

TESTIMONY OF
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BEFORE THE
COMMITTEE ON HOMELAND SECURITY
UNITED STATES CONGRESS
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Chairman King, Ranking Member Rice, and members of the subcommittee, I am honored that I have been asked to represent the Northern Virginia Regional Intelligence Center (NVRIC). I thank you for the opportunity to discuss the role and challenges faced by my regional fusion center and in a way represent the remaining seventy-eight Department of Homeland Security (DHS) recognized fusion centers in the United States and territories.

Since assuming my position thirteen months ago, I have charged directly into the world of law enforcement intelligence and have used my leadership and interpersonal skills to advance the role of the fusion centers in the National Capital Region in securing our communities. The key to valuable, timely, and relevant intelligence is based on information sharing and ensuring it is properly processed. The National Situation Awareness Reporting (SAR) Initiative (NSI), led by the Department of Homeland Security, has provided the framework needed by first responders, not just law enforcement, throughout the country. What I hope to impress upon you today is a comparison of my initial impression of the NSI program and what I have learned the one year since I have been in my current position.

The Northern Virginia Regional Intelligence Center has been in existence since 2004. In 2010, the Department of Homeland Security (DHS) officially recognized the NVRIC as a regional fusion center within the Commonwealth of Virginia. The NVRIC supports the jurisdictions of Fairfax County, Arlington County, Alexandria City, Prince William County, Loudoun County, every smaller city or town, federal facility and military installation within those geographic borders. Strengthening our relationships with our National Capital Region fusion centers, Maryland Coordination Analysis Center (MCAC), Washington Regional Threat Analysis Center (WRTAC), and the Virginia Fusion Center (VFC) has been a priority. Fostering strong relationships among the numerous law enforcement agencies, fire/EMS services, private sector businesses, transportation leaders, emergency managers, and our political leaders have led in a relatively short time period to improving our relevance in the area while still protecting the civil liberties of our citizens. Another unique feature of the NVRIC is that we have detectives assigned to the center that have security clearances. They have the ability to work with numerous federal law enforcement groups, to include the Joint Terrorism Task Force.

Early on in my assignment, I recognized that our center had been lacking in some programs, to include participation in the Homeland Security Information Network (HSIN) and in SAR reporting. As of January 1, 2017, we are now leading members in the HSIN system and have championed the SAR program in Northern Virginia. We conduct monthly in-person meetings for analysts, detectives and commanders where all participants are instructed to bring something to the table. That all agencies, no matter how small or isolated they feel in Northern Virginia, have value to help prevent crime and terrorism in Northern Virginia. The outreach of NVRIC leadership and staff has resulted in dramatic increase of participation by Northern Virginia law enforcement. For example, military police detectives now talk about criminal cases involving military personnel as victims and the regional meetings with local law enforcement have led to identifying the suspects from other states. Trust and open communication has been the key to the continuing success of the NVRIC and bringing multiple disciplines together to ensure our community remains safe from terrorism.

The strongest relationship the NVRIC shares is with our state fusion center partner, the Virginia Fusion Center (VFC). The VFC is managed by the Virginia State Police in Richmond, VA. The VFC and NVRIC communicate on a regular basis to improve information sharing and to ensure the centers complement each other. We cannot compete with each other or the result could be a loss of trust by our first responder community and each other. We have established clear roles of responsibilities for each center's area of responsibility. Should a center need assistance with an event or a request for information, the VFC and NVRIC can rely on each other to accomplish the mission. The relationship is so strong that the VFC has placed a lead analyst in the NVRIC to improve and coordinate information sharing.

The VFC has the primary role of managing the "See Something-Send Something" program. See Something-Send Something is a mobile application that can be used by the public as well as professionals to photograph and text criminal activity or suspicious activity to the nearest fusion centers (assuming the geo location services are enabled on the user's device). In Virginia, that is managed by the VFC. Once received, VFC staff must review and vet the information since activities reported by the public don't always rise to the level of criminality or the SAR standards. If the reported activity rises to the level of a SAR or crime, the analysts work it up as much as possible and then send to the VFC's field agents for investigative follow-up. The agents then report their findings back to the VFC for analytical reporting. If the See Something-Send Something report is identified coming from Northern Virginia, the VFC forwards the report to the NVRIC to begin the investigative process. The VFC manages a web page that allows citizens to report See Something-Send Something. The NVRIC does not maintain a stand-alone web page.

Suspicious Activity Reports (SARs) come in from a variety of sources such as the public, terrorism hotline, "cold fusion" via the VFC website, See Something-Send Something Mobile App, law enforcement sources such as state, local, federal, and military police as well as first responders from across Virginia who have attended Fusion Liaison Officer or Suspicious Activity Reporting training. The reporting has assisted law enforcement to identify subjects that have begun to support terrorist activities in the Commonwealth of Virginia or individuals in criminal activities that law enforcement hadn't known about.

The key to the success of these programs is the analyst working closely with their law enforcement counterpart. A highly trained analyst can process the limited information provided and quickly assess how the information is made actionable or not. Citizens filing anonymous reports of each other does occur, but the trained analyst must quickly assess if the claim made is real or without grounds. Information that does not reach a level of reasonable suspicion is purged. From the training received annually from the Bureau of Justice on protecting the civil rights of citizens and 28 CFR, fusion centers adhere to the guidelines set not to retain that information.

The NVRIC unfortunately doesn't have the same technological abilities to interact with first responder groups and establish easy SAR reporting methods as those of the VFC. The majority of SARs sent to the NVRIC are received through email or telephone calls from partner agencies. Through the dedicated work of analysts of the NVRIC, three to four days a week and occasionally two or three times a day, they have provided onsite SAR training to local, federal, and military police patrol officers in Northern Virginia. The analysts have met with school

resource officers prior to the opening of the 2017 school year and taught the fundamentals of SARs and how to send the information to the center. The fire analyst at the NVRIC is developing a SAR presentation for fire departments in Northern Virginia to help fire and EMS personnel understand how important they are to the fight against terrorism and how to report observed suspicious events.

Up until a week ago, SAR training provided by the NSI had not been present in the Washington, D.C. area for a few years. The NVRIC staff assessed quickly the need to train first responders and provide examples to them of law enforcement field contacts made in the past of subjects that may have been identified as terrorist sympathizers. But now the NSI, the four National Capital Region fusion centers and the Joint Base Ft. Myer-Henderson Hall Police will be hosting a three day course to agencies throughout the region and country on Suspicious Activity Reporting. The leadership of the NSI have indicated they are more committed now to building the partnerships between DHS and state and local law enforcement.

During the tracking period of SARs by the NVRIC from October 2015 to September 2016, there were 292 SARs submitted. As the NVRIC began to advance the SAR training and Fusion Liaison Officer training program, from October 2016 to July 2017, there have been 331 SARs submitted, a 13% increase of SAR reporting compared to last year. It is difficult to assess if the increase in SAR reporting over the time period can be attributed to the on-site training provided by NVRIC analysts. Statements made by first responders at the training have been common theme. They didn't know the indicators that can be used in a SAR. They didn't know who to contact. They don't receive feedback from fusion centers or the federal government on the information they submit, hence they have stopped submitting SARs. The analysts can attest that because of the training, they are receiving SARs from agencies and first responders they have never been in contact with in the past. I am convinced that on-site SAR training and developing a relationship between the fusion center analysts and first responders will only enhance the SAR system and should produce an increase in SAR reporting.

Analysts have expressed that the diverse and simple methods of SAR reporting are well received. Improvements are still needed in many areas of SAR reporting. Timeliness of reporting by first responders or having the report sent to the NVRIC can be days or even weeks after the initial contact or observation had been observed. Technology varies from center to center or state to state. DHS and other federal law enforcement groups, including the Law Enforcement Enterprise Portal (LEEP), are constantly developing new programs or listening to their consumers as to what they need to function successfully with programs that have a minimal cost or easy available training. The private sector (commercial market) provides incredible applications that draw upon multiple data sources that can be molded into the center's workflows and record management systems. Many of these programs have costs that are not attainable except by the largest of agencies. Grant funding and state and local government financial investments are getting reduced, if not completely terminated, yearly making it difficult to maintain or support the best technology available to help manage SAR reports and secure the data. Investing funds into a fusion center allows for that technology to be accessible by numerous law enforcement agencies submitting requests for information (RFI). Smaller agencies will be able to invest their budgets into operational materials needed and the fusion center could be the regional or statewide data management and intelligence provider.

Post September 11, 2001, the National Fusion Center system was developed to improve information sharing. Since I have assumed my position as deputy director, I have spoken with anyone and everyone that is willing to listen and learn. I have met with police chiefs that didn't know there was a regional intelligence center or find no value in the fusion center system. Fire chiefs claiming no one wants to share with them important information. Emergency managers stating they need intelligence, but don't receive anything from their law enforcement partners to help them prepare for possible activation. School system administrators advise they are receiving unconfirmed social media reports from their students or parents of imminent unsubstantiated school attacks and need assistance assessing the threat.

The role of the fusion center is incredibly important in a time when electronic messaging can be the difference between an evacuation or someone losing their life. The fusion center has to operate in a secure environment. The fusion center has to be able to process multitudes of data and information, usually in a short period of time. The fusion center can then provide verifiable, relevant and timely intelligence to our leaders so they can make a well informed decision. The fusion center should be considered the primary communication point to the Federal Bureau of Investigation (FBI) and Department of Homeland Security for state and local law enforcement, especially regarding Suspicious Activity Reporting.

The Suspicious Activity Reporting system will only be successful when the first responder community commits to the success of the program. Just attending training for the sake of meeting a training requirement will not produce successful results and strong partnerships. This spans from the officer or fire fighter working the street to the executives and political leaders that see the value in trusted information sharing and the Suspicious Activity Reporting program. With your support, you will help properly fund DHS and NSI program. State and local first responders need uniformed training and best practices. With DHS and fusion centers, such as the Northern Virginia Regional Intelligence Center, partnering to train first responders, executives, political leaders and our citizens, we will continually progress forward finding new and better ways to keep America safe.

I would like to take a moment to recognize and say thank you to all of the law enforcement, fire fighters, EMT's, emergency managers, hospital staff, and our military that not only serve in Virginia, but throughout our country. I have worked those long drawn out overnight shifts. Received the ridicule or praise for doing a job I love. Since September 11, 2001 and every day after that as I flew over the Pentagon as a crew member of Fairfax 1, I saw and smelled the destruction, I have remained determined to keep my community, and now as a member of the NVRIC, my country as safe as possible. Thank you committee for allowing me the opportunity to testify.