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**The Use of Fusion/Real Time Centers by Law Enforcement**

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**A Leadership White Paper  
Submitted in Partial Fulfillment  
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## **ABSTRACT**

Fusion centers and/or real time crime centers historically process and analyze data for law enforcement agencies in a manner that adds valuable time needed in disseminating specific pieces of information. As means of gathering and sharing information become more available and more efficient, law enforcement agencies are able to use the information from fusion centers to solve crimes very quickly. Fusion centers are the future of law enforcement research, investigations, and data sharing between different municipalities, governments, and countries. Many articles, journals, and current studies of running fusion centers support the fact that fusion centers are the future of law enforcement (D'Amico, 2006; Hylton, 2009; Mitchell, 2006; Placido, 2007). Fusion centers such as the ones currently employed by the Austin Police Department (B. Hutchison, personal communication, June 28, 2012), New York Police Department (D'Amico, 2006), NATO (Mitchell, 2006), and Interpol are clear examples of the success in brings in fighting local, national, and international crime. Any privacy or budget issues are dwarfed by the security discoveries made and crimes solved by the use of data gathered and disseminated by fusion centers.

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## INTRODUCTION

Law enforcement, as with everything else, has to take a dynamic approach to the presented situation. Career officers have to experience and embrace the dynamics of this technology and the ever evolving criminal enterprise. In this day and age, law enforcement agencies throughout the world have formed fusion centers or otherwise known as real time crime centers (RTCC). Law enforcement officials in larger and medium cities should utilize these centers to assist them in gathering data and information to help combat crime and possible terrorist activities. The United States does not need to go through another September 11, 2001, so by utilizing these centers, law enforcement could possibly prevent that. These centers have their early origins in Europe, and the United States' inception occurred shortly after the disastrous events following September 11, 2001 (U.S. Department of Justice, 2005). The United Kingdom started their "Intelligence-Led Policing" in the early 1990s. The United Kingdom built a new fusion center just in time for the 2012 Olympic Games in England (Public Intelligence, 2012). The United Kingdom has recognized the chance for increased violence during the games and made all current technologies available to ensure that any possible act of violence was stopped before it even began.

The North Atlantic Treaty Organization (NATO) anticipated the importance of these types of centers and opened their first center in 2006 (Mitchell, 2006). The Intelligence Fusion Center (IFC) will have 17 NATO countries involved running it and will process data from over 77 countries (Mitchell, 2006). These intelligence centers will work to keep us and the trans-Atlantic allies fed with the best intelligence possible.

Shortly after the formation of these centers, which can easily facilitate as a command post for the city in large or exponential event, it would seem that the cities begun to outgrow them. To this date, the United States has a total of 72 of these fusion centers being utilized (Beach, 2011). These real time crime centers are using up to date audio and video observation equipment and databases ranging from local, statewide, national, and international databases to obtain and disseminate it in real time. Also, the equipment is utilized for intelligence gathering and for observing and pinpointing suspicious activities linked to street level crimes up the scale to full blown acts of terrorism. Although these centers are typically formed in larger and greater populated cities, they are also being utilized in medium size cities.

With the utilization of these real time crime centers that law enforcement agencies have created, they have evolved into yet a tool for oppressing and prevention of crimes within their jurisdiction. Typically, these centers are staffed 24 hours a day, and seven days a week. A watch commander or lieutenant is usually the supervising entity followed by other subordinate officers. Currently, the police department in Austin, Texas is staffed with a watch lieutenant and staffed with a total of nine full-time and commissioned officers (B. Hutchison, personal communication, June 28, 2012). The basic dynamic approach and vision of it is to collectively gather intelligence and disseminate it in "real time." While the dissemination of the desired information is primary, the monitoring of their 30 plus surveillance cameras is secondary.

Currently, the Austin Police Department has been fully functional and staffed since July of 2011 (Sadeghi, 2011). As a sister cities of Austin, the Dallas and Houston Police Department's possess functional fusions centers. The New York City Police

Department has one of the largest and functional real time crime centers in the world and recent crime statistics have showed a decrease their overall municipal crime rate. (D'Amico, 2006) They project that, in the near future, all large cities will seek and need to adopt a fusion center style programs to assist with the gathering and dissemination of pertinent information. These centers can and will help with preventing and or even ceasing criminal activity, which have been proven. Patrol based operations will have a quicker response time due to the information obtained and ascertained by the centers employees. This also will greatly reduce the amount of time officers receive information from sometimes minutes to mere seconds, which the amount of time received could assist in the preservations of someone's life.

## **POSITION**

If the United States could have anticipated the tragic events of September 11, 2001, the United States could have had a greater opportunity to prevent those events if the fusion centers had been utilized effectively. Since that day, over 70 real time crime centers or fusion centers have been built throughout the United States. Other countries have formed and utilize fusion centers. These centers are designed to share information and data more rapidly and to share them over jurisdictional boundaries have always been cumbersome to law enforcement.

The first fusion center in the United States started four decades ago in El Paso, Texas. The El Paso Intelligence Center, also known as EPIC, was started by the Department of Justice (DOJ) in 1974 and has been fully staffed and operational ever since (The El Paso Intelligence Center, n.d.). This center was started in the area of the United States and Mexico border. EPIC's initial emphasis was on "Mexico's heroin

traffickers and illegal alien smugglers” (The El Paso Intelligence Center, n.d., para. 3). Now centers such as this one are being used by most drug/criminal interdiction officers and other specialized units throughout the United States. EPIC is staff by 15 different federal agencies from several states, counties, and municipal agencies (Placido, 2007). This center has the longest tenure of any center in the United States.

After the terrorist attacks in New York in 2011, the Department of Justice and Department of Homeland Security (DHS) started assisting other states with start-ups and up-keep of fusion centers. These centers were initially designed to identify possible terrorist activities. The names “fusion center” and “real time crime centers” are synonymous when referring to these data gathering offices within different policing organizations. With their assistance, it has helped law enforcement agencies catch criminals in mere minutes instead of weeks, months, and/or years.

There are innumerable examples of the success stories because of the fusion centers currently used throughout the United States and the world. The Austin Real Time Crime Center assisted a patrol shift catch a robbery suspect right after it happened (B. Hutchison, personal communication, June 28, 2012). The New York Police Department (NYPD) was able to close a cold case homicide that had happened December 14, 1998 and was solved October 5, 2005 through the use of the RTCC (D'Amico, 2006). The NYPD RTCC core room has approximately 40 detectives working within it, and it is also equipped with a two story video wall with 18 connected TV screen panels. These centers are ever-evolving to support the expanding operations to include robberies, rapes, missing persons, and other serious crime, including homicides and aggravated assaults.

The Houston Police Department (HPD) is another agency that has developed and is using a RTCC. The HPD is currently spending about \$2 million to help them transition to up-to-date surveillance and electronic equipment to primarily assist the patrol features (American Police Beat, n.d.). It has repetitively been proven that these centers, when monitored and staffed, are catching criminals quicker and more proficiently than ever before.

The New Jersey State Police are also employing a RTCC, and, thus far, it has been extremely successful, especially involving reopened cold cases and having the necessities to solve them. Regretfully, they had an officer shot and killed in the line of duty in early November 2011, but with the help of this RTCC, they were able to build an a solid arrest case with the information directly derived from their center. The two suspects were later located and arrested in another state (Guidetti, 2012).

Centers like these, from across the country, constantly share intelligence and disseminate this information to solve crimes. These centers assisted in locating the bomber, Faisal Shahzad, who had attempted to bomb Times Square. In New York, an alert sent by a AAA employee when they filed suspicious activity report, also known as a SAR, with the New York State Intelligence center, ultimately led to the capture of Shahzad on May 2, 2010. Shahzad knowingly contacted AAA for assistance when he locked his keys inside his vehicle. That same vehicle was later recovered with a firearm inside at the airport on the same date he was taken into custody.

## **COUNTER POSITION**

The American Civil Liberties Union (ACLU) currently has problems with these fusion centers and real time crime centers. They cite that there are major invasions of



privacy, and the centers have ambiguous lines of authority (German & Stanley, 2008). The ACLU stated, "Six months after their report new press accounts have borne out many of our warnings" (German & Stanley, 2008, p. 1). ACLU considers these fusion centers as domestic spying on the citizens of the United States. The ACLU argues that fusion centers are in a position to learn more about the American public, while the government suppresses any attempt from the public to educate themselves on what exact information techniques are gathered and utilized by fusion centers. The ACLU is upset that undercover officers are going to town meetings and gathering information even when there was no illegal activity going on there (German & Stanley, 2008). Also, the ACLU is claiming that by allowing law enforcement agents to attend these rallies and town meetings, take photographs, and collect data, they are in violation of the First Amendment Right. The ACLU is also worried about the military being involved in law enforcement activities (ACLU, n.d.). They are worried about anyone or everything involved with these centers, and they think that the data will be sold to the private sector, thus risking the chance that private information will be vulnerable (ACLU, n.d.).

Another problem with fusion centers is the rising costs of funding fusion centers during these tough economic times. More than \$1.4 billion in federal taxpayer support has been committed to more than 70 state and local fusion centers between 2003-2011. The report claimed that no information that was reported ever discovered a terroristic threat or active terrorist plot. Senator Tom Coburn, R-Ok, said, "They (fusion centers) too often wasted money and stepped on Americans' civil liberties." ("Senate report," 2012, para 3). The Department of Homeland Security countered that "the report misunderstands the role of the federal government in supporting fusion centers and

overlooks the significant benefits of this relationship to both state and local law enforcement and the federal government” (“Senate report slams DHS,” 2012, p. 1). However, the ACLU is off-base about the fusion centers and RTCC’s. The DOJ has put into place several federal guidelines, regulations, and policies that govern the use of information and what these centers can legally do (U.S. Department of Justice, 2005). The guidelines outline that a fusion center is “an effective and efficient mechanism to exchange information and intelligence, maximize resources, streamline operations, and improve the ability to fight crime and terrorism by analyzing data from a variety of sources” (U.S. Department of Justice, 2005).

Although each center has its own style, characteristics, and standard operating procedures, they all operate under the same guidelines and principals. All fusion centers must use guideline eight “Privacy and Civil Liberties,” which dictates how the information is collected, stored, and disseminated. These centers generally state the basis or justification for collecting the data which cannot be disclosed, made available, or otherwise used except for the purpose in which it was gathered for. Several security safeguards are set in place for loss or unauthorized access, destruction, misuse, or disclosure of this information.

## **RECOMMENDATION**

Law enforcement should consider using the fully functional fusion centers and real time crime centers to assist with monitoring criminal activity and use the information gathered to solve crimes that may have already happen. The larger and medium size municipalities should be forming these centers and sharing the collective data among each one another. RTCCs are in full operation in more than 70 cities within the United

States, and their preventative and reactive functions are making a difference on how information is being relayed to the street officer. At this time, with the help of RTCC's, a street officer can obtain information prior to arriving at a generated call to assist them with the investigation and exponentially help promote the solving of crimes. They do not have to wait hours, days, weeks, months, or even years. These centers were manifestly designed to disseminate data in real time and, in most cases, just mere seconds. Centers currently in use are catching criminals in action and, in some cases, while the act is being perpetrated. The collecting and distribution of this data is also assisting with the closing or conclusions of cold cases. RTCCs are using cameras around their cities and are watching (D'Amico, 2006).

The EPIC fusion center relays pertinent data to a criminal interdiction, including when and where the last border crossing was and previous involvement regarding persons and vehicles by said criminal. By utilizing EPIC, their employees can help the inquiring entity locate hidden compartments, which are typically used to conceal contraband, due to past information entered and documented by EPIC agents. The inquiring entity can also have EPIC verify the Department of Transportation number (USDOT) on the side of the vehicle to verify its validity. This center can also even alert the officer if the driver or any of the passengers have ever been arrested or associated with human trafficking or contraband smuggling.

Medium size cities that are close to larger urban centers like Dallas, Texas, would benefit from their proximity to a fusion center if they could have access to the data bank. These cities should be able erect cameras within their jurisdiction and link them to the larger cities center to mutually benefit all involved. This would be a

pertinent due to the intercity travel of most criminals. Sharing the fusion/RTCC information between agencies is one of the primal ways law enforcement agencies can attempt to utilize evolving technology to mitigate crime in their cities. Theoretically, by using this method, surrounding counties that are adjoining the larger metropolitan areas can also install surveillance cameras in their elevated crime zones for further assistance for their deputies. Thinking outside the box can all benefit from it using these centers. The ACLU has focused on the task of interfering with development and operations of these centers within the United States because of proposed invasion of privacy issues. The ACLU is notorious for proceeding with civil litigations regarding law enforcement agencies in the past, which aimed at exposing domestic spying, but “suing is a shot in the dark,” given current state and federal laws (Hylton, 2009). Even with the ACLU’s efforts to stop these centers from opening, they are continuously opening in the larger metropolitan area citing previous positive results from similar neighboring centers.

The DHS has outlined and published policies governing how the data that is gathered from these can be used (Beach, 2011). These centers are being utilized to help stop or prevent criminal activity, and they are an outstanding tool for law enforcement to help the preservation of life for their citizens. These centers have and will continue to immensely help the law enforcement community.

The 2010 DHS grant program established a requirement that these centers certify that privacy and civil liberties protections are in place in order to have access to and use DHS grants (ACLU, n.d.). It is of tantamount importance that the DHS acknowledge its authority to regulate these centers, considering what they can do for

citizens and law enforcement. The following is an example taken right from the DHS web page.

DHS and other agencies worked and communicated with each other in Sacramento, California regarding the kidnapping of a child. With several agencies working together and communicating with each other, they were able to generate an Amber Alert, and identify the suspect of the possible kidnapping. While doing a background check on the suspect, the agencies were able to find out that he was wanted for other crimes (U.S. Department of Homeland Security, n.d.). Again with all of the agencies and Interpol being able to communicate with each other and able to cut through the red tape, they were able to determine what flight and where the suspect was going to. Because of all of the work between these agencies, law enforcement officials in Amsterdam were able to identify and detain the suspect and locate the child before any harm could come to him (U.S. Department of Homeland Security, n.d.).

These centers work and are helping law enforcement succeed at doing their jobs at a higher level of excellence and are protecting the citizens. There are many more documented success stories circulating, but, by far, these centers produce more beneficial outcomes than what the ACLU credits them for. Law enforcement professionals have a duty to provide for the citizens that they took an oath to serve and protect, and by utilizing fusion centers effectively and continuously, they can provide them in more and efficient ways before they were previously implemented.

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