause of political and economic freedom in the next century is multilateralism with muscle.” Javier Solana, *Rules with Teeth*, in Foreign Policy, the Carnegie Endowment, Publ., Washington, D.C., September-October 2004, at pp. 74-75.

B. The American Design

Many American experts disdain the *Soft Power* approach, preferring to define their anti-terror ideas in terms of military might. The internationally respected military and security consultant, Robert Hunter, further insists that Europe beef up its own military power quickly to permit the EU to join the American coalition. Hunter and others such as Assistant Secretary of Defense Paul Wolfowitz believe that EU efforts in counter-terrorism should be measured in military capability, a situation in which the U.S. would define the terms of cooperation and would dictate the course of that strategy. Hunter, Robert, and Rob de Wijk, “*European Military Reform for a Global Partnership*”, *Washington Quarterly*, 27 No. 1, Winter 2003-2004, pp. 197-210.

The EU, however, is absolutely committed to its combined approach of Community Policing, Human Intelligence, and Soft Power. According to Gijs de Vries, EU Anti-Terrorist Coordinator, “The US would get a lot farther in its own war on terrorism if it spent less money on tanks and more on police.” Cited in Christoph Keese, *Welt am Sonntag*, September 5, 2004.

Recent CIA estimates are that, by or before the end of 2005, one or several terrorist attacks on American rail transportation will be inevitable. There is a great possibility that the attack(s) will utilize one or another weapon of mass destruction. Peter G. Peterson, Chairman of the Council on Foreign Relations and former Secretary of Commerce, *Riding for a Fall*, in Foreign Affairs, September/October 2004, Vol. 83, No. 5, at p114.

Peterson’s concern is not without cause. As we have already noted, the terrorist suspect arrested in Switzerland on October 20, 2004, Mohammed Ashra, played a key role in the Madrid train bombings and had recently been sending money and information to cells in the United States. See Silber, *Le Monde*, op.cit.supra.

According to Peterson’s nationwide studies, the U.S. needs to spend more time, attention, and money on stateside first responders in preparation for these realistic attack scenarios and

predictions. At the moment, only one-tenth of all fire departments currently have the capacity to respond to a building collapse; only a third of all firefighters on any given shift are equipped with breathing apparatuses, and only half possess radios. Urban rescue is uneven and spotty, and most emergency communications are still not interoperable. *Id.*, pp. 115-116.

Peterson also estimates, together with many of his colleagues, that short-term preparations for domestic security of rail, ports and airports will require an additional \$ 62 billion to be allocated and spent between November 2004 and December 2005. He also notes that there is no objective assessment of need nationwide, nor is one likely to be requested anytime soon. *Id.*, at p. 117.

According to other sources, very little money has been expended so far to make train travel safe. Only \$ 65 million was appropriated to railroad security in 2003, and less in 2004. Most of it was spent on physical barriers, video surveillance and chemical and radiological detection equipment and training. Transit officials surveyed nationwide say that \$ 6 billion per year are needed at the very least. Editorial commentary in *Sacramento Bee*, March 26, 2004.

The undersigned authors were told by the General Counsel for a major railway headquartered in a mid-Atlantic state, who preferred to remain anonymous:
“No mass transit system can be made completely secure from a determined terrorist bent on murder. But that’s no reason to do less than is possible to reduce the risk.”

The preparation of objective requirement evaluations and assessments will apparently fall to the first responders themselves, as that task is perceived by the Bush Administration as running a distant second to the Government’s policy of fighting terrorism abroad rather than at home. See Steven Flynn, *The Vulnerable Home Front*, in *Foreign Affairs*, September/October 2004, Vol. 83, No. 5, at p. 20. He adds that, in fiscal year 2005, Congress will give the Pentagon \$ 7.6 billion to improve security at military bases, while the Department of Homeland Security will receive just \$ 2.6 billion to protect all the vital systems throughout the country that sustain a modern society. *Id.*, at p. 23.

But the effort on the home front suffers, in large part, from traditional rivalries between military solutions and police solutions. William E. Odom, former Director, National Security Agency, draws a firm line between military counterintelligence and police work.:

“Law enforcement techniques that work against criminals do not work against spies or terrorists. Except in corporate crime, criminals tend to be neither well educated nor highly intelligent. For example, the FBI relies on three methods: phone taps, informers, and heavy-handed interrogations. These tactics do not work against terrorists.” Gen. William E. Odom, former director of the National Security Agency and assistant chief of

staff for intelligence, U.S. Army, *Fixing Intelligence: for a More Secure America*, Yale University, 2004, at pp. 177-179.

Gen. Odom is not alone in his disdain for police work in fighting terrorism. One top American intelligence official –albeit one with a military background—states that the counterintelligence work involved is too sophisticated, and requires too much education and realism to leave to mere cops. In his book, *Imperial Hubris*, “Anonymous” (later disclosed as Michael Scheuer, former counterintelligence advisor to Presidents George H.W. Bush and Bill Clinton) also tells us that intelligence officers specialize in lying to Congress about their interagency capabilities. Police, he feels, have too much “legal romanticism” (read: ethics) to pull it off convincingly. Anonymous, *Imperial Hubris: Why the West is Losing the War on Terror*, Brassey’s Inc., Publishers, 2004, at pp. 185-190.

Even those authorities who are most knowledgeable about the defensive, i.e., homeland and preventive aspects of anti-terrorist efforts, still think in terms of neo-colonial secret agents gleaning information from a Persian bazaar or Moroccan Souk. As a result, the role of Community Policing as a form of preventive medicine is light years from their mental process.

Even John Keegan, the respected British military historian, automatically assigns police a lesser position in the pantheon of intelligence:

“The masters of the new (terrorist) counter-intelligence will not resemble the academics and chess champions of the Enigma epic in any way at all. They will not be intellectuals.”

Yet Keegan then proceeds to recognize the new and crucial role of human intelligence gathering in the trusted methodology of police officers: infiltration.

“On the contrary, their work will resemble that of undercover police agents who attempt to become trusted members of criminal gangs, with all the dangers and moral compromises that such a life requires.” John Keegan, *Intelligence in War: Knowledge of the Enemy from Napoleon to Al-Qaeda*, Alfred A. Knopf, Publ., 2003, at pp. 316,317.

But neither the aforesaid authorities nor the Bush Administration envisage the role for U.S. police that Europe has designed for its law enforcement in the fight against terrorism. The U.S. Army values police only for their files and records, which may be useful if the military needs to

loot them in their search for terrorists. The *U.S. Army Counter-Intelligence Handbook*, Department of the Army, 2004, at pp. A-I-2, A-I-3.

Thus, LASD as a first responder is left with the task of preparing discrete efficiency models in the face of woeful under funding. The continuing need is to develop police capacities for spotting, observing, infiltrating, and eliminating terrorist support cells, while at the same time planning for the defense of our trains, buildings, ports, airports, and general infrastructure. Aside from the obvious goal of putting the limited money where it will counter the highest probability of attacks, how can we legitimately quantify the success of the program?

III.

EUROPEAN-AMERICAN MODELS,

EFFICIENCY MEASUREMENTS IN COMMUNITY POLICING

Following are several examples of projects measuring effectiveness of police in securing homelands from terrorism. Please remember that these are oversimplifications, and that the surveys and studies described were all much more complex in their choice of method and the implementation of the process than we have described.

1. Italian Grass Roots Poll:

In mid-September 2004, the Italian *Polizia di Stato* (Italy's largest police force, operating nationwide) published the results of a weekly survey it had conducted for eighteen months in cooperation with a respected non-profit polling organization, *Cirm*. This poll, which actually questioned a total of 48 million separate persons (Italy's population is just over 58 million) over the period in question, produced the following results:

- 64 percent of all persons polled have confidence in the ability of Italian police to protect them and to prevent acts of terrorism;

- 65 percent feel safe at work, and 77 % feel safe in their homes;
- 77 percent are satisfied with the increase in force of Italian Community Police over the past 18 months;
- The current state of vigilance is considered “more than sufficient” by 51 percent;
- 48 percent are satisfied with present protection of trains and train stations;
- 88 percent feel that Italian police were right to implement more prevention and less suppression in the fight against terrorism;
- 77 percent “highly appreciate” the new Italian neighborhood mobile police stations and mini-stations in camper buses;
- 87 percent “wholeheartedly approve” of the application of Community Policing as the chief bulwark against terrorism; and
- 87 percent “strongly disapprove” of the U.S. militaristic approach to stopping terrorism.

Polizia di Stato, *Fiducia un Trend in Aumento*, summary by Caterina Carannante, September 20, 2004. www.poliziadistato.it

Perhaps adding some validity to this survey is the fact that Italy for years has provided sanctuary to Muslim refugees, and is therefore aware that Al Qaeda has many logistical cells in Europe. Italy leads the EU in density of clusters of terrorist cells, including sleeper cells. The cumulative experience with various terrorists, their roots and personalities, has helped Italy knock out large numbers of cells and deport or try hundreds of terrorist leaders, recruiters, and religious figures serving as *agents provocateurs*. Andrea Morigi, *Legno Storto*, Libreria del Ponte, Milan, Publ., September 2004, at pp. 14-20.

2. *Post-Incident Analysis Questionnaires:*

Below is a segment of a questionnaire developed by the CIA, in cooperation with other intelligence organizations, to serve as a guideline for field operatives and as a debriefing aid to gauge effectiveness of training and of individual performance.

It is reprinted here because it is closely similar to the police/first responder questionnaires given out to participants in the *Dreiländerpilot (Three Country Pilot Project)* program in Europe that joins police in Germany, Belgium and The Netherlands in cross-border cooperation to perfect communications interoperability, XML mapping, and joint pursuits.

To: Operatives.

The following questions may guide an inquiry into an act of terrorism. Collect data through the following basic questions:

- Is this a conventional weapon or a weapon of mass destruction attack?
- Is this a WMD attack made to look like a conventional attack?
- Is this the primary incident or a diversionary attack?
- Is this incident a potential trap for first responders?
- Where would a secondary trap be located?
- Is there a perimeter set to screen people departing?
- Have all visitors within visual range been removed and corralled?
Remember: INTEL cell members may be in a nearby crowd!
- If there was a terrorist security team or driver, which avenues of exit would they take?
- Which direction was the fastest way out to a major avenue of escape –subway, highway, rail, airport?
- Were people running away without regard to the incident (suspicious people escaping versus running for their lives?)
- Were people seen running away with weapons or equipment?
- What are the descriptions of people running or “moving with purpose” before the attack occurred?
- Do we have descriptions of escape vehicles (or vehicles moving without regard to the incident) and its [sic] occupants?
- What was the direction of travel of escaping people or vehicles?
- Did we calculate an escape radius?
- Did witnesses observe anyone making rapid vehicle changes within five to ten miles of the target site?
- Did you visually inspect alleyways, balconies and homes/businesses within visual distance plus two miles of the incident site for a possible command and control cell?
- Has EMS or an emergency room seen unusual victims (flash burns on hands and face, shrapnel only in back)?
- Are any audio or video footage available?

We have no information regarding CIA efficiency ratings or measurement procedures using these questionnaires.

However, much relevant data is available from Europe. As we presented in earlier papers (e.g., August 12, 2003), the *DreiländerPilot (Three Country Pilot Project)* disaster simulations measured performance on similar post-incident questionnaires as a function of police training. The training took two main forms:

- a. Digital communication interoperability and individual proficiency; and
- b. Response to psychological, anti-stress training.

Between the first test (May 2003) and the second (September 2003), communication and equipment use proficiency improved by a mean of over 50 percent (260 participants). Scores on incident memory and decision-making improved by a mean of 30 percent. The *Dreiländerpilot* project is continuing, has recently added helicopter communications interoperability to the field units in cross-border areas, and is preparing for more scenario rehearsals throughout 2005. See *Dreiländerpilot*, Bundesgrenzschutz (BGS), Federal German Border Police, Swisttal, Germany, Dipl.-Ing. (FH) Franz-Josef Theisen, Managing Director.

As to efficiency testing, the continuing dual theme of the Three Country Pilot comprises:

- a. Proof of functional efficiency of networked mobile digital wireless communications units employing TETRA technology in a technically and functionally realistic test environment; and
- b. A determination of the extent to which cross-border communications, using the technology set forth in (a) foregoing, is sufficiently supported and justified from an operational standpoint and suggests technical feasibility. (Translations by authors).

At least in field exercises, there is no evidence that police achieve lower performance scores than intelligence agents. The European trust and confidence in police in the fight against terrorism, it is suggested, may not be misplaced.

3. Dual Application of Proficiency Scores:

Europe has learned much about terrorism from the four decades of home-grown violent radicalism that rocked Britain, Germany, France, Spain and Italy. The US must not, *insh'alla*, find it necessary to replicate that tragedy in our own learning curve.

For that reason, we would suggest that much of the data resulting from upcoming disaster scenario rehearsals can be put to use ---and measured--- in other, more common policing incidents. For example, the post-terrorist attack responses used in blocking escape routes, identifying vehicles, routing more incoming emergency vehicles more efficiently, etc., can also apply to police pursuit training: to use XML technology, GPS routing, and digital

communications interoperability to stop or shorten car chases. Certainly, these are response incidents that lend themselves more readily to measurement. Coordinated preventive action can shorten or reduce the number of automobile police pursuits undertaken, hence reduce the numbers of collisions, injuries and fatalities associated with them. (See various studies by Prof. Jeffrey Alpert, University of South Carolina).

A statistical comparison between pursuits taking place over the past six months could be placed in contrast with pursuits undertaken with the digital equipment and new training techniques over a similar, subsequent six-month period, and a descending risk ratio calculated. The data would be based on the overall number of pursuits undertaken; the mean time elapsed in each; average distances traveled; number of persons injured (if any); average number of patrol cars involved in each pursuit; number of pursuits resulting in a collision, and correlations among all the aforesaid variables scheduled for measurement and comparison. See, e.g., Mark Vernoy and Judith Vernoy, *Behavioral Statistics in Action*, Brooks/Cole Publishing Co., 1997, at pp. 160 et seq.

4. Measuring Prevention:

As we have already noted, it is not feasible to construct an experimental design for efficiency of policing methods in preventing terrorist attacks. First, we cannot master the data necessary to determine whether our hypotheses are verifiable or falsifiable (*pace Karl Popper*). Nor can we make a complete listing of all levels inherent in the independent variables, as we cannot predict them or their numbers.

However, T tests could be constructed and carried out by LASD psychologists and the psychological training sub-committee of PIF to determine to what extent trainees in anti-terrorism procedures perform better than deputies trained in the traditional manner. Moreover, correlation coefficients could be used to compare the control groups more clearly. These techniques were used in most of the *Beck Studies of Professional Commitment in Police Forces* that were undertaken in Australia, Great Britain, Canada, and New Zealand between 1992 and the present. They showed a close relationship between training methods and morale; between length of service and ethical responses; and established the measurability of distinctions between operational stress and organizational stress. See, e.g., Karen Beck, Ph.D., *Improving Organizational Commitment: The Police Officer's Perspective*, 1996, National Police Research Unit, Payneham, South Australia, ISBN: 0 7308 0134 9; also, K. Beck and C. Wilson, *The Organizational Commitment Project: Intervention and the Impact of Experience*, 1999, National Police Research Unit, Payneham, So. Australia; and Yvonne Brunetto, Ph.D., and Assoc. Prof. Rod Farr-Wharton, *The Organizational Commitment of Early Career Police Officers*, University of Queensland, Australia, (unpublished manuscript), 2002; see, especially, sections on methodology, measurement, and regression analysis of organizational commitment

variables.

Similarly, independent variables can more easily be isolated and controlled in normal application of Community Policing than would be the case in counter-terrorism. Example: LASD programs for rehabilitation of prisoners and detainees through transitioning programs (health, mental health, education, job training, GED courses, housing resources for post-release support, etc.). Here, the success of the program can be shown by a lowered recidivism rate.

In the case of gang intervention and prevention programs, available data can be mined to show the relationship between crime rates by juveniles *with* intervention programs in place, and the rates by offending juveniles *without* intervention programs.

It would be interesting to explore in more detail just how we can adapt these methods to police use in the fight against terrorism.

5. *Protecting Human Resources:*

We refer here to a recent, seminal work entitled ***Krise als akute Belastungsstörung: Neuroendokrine Auffälligkeiten bei PTBS*** (Prof. Dr. J. Rauch et al., University of Braunschweig, Germany, July 2004; Walter de Gruyter GmbH & Co. KG, D-10785 Berlin), translated here as:

Crisis and Acute Traumatic Stress: Neuroendocrine Anomalies from Post-Traumatic Stress Disorder.

This interdisciplinary study combined psychiatric and counseling treatment of police officers who showed signs of advanced post-traumatic stress disorder after responding to various disasters (kidnappings, train wrecks, plane crashes, bus wrecks, floods, fires, etc.), and featured behavioral observations matched up with brain scans and neurohormonal measurements.

The Rauch studies showed that 29 percent of first responders suffered from class III and class IV PTSD before treatment. By comparison, 55 percent of rape victims and 36 percent of gunshot wound victims suffer similarly acute PTSD.

The studies found that psychological intervention featuring frequent discussion of any and all stressors occurring in the patients' lives, if conducted within six months after the traumatic

occurrence, resulted in a 30 percent reduction in permanent symptoms or associations.

Where police training combined the foregoing therapy/counseling with preparatory rehearsals and simulations of disaster responses in a university partnership with police forces, the reduction of PTSD symptoms nearly doubled to 58 percent.

Parallel to the *Rauch* studies, the Police Force of the State of Lower Saxony, Germany (*Polizei des Landes Niedersachsen*) began measuring human factors in policing in 1991, and is still continuing the studies, steadily expanding them and creating numerous useful studies and reports over the years. *Niedersachsen* succeeded in matching up crisis elements in a changing society with stress reactions and performance in officers. The methodology of those studies alone is well worth a visit. The empirical analysis of their broad-based and continuing sample has recently become a valuable guide in training officers and preparing for possible terrorist attacks. See Prof. Dr. Thomas Ohlemacher, Project Director, Christiane Bosold, M.A., Psychology, and Anja Mensching, M.A. Criminology, Associate Professor for Social Work, *Polizei im Wandel: Eine Empirische Analyse zur Arbeitssituation von Polizeibeamten und -beamtinnen in Niedersachsen*, Innenministerium des Landes Niedersachsen (Hannover), 2004.

Although it is obviously impossible for us to judge whether the *Rauch* and *Niedersachsen* studies provided efficiency at acceptable levels, it is evident that both the police training and therapy could be extremely valuable in protecting our most precious human resource, the health of our officers.

IV.

CONCLUSION

There is no speed limit on change in the world of emergency communications and information technology, any more than there is a limit on the determination of terrorists to spread death, destruction and horror among civilian populations.

This brief paper has focused on the emerging role of policing in the fight against terrorism, and has attempted to illustrate the need to apply empirical analysis to these new and expanding tasks while we still have the opportunity. Because there is no single set of criteria for determining

whether, where and when terrorists are likely to strike next in the United States, we are well advised to apply precautionary principles in all cases of doubt. All of us, police, military or civilian, would prefer to believe that fighting terrorists abroad will mean that we will not need to fight them at home. At the same time, we must adequately prepare for the eventuality that the military solution is neither infallible nor permanent. Complacency is never a defensible position.

We must provide the best protection we can possibly develop locally. Indeed, because police in all democracies are pledged to protect households and persons along with institutions-- governments, constitutions, civil rights, and judicial integrity-- international cooperation among police forces may help us maintain the moral high ground, and ultimately be a deciding factor in extinguishing the flames of brutal passion essential to terrorism.

It is precisely that moral high ground that terrorism seeks to destroy, by ripping into what the ancient Romans called *civitas*: the fabric of civil society. Military actions can defend lives, but armies do not address the question of preserving and advancing the quality and intricacy of rights in a republic. Police, however, do precisely that, and they succeed through their steadfast application of integrity and values embodied in the republic.

This, in part, is why Europe has chosen to expand and educate their Community Policing forces to fight terrorism. Community Policing robs terrorism of its allure, its romance, and its appearance of legitimacy to its peers. Invasions of foreign soldiers do not have that effect.

Thus we are faced with the necessity of protecting people, institutions, infrastructure and transportation, but with an innovative energy unique in our history. At the same time, we must test our plans and our hypotheses rigorously. We must apply constant empirical analysis to our technology and its uses, and equally to the complex human aspects involved in the sum total of our protective and preventive efforts. Finally, we must accomplish all those tasks swiftly, accurately, and with Spartan economy.

Respectfully submitted,

Arthur A. Jones, J.D., Dr.jur.

Robin Wiseman, J.D., Dr.h.c.

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