



NYPD
New York City Police Department

**TESTIMONY OF POLICE COMMISSIONER WILLIAM J. BRATTON
NEW YORK CITY POLICE DEPARTMENT**

**BEFORE THE UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON HOMELAND SECURITY
AT THE 9/11 MEMORIAL AND MUSEUM
*“Beyond bin Laden’s Caves and Couriers to a New Generation of
Terrorists: Confronting the Challenges in a Post 9/11 World”***

SEPTEMBER 8, 2015

Good morning, Chairman McCaul and distinguished members of the Committee. My name is William J. Bratton, Police Commissioner of the City of New York. On behalf of Mayor Bill de Blasio, welcome to New York City and to the 9/11 Memorial and Museum.

The location of these hearings could not be more appropriate. This site was hallowed by the lives we lost in the terrible attack that happened here. It was consecrated by those who sacrificed here, and whose heroism here kept those losses smaller than they could have been. And it has been dedicated, through the memorial and museum, to a promise: We will never yield in our efforts to prevent another event from happening here, or anywhere else in this city.

As you know, in three days we will see the 14th anniversary of the September 11th attacks. In those 14 years, the New York City Police Department has changed dramatically. The traditional realm of municipal policing—the prevention of crime and disorder, and the fostering of public approval—was expanded to include keeping the city and its people safe from terrorism. This morning I will provide an overview of the current terrorism threat environment and the NYPD’s counterterrorism measures.

In many respects, we currently face a greater likelihood of attack than we have seen in years. With regard to crime, we just experienced the safest summer in twenty-five years, with murders and shootings at modern lows. But with regard to the current terrorism threat

environment, we now face multiple hazards: “known wolves and lone wolves,” as my Deputy Commissioner of Intelligence and Counterterrorism John Miller says.

Al Qaeda, particularly al Qaeda in the Arabian Peninsula, or AQ-AP, which operates primarily out of Yemen, remains a distinct threat. They are believed to be the primary driver of the terrible attack in Paris at Charlie Hebdo.

But we have also seen the emergence of a new, virulent player—ISIL, or the Islamic State of Iraq and the Levant. By establishing a pseudo-state in the war-torn no-man’s land between Iraq and Syria, ISIL has fundamentally destabilized the Middle East. Fortunately, its direct impact has not yet been felt here. But the important words there are “direct impact” and “yet.” Because ISIL has been far more successful than Al Qaeda at driving indirect impacts. ISIL has shunned Al Qaeda’s model, which focuses on the next grand attack. Instead, they have embraced a diffuse, “lone wolf” model, which encourages unaffiliated independent operators to do whatever damage they can with whatever is at hand.

This threat is decentralized and much harder to detect than threats orchestrated by Al Qaeda. ISIL’s alarmingly effective messaging—as refined as anything found on Madison Avenue or in Hollywood—reaches marginalized, solitary actors. These are terrorists who largely operate outside the kind of command-and-control systems, or cells, that we have learned to penetrate and dismantle. In the past year, we have seen many such attacks around the world, prompted by ISIL videos. Last October, here in New York City, an ax-wielding, radicalized malcontent attacked four of our officers in broad daylight, seriously injuring two. He was the human equivalent of an unguided missile: launched remotely by messages directed at disaffected people on the fringes, people with a lot of anger and little to lose. There were similar attacks in Canada and Australia.

Despite this, we have not wavered in our efforts. One example is the arrest, made by the FBI-NYPD Joint Terrorism Task Force (JTTF) in April, of two Queens residents who sought to make bombs like the ones used at the Boston Marathon is an example. That case was begun by an NYPD source and centered on an Intelligence Bureau undercover officer. Then in June and August, a group of men from Queens, Staten Island, and New Jersey were arrested by the JTTF for conspiring to join ISIL and for conspiring to carry out a terrorist attack in the New York City region.

These cases and others demonstrate that New York City remains in the crosshairs of global terrorism. Since September 11th, 2001, there have been more than twenty terrorist plots against New York City, targeting the New York Stock Exchange, Citigroup headquarters, the Brooklyn Bridge, John F. Kennedy Airport, Times Square, Ground Zero, the subway system, major synagogues, and even NYPD funerals. So far, they have been thwarted at nearly every

turn by the efforts of the NYPD and our local and federal partners. That partnership, by the way, is stronger than it has ever been. Under Deputy Commissioner Miller, a veteran of the FBI and the Office of the Director of National Intelligence, we have undergone a collaborative reset with the vast variety of agencies, entities, and services with which we work. Together, we have kept this city safe—and we have done so while upholding the constitutional rights and liberties accorded to those who live, work, and visit New York City.

To accomplish this, I have been fortunate to build on the work of my predecessor, Police Commissioner Raymond W. Kelly. To his great credit, he recognized that the NYPD could not defer its counterterrorism responsibility to others, and he set about reorganizing the Department accordingly.

Soon after 2001, the NYPD became the first police department in the country to develop its own robust counterterrorism capacity. At the time, we had already been in the Joint Terrorism Task Force for two decades, having co-founded the JTTF with the FBI here in New York. And we had an Intelligence Division that focused on crime and protecting the many dignitaries and world leaders who come to New York, particularly during the United Nations General Assembly—the 70th Session of which is just weeks away. But the murder here of more than 2,700 people on a single morning meant that the Department's efforts had to be redoubled.

We established a division responsible for training and equipping every one of our police officers for counterterrorism duties. And our Intelligence mission grew to include gathering and analyzing intelligence with global implications. In these expansions, our personnel were our premier resource. Over the years, the caliber of people we have been able to attract has played a major role in our ability to protect New York.

We have hired civilian intelligence analysts who are experts in intelligence and foreign affairs. They study terrorist groups, trends, and methods of attack.

We have assigned police officers to serve as liaisons in twelve cities around the world: London, Madrid, Paris, Tel Aviv, Abu Dhabi, Amman, Lyon, Montreal, Toronto, Singapore, Santo Domingo, and Sydney. From these locations, and in coordination with our federal and international partners, our liaisons can travel to the scenes of terrorist attacks that occur throughout Europe, the Middle East, Africa, and Asia to help analyze the specific tactics used, the type of weaponry and explosives involved, where the planning was conducted, and the nature of the targets—all to better learn how best to defend New York City against a similar attack.

The liaisons are funded primarily by the New York Police Foundation, and their investment has paid dividends. Our liaison in France gave us real-time updates on the situation police

confronted during the Charlie Hebdo attacks. After attacks at the Bardo Museum, we sent liaisons to Tunis and obtained on-the-ground intelligence. In 2013, our detectives deployed to the scene of the Westgate Mall in Kenya following the heinous attack by al Qaeda's Somalia-based affiliate al-Shabaab. In response to the 2012 deadly bus attack at the airport in Bulgaria, our liaison officer stationed in Tel Aviv was able to supply us with critical information on the tactics used by the attackers. The NYPD uses the information gathered from such assignments to adapt its tactics, techniques, and procedures to deter and/or thwart potential similar attacks in New York City.

Our personnel's remarkable ethnic and national diversity affords us a deep pool of foreign-language-speaking officers. This has allowed us to build a foreign-linguist program with more than 1,200 registered speakers of 85 different languages—Arabic, Dari, Farsi, Mandarin, Pashto, Russian, Spanish, and Urdu, to name just a few.

Our diversity has bolstered every aspect of our mission, from counterterrorism to crime-fighting to community relations. Through our Community Affairs Bureau, we have assigned officers to the Arab and Muslim, Chinese, Eastern European, Hispanic, and West African communities who are actually part of those communities. The connections they make ensure that the community shares the responsibility for counterterrorism. It's a force multiplier when it comes to keeping the city safe. To facilitate this shared responsibility, we established "New York City Safe," a terrorism-threat hotline, where concerned citizens can report suspicious activity.

In addition to our community outreach efforts, we also coordinate closely with outside partners, including the federal government, regional law enforcement agencies, and the private sector. We continue to work hand in glove with the JTTF, sharing information and following up on terrorism-related leads. We also assign personnel to the Drug Enforcement Administration's Special Operations Division, the High Intensity Drug Trafficking Area Task Force, the National Intelligence Council, and U.S. Customs and Border Protection.

Through a program called Operation Sentry, we also share information with more than 150 law enforcement agencies throughout the Northeast and Mid-Atlantic. We conduct various types of training with our Sentry partners, hold video-conferences on emerging threats, and exchange best practices with respect to terrorist and traditional crime matters. These collaborations are utterly necessary in a world where terrorists—and criminals—ignore the borders and boundaries that limit us. Terrorists frequently develop their plot outside their target areas. In 2005, the suicide bombers who struck the London transit system built their bombs in Leeds, 180 miles north of the target. Closer to home, the first World Trade Center bombing in 1993 was planned across the Hudson River, in New Jersey. And Faisal Shahzad, who attempted to detonate a car bomb in Times Square in 2010, assembled his explosives in Connecticut.

For an understanding of how important collaboration in these matters is, look no further than Shahzad's comment to the officers who removed him from a plane at JFK minutes before he might have escaped: "I was expecting you—are you NYPD or FBI?" The answer was neither—they were Customs officers. In the task of keeping us safe, everyone has a role to play.

We collaborate with the private sector, as well—there are nearly 13,000 members of the region's private security industry who participate in a program called "NYPD Shield." The membership consists of security professionals tasked with protecting critical infrastructure and sensitive buildings in the New York metropolitan area. Through the Shield program, we regularly host conferences, sector specific briefings, and training seminars as well as share NYPD strategic assessments on terror trends. Under another initiative, Operation Nexus, our detectives have made over 55,000 visits to businesses that make, sell, or inventory products, services, or materials that might be exploited by terrorists, such as truck rental outfits, fertilizer stores, and chemical supply companies. We ask them to contact us if they see anything unusual, anything that gives them pause.

Having the right personnel and partnerships is part of the equation, but monetary resources are required, as well. Since 2002, the Department has been awarded \$1.4 billion in federal counterterrorism funds, which have been used for mission-critical equipment, training, and salaries. In this respect, Department of Homeland Security grants and other disbursements have played an integral role in protecting the eight-and-a-half million people who call New York City home, the millions more who live in and work in the greater metropolitan area, and the fifty-six million visitors we have each year.

Over the past several years, the "Securing the Cities" program has spent more than \$21 million installing radiation detection equipment throughout neighboring jurisdictions and at key points of entry into the five boroughs. Across the city, we have distributed approximately 3,000 radiation pagers to units throughout the department and nearly 4,000 radiological dosimeters to each Patrol Borough's counterterrorism trailer. Even as this funding to the greater New York City region is being reduced, the NYPD continues to invest heavily in acquiring and maintaining state-of-the-art equipment to identify, prevent, or disrupt threats. From sonar systems to thermal imaging cameras, we have installed highly sensitive detection equipment on the boats and helicopters we use to patrol New York Harbor. Police vehicles are also outfitted with similar detection capabilities.

We have also benefited from DHS grants in developing our Domain Awareness System, or DAS. Over the past six years, approximately \$325,000,000 has been expended, primarily through multiple DHS grants. When DAS is fully implemented, New York City will be one of the most target-hardened cities in the nation, with more than 6,600 closed-circuit television cameras

(CCTVs) and nearly 500 license-plate-recognition readers (LPRs) on every bridge and tunnel coming into and leaving Manhattan. High-definition CCTVs with thermal-imaging capability are already mounted on helicopters and mobile LPRs are deployed in both marked and non-descript vehicles to aid in the tracking and interdiction of suspect vehicles, allowing for a rapid response to major incidents. Where DAS really opens new horizons, however, is in its data collection. All sensor data will be correlated with records data from NYPD and external databases, and contextual alerts will be provided to users. Geographic analytic mode capabilities will support pattern identification among disparate data types. The DAS project also continues to expand as additional capabilities, functions, and sensors of various forms (CCTV, CBRN, etc.) are integrated.

Additionally, thanks to funding from the Mayor and the Manhattan District Attorney's Office, the NYPD is implementing its "Mobile Digital Initiative." Mobile Digital puts a smartphone in every uniformed officer's hands and a smart tablet in every vehicle. The Project is ramping up and we expect to see steady-state deployments beginning in August, with a completion date of February 2016. These devices will be DAS compatible, making every one of the NYPD's 35,000 officers a counterterrorism asset.

We are also developing and implementing a robust cybersecurity program. Malicious software, data exfiltration, and exploits all take place in the virtual realm of a computer network. In order to monitor and mitigate such an attack, the NYPD must possess the appropriate sophisticated security tools. The Department's existing cybersecurity capabilities are not adequate to fully defend the Department in the current threat landscape. Accordingly, the NYPD has commenced the Total Network Visibility Initiative (TNVI), an innovative methodology utilizing a variety of reporting mechanisms such as log and packet inspection, net flows and edge monitoring, among other techniques. These techniques will allow network defenders to "see" the malicious action in cyberspace, and take necessary actions to rapidly mitigate threats to NYPD Information Systems.

These personnel and resources are fully leveraged to apply the NYPD's counterterrorism measures.

We constantly seek to disrupt budding plots. Every day, through Operation Hercules, we deploy teams of heavily armed officers to make unannounced visits to iconic locations.

We place particular emphasis on the subway system in light of its primacy as a target and because it is a vital artery that keeps this city running. In excess of six million New Yorkers use the subways every day. Protecting this system is one of our top priorities and greatest challenges. The system is designed to be open 24 hours a day, every day of the year. Its very strengths as mass transit leave it vulnerable to attack. After the bombing of the London transit

system in 2005, we began screening the bags and backpacks of subway passengers. Every day, we maintain posts at each of the 14 underwater subway tunnels. Thanks to a federal grant, we were able to hire over 100 police officers for our Transit Impact Program and re-assign an equal number of veteran officers to our transit-based Anti-Terrorism Unit. They conduct mobile screenings, transit order maintenance sweeps, surges, and counter-surveillance. We have heightened uniformed patrols underground and conduct regular security sweeps of subway cars.

The salaries and overtime for all of the specialized counterterrorism teams described above, including those for detectives and analysts in the Intelligence Bureau and on the Joint Terrorism Task Force, accounted for more than \$420 million of the federal funds allocated to NYPD since 2002.

We also prioritize counterterrorism training. Since 2002, we have dedicated \$100 million of federal counterterrorism funds to training programs, including Behavioral Observation and Suspicious Activity Recognition; Hostile Surveillance Detection; Initial Law Enforcement Response to Suicide Bomber Attacks; Advanced Explosive Trace Detection; Awareness and Response to Biological Events; Chemical Ordinance, Biological and Radiological Awareness Training; and Maritime Incident Response Team Training.

The Department conducts and participates with other New York City and government agencies in counterterrorism exercises including tabletop, functional, and full-scale (i.e. "boots on the ground") drills. The Department has taken part in dozens of major exercises to plan for and safeguard against chemical, biological, radiological, or nuclear attacks, in addition to another dozen workshops with our Securing the Cities regional partners. Utilizing lessons learned from previous terror attacks, including those garnered from our liaisons abroad, the Department holds regular exercises to examine potential threat scenarios and capabilities that will be required to successfully respond to and mitigate the threat.

In addition to those mentioned above, in the past year we have held active shooter exercises, including one recently conducted just above us in the new World Trade Center Tower. We have conducted simulated IED attacks, staged various attack scenarios at high-profile events; and conducted exercises involving dirty bomb detonations at subway stations and platforms. These exercises inform our special event planning and response. For example, based on lessons learned the Department may deploy physical security measures such as temporary barriers; Critical Response Vehicles; heavy weapons teams; canine assets; bag screening; explosive trace detection; hostile surveillance detection; or radiation detection.

These are some of the tools we are using to keep pace with the evolving threat of terrorism. The philosophy behind them is simple: we have to develop the best intelligence available,

expand our partnerships, and take protective measures to defeat whatever our adversaries might be planning next.

Because unfortunately, our adversaries have multiplied in recent years. As was discussed above, organized, well-equipped attacks like the one in Paris remain part of the threat picture, but we now face the diffuse threat of the ISIL-inspired lone wolf, as well. To address this new, more complicated reality, the NYPD is changing its Counterterrorism Critical Response Vehicle model.

Thanks to Mayor de Blasio, who authorized the first headcount expansion in more than a decade, we are getting 1,300 new officers. The staffing increase has allowed us to take what was a temporary deployment scheme and make a permanent Critical Response Command. Instead of drawing hundreds of officers from the patrol precincts randomly each day and depleting local patrol resources, the CRC will be staffed with dedicated personnel specially trained for the counterterrorism mission. On a day-to-day basis, they will protect a range of critical infrastructure and important sites. But they also provide support for our Emergency Services units and counter active-shooters, “lone wolf” attacks, or more sophisticated operations such as those in Paris or Mumbai. All personnel will have received advanced training in counterterrorism operations and will be equipped with highly advanced and specialized equipment, such as explosive trace detection equipment and under-vehicle inspection systems.

Finally, I wish to assure the Committee that our commitment to public safety and security does not trump our commitment to privacy and constitutional protections. Protecting civil liberties is as important as protecting the city. After all, it is our freedom that makes us a target for those who hate it. Our terrorism-related investigations are treated with particular care because we recognize that they may, at times, implicate the First Amendment and other important issues. Accordingly, we abide not only by the U.S. Constitution and other applicable law, but also a federal consent decree that imposes additional checks on our counterterrorism investigations.

Fourteen years after 9/11, New York enjoys the distinction of being the safest big city in America. It is also commercially vibrant, culturally diverse, and free. These successes are due, in no small measure, to the 50,000 uniformed and civilian members of the New York City Police Department, who, together with our partners, including the distinguished members of this committee, have sought and strived and never yielded in keeping the city safe.

Thank you again for this opportunity to testify. I would be happy to answer any of your questions.