

House Homeland Security Subcommittee on Transportation Security

Hearing on
Lessons from the LAX Shooting:
Preparing for and Responding to Emergencies at Airports – Part II
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The November 1, 2013 shooting at LAX was a tragedy and I appreciate Chairman McCaul, Chairman Hudson, Ranking Member Thompson, and Ranking Member Richmond for inviting me to testify before your committee on lessons learned to prepare for future incidences at our nation's airports.

As a precursor, I would like to lay out why airport policing is unique and multifaceted and why it is becoming increasingly necessary to focus attention on how the federal government guides local and national security at our airports.

LAX and many large American airports are their own cities. Specifically, LAX spans 3,425 square miles and is the 3rd busiest airport in the U.S. serving 165,000 passengers *daily*, meaning that over 1 million people pass through our airport weekly which is roughly the entire population of the City of Dallas. In 2013, LAX served 66.7 million passengers—a 7.3 percent increase from the previous year. That same year, LAX opened its new Tom Bradley International Terminal which includes a total of 18 new boarding gates servicing many airlines from countries with longstanding histories of conflicts in neighboring gates within a confined and highly trafficked area.

LAX is staffed by a specialized proprietary police force that is explicitly trained to police and secure LAX which is widely considered to be the highest terrorist target on the West Coast. The work and training we do is critical to ensuring that if an incident happens, like the shooting attack in November, we are prepared to protect our airports and the traveling public quickly, precisely and orderly to curtail and minimize damage. Airplane and airports have an indisputable association to terrorism and impactful acts of crime in our world today and airport policing has had to adjust to address the evolution of airlines moving from targets of hijackings to airplanes being used as weapons of mass destruction and airports serving as symbols to those wishing to do harm as a high profile way to make a statement.

As such, the nature of airport policing is intertwined with our federal law enforcement partners including the FBI, Customs and Border Protection and airplane based Federal Air Marshals, all of with which we have a long and productive history. A key factor to our ability to effectively work together are clear delineations of responsibilities, a mutual underlying respect, and a strong trust in the abilities of our partners to follow protocol and do their jobs.

LAX has been the focus of some of our country's most high profile airport events including: an attack by an Egyptian limo driver that killed two people and injured four others at Israel's El Al Airlines ticket counter; a terrorist plot in which a car filled with explosives was stopped in Canada with the intension of detonating at LAX; an airport bombing that killed four and wounded 36; and the most recent shooting. On the general policing side, crimes at the airport range from stolen property, arrests of fugitives, aggravated assaults, and felonies for narcotics and weapons violations. As a frame of reference, in 2013, the number of reported crimes at LAX increased 10% to 1,569, with an average weekly arrest rate of nearly 24 per week.

During the same time period that LAX permanently expanded physically and increased passenger levels, the number of LAWAPD *sworn officers* has steadily declined to its lowest level since 2008 (see attached California Commission on Peace Officer Standards and Training study). For context, and of significant importance for the purposes of this hearing, when the November 1st shooting took place, there were only two officers assigned to the entire Terminal 3 at LAX, which is typical.

In September, 2012, the American Alliance of Airport Police Officers, which is comprised of rank-and-file law enforcement officers representing the airports of LAX, JFK, La Guardia, Newark and Dallas-Ft. Worth, met with Administrator Pistole to have a frank discussion on our concerns about law enforcement interaction with TSA—the only federal agency with which our officers experience consistent and ongoing lack of coordination and communication. We made specific recommendations to the Administrator including: fortifying security screening points with visible law enforcement officer (LEO) presence; real-time police access to airport CCTV cameras; mandatory screening of all airport employees; definitive standard operating procedures between LEOs and TSA; and providing the tools for TSA and LEOs to do our jobs (see attached letter). None of these recommendations were acted upon. Four of these recommendations—LEOs at TSA screening, CCTV access, definitive standard operating procedures between LEOs and TSA, and providing the tools for TSA and LEOs—most likely would have had an impact on November 1st. In its report following the shooting, the TSA has since issued recommended standards for law enforcement presence at checkpoints and ticket counters during peak travel times and has encouraged the linking of notification/duress alarms to CCTV systems but we are still awaiting implementation.

We also met with and communicated with the House Homeland Security Committee staff and you, Mr. Chairman, post-November 2013 and discussed issues relating to fortifying security clearance areas, CCTV, panic buttons, 911 systems and airport phone caller identification. While some would make the case that these are complex, highly expensive endeavors, they are not and they should be undertaken. I am hopeful that this committee will strongly encourage support of our recommendations with the airports who receive substantial federal funding in areas your committee authorizes.

I am concerned that airport management at LAX is not balancing policing and security with their ambitions to physically expand the airport and market it as a destination for world travelers. In fact, the Department of Transportation's (DOT) Office of the Inspector General (OIG) recently issued findings of a DOT IG Audit of LAX that found diversion of airport policing funds and other citations for diverting airport funds at LAX in the amount of \$49 million, as well as

numerous irregularities relating to an additional \$7.9 million in undocumented policing monies. Furthermore, I am concerned that TSA has not moved on basic, low tech, low cost and low effort solutions that are necessary to mitigate and perhaps prevent future acts of violence at our airports. My comments expressed in this testimony are to enhance and promote safety at our airports. It is my singular goal. Individually, we respect and admire all of our coworkers.

We are well aware that the November 1st shooting could have gone in a very different direction had the shooter been on a different mission. We are aware that had he been less methodical; had he been running instead of walking; had he been non-discriminating in targeting the general public and not just TSA; and had his intension been to get to a plane, many more people could have been killed.

My officers did not fail LAX when it was our time—when it mattered. We should expect the same in return and are hopeful that circumstances do not find us back here again or at a hearing at another airport in our country after another incident that could have been mitigated or prevented by common sense solutions with high-end returns on investments. As law enforcement officers at LAX, we want our airport to be the gold standard, not just from a marketing and economic standpoint, but also functionally, with safety being among the top priorities.

In closing, and most importantly, my fellow officers and I mourn for the Hernandez family. We also express our hopes that those who were injured will recover well and with speed and we solemnly commit to ensuring that we will continue our best efforts to protect our airport and its occupants.

Thank you for convening this very important hearing.