

Testimony of Edward F. Davis, III, CEO of Edward Davis, LLC and Former Boston Police Commissioner before the United States House of Representatives Subcommittee on Counterterrorism and Intelligence of the Committee on Homeland Security

“The Future of Counterterrorism: Addressing the Evolving Threat to Domestic Security”

February 28, 2017

Chairman King, Ranking Member Rice, distinguished members of the Committee, thank you for the opportunity to speak before you today. This topic is critically important and must remain a top priority for Congress. Our Administration, Congress, Law Enforcement and private citizens must continue to work together in a coordinated manner. A focus on communication and consistency of funding for multi-jurisdictional training drills, communication tools and intelligence gathering is essential to prevention and mitigation in the event of an organized or lone wolf attack.

The nature of the work I do with my security consulting firm keeps me in touch with national and international frontline police and law enforcement agencies. Organized and lone wolf attacks are not going away anytime soon. These individuals are nimble and frequently change their methods. The goals, however, remain the same: death, destruction, creation of fear and chaos. In 2016 we saw a brutal shooting and explosive attack on the Brussels National Airport in Belgium that killed 32 civilians and 3 of the perpetrators; a large truck plowing people down following a Bastille Day celebration in Nice, France that killed 86 people; different methods, same goals.

More than ever before, relationships between law enforcement partners, stakeholders and community members need to be in place to prevent attacks. Law enforcement needs sufficient police resources and updated intelligence to collect relevant information prior to attacks, and to truly begin to build trust within all of our communities.

Following the attacks on September 11, 2001, counterterrorism efforts in the United States shifted to the prevention of the next domestic terror attack. Joint Terrorism Task Forces (JTTF), already in place at that time, established a working partnership with local, state and federal law enforcement authorities. At the time of the Marathon bombing there were information sharing issues that were subsequently changed and improved. These JTTFs have proven to be tremendous vehicles, encouraging local, federal and state police to work together as full partners toward our Nation’s critical mission of protecting the U.S. homeland.

Testing of the JTTF system is important for effectiveness and transparency. It is important to realize that any complex system charged with such responsibility must be monitored for compliance.

If we are to be successful in combating terrorism, law enforcement, cities and towns and our government must be communicating, sharing information, improving intelligence and coordinating our prevention and response efforts. In 2013, following the bombings at the Boston Marathon, federal agents worked side by side with local law enforcement officers collecting evidence at the finish line, interviewing witnesses and suspects, combing through

petabytes of data from cellular service providers and pouring over the all-important collection of images from fixed surveillance and civilian cameras. The decision to crowd-source for potential evidence was made jointly by federal, state and local authorities. This collaboration, both in-the-field and behind the scenes, resulted in both suspects being arrested or killed within 102 hours.

Communities have a vital role in prevention of attacks. I have investigated transnational organized crime throughout the majority of my career. I can tell you after 35 years of policing criminals, or “bad actors,” are always a small percentage of the population they live within. It is impossible to work these cases without building strong, cooperative and trusting relationships with the many good people within that same population; those who are often most vulnerable to the threats of these depraved actors.

When I was Police Commissioner at the Boston Police Department, we hosted and participated as a partner in the BRIDGES group. It is a collaborative effort among various community representatives, federal, state and local government agencies. It is designed to enhance safety and security and provide an opportunity for candid conversation, relationship building and problem solving between law enforcement and the community. At that time the Boston Police Department was experiencing an uptick in violence involving young, Somali men. The Somali group representatives that participated in BRIDGES stepped in and remedied the situation through community counsel, activities and job creation in coordination with the Boston Police Department and the City of Boston.

The communities of every city and town across the United States have the ability to play a central role in the prevention of organized and lone wolf terror attacks. Citizens can, if properly informed and trusting, provide early information to law enforcement agencies on radicalization in their midst. One of the Boston Marathon bombers, Tamerlan Tsarnaev had a concerning outburst, indicative of potential radicalization, at a Cambridge mosque prior to the attacks when the Imam quoted Martin Luther King, Jr. No information regarding this incident was provided to federal, state or local authorities. This was a missed opportunity for information that could have led to greater scrutiny of Tsarnaev before the bombs exploded. This requires consistent effort to build trust and strong relationships between law enforcement and the community, so this type of information becomes available in a timely manner.

Intelligence sharing has been improved through fusion centers located across the country, more effective JTTFs and improved technology. One of the best practices in Boston is a comprehensive review of the JTTF cases. This is done several times every year and always prior to a major event. This process has provided more focused follow-up on individuals who pose the greatest threat to citizens and visitors in Boston.

It is important for Congress to remain vigilant on information sharing while at the same time safeguarding all citizens’ important Constitutional rights. The JTTFs rely on information from sources other than the federal authorities. The New York Police Department intelligence operations provides the most effective and timeliest information sharing to JTTFs. The approval process for the federal information sharing system is slower and is still largely bureaucratic. I encourage you to find ways to streamline and expedite this system so that information can be shared with appropriate partners in a timely manner.

Law enforcement training is essential for effective prevention, mitigation and response to terrorist attacks. I encourage all of you to continue to push for important funding such as Urban Area Security Initiative (UASI) through the US Department of Homeland Security. In May, 2011, the Boston Police Department, City of Boston agencies, federal, state, local and transit law enforcement partners, emergency medical community, and other key stakeholders all trained together in a Mumbai scenario Urban Shield: Boston exercise. It revealed deficiencies that no doubt saved lives in April, 2013. It became clear that police and other first responders radios were not synced and that the medical and law enforcement community did not share common, necessary protocols in the event of an attack. When all cellphones failed during the Marathon attacks, radios were critical for communication. Each of the above deficiencies, and more, were corrected immediately and in place for the Marathon attacks.

Training also offers best practices for prevention, mitigation and response such as how to secure perimeters. The use of large trucks, particularly heavy dump trucks, around the perimeter of large crowd events is one example of various methods used by law enforcement. This is done regularly during Boston championship events. In New Orleans last week, the drunk driver of a vehicle that plowed into a crowd, critically injuring approximately 28 people, eventually crashed into a dump truck that was situated along his travel route for cleaning purposes. This stopgap definitely saved lives.

I recently spoke with the Director of Security for the Brussels National Airport in Zaventem, Belgium. At the time of the recent attack, law enforcement and security cellphones and radios were not functioning. They actually had to rely on a centuries old model of using human runners with written messages to bring and receive information. This is an excellent example of why appropriate communication networks and equipment must be readily available so that law enforcement can do their jobs.

Public Safety agencies must be able to effectively communicate at all times, particularly during a crisis. I encourage you to support interoperable networks that will facilitate interagency communication through funding and legislation.

In closing, the evolving and changing challenge of terrorism today in our country and throughout the world requires daily attention and consistent commitment from our leaders in both policy and funding. If we are to make measurable progress in this fight, it requires a common sense approach: a true intelligence sharing system that is periodically checked for effectiveness and authenticity, coordinated training for first responders and key stakeholders, critical equipment for first responders, long term planning for communication networks, and relationship building with each of our communities. I ask that you continue to find legislative methods to enhance the great work that is already being done by our law enforcement community, and fund important programs that increase knowledge, training and provide the right tools to effectively get the job done. Thank you.

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