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**NAVAL
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THESIS

**NEW YORK CITY'S FIRST RESPONDERS: ENHANCING
COLLABORATION BETWEEN NYPD AND FDNY**

by

Michael J. Harrington

December 2014

Thesis Co-Advisors:

Nadav Morag

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**NEW YORK CITY'S FIRST RESPONDERS: ENHANCING COLLABORATION
BETWEEN NYPD AND FDNY**

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Submitted in partial fulfillment of the
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ABSTRACT

In a post-9/11 world, cooperation among first-responders in New York City is absolutely essential for maintaining public safety. Although more than a decade has passed since 9/11, inter-agency communication between the New York City Police Department (NYPD) and the Fire Department of New York (FDNY) is still far from perfect. This paper examines the inter-agency cooperation changes made since 9/11, not only between the NYPD and the FDNY, but all agencies in state of New York charged with public safety. I also consider which approaches have worked to foster inter-agency cooperation, including the use of fusion centers, central agencies charged with coordinating emergency responses (such as the New York City Office of Emergency Management), and structured protocols like the Citywide Incident Management System that clearly delineate the roll of each agency at the scene of an emergency. Finally, I examine potential approaches that have not been implemented but could prove fruitful, and I make recommendations on what approaches should be taken in order to foster greater inter-agency cooperation.

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LIST OF ACRONYMS AND ABBREVIATIONS

ACLU	American Civil Liberties Union
CBIDAS	Coordinated Building Inspection and Data Analysis System
CBRN	Chemical Biological Radiological Nuclear
CCTV	closed circuit television
CIMS	Citywide Incident Management System
CTDP	Counter-Terrorism and Disaster Preparedness
DHS	Department of Homeland Security
EMS	emergency medical services
ESU	emergency service unit
FBI	Federal Bureau of Investigations
FDNY	Fire Department of New York
FIO	field intelligence officer
FSIE	Fire Service Intelligence Enterprise
HSPD 5	Homeland Security Presidential Directive 5
IC	incident commander
JJTF	Joint Terrorist Task Force
LMSI	Lower Manhattan Security Initiative
MTAPD	The Metropolitan Transportation Authority Police Department
NCPD	Nassau County Police Department
NIMS	National Incident Management System
NOC	National Operations Center
NYC DEP	Department of Environmental Protection
NYCHMH	NYC Department of Health and Mental Hygiene
NYC	New York City
NYPD	New York Police Department
NYSIC	New York State Intelligence Center
NJSP	New Jersey State Police
OEM	Office of Emergency Management
PAPD	Port Authority of New York and New Jersey Police Department
RTTAC	Regional Terrorism Threat Assessment Centers

SAR	suspicious activity report
SCPD	Suffolk County Police Department
SLTT	state, local, tribal, territorial
STC	Securing the Cities
TTAG	NYPD Terrorism Threat Announces Group
UNYRIC	Upstate New York Regional Intelligence Center
WCDPS	Westchester County Department of Public Safety

EXECUTIVE SUMMARY

There are many issues facing law enforcement today, and communications remain particularly problematic even as technology advances. Interoperable communications systems allow for tactical and situational communications, and collaborative effort requires communication on a regular basis and on an interpersonal level. At present, there is a gap in communications between the largest public safety agencies in New York City.

The New York City Police Department (NYPD) and the New York City Fire Department (FDNY) respond to thousands of emergency and non-emergency runs together each year, but there are no incident level communications for first responders and front line supervisors to employ on a regular basis other than informal, on scene, ad hoc conferrals. These exchanges are dependent on the actual supervisors present and are not consistently employed, and at times, they may not occur at all. Information that would best serve those with “boots on the ground” travels up one chain of command before coming down the other to enable two onsite supervisors to act together. Such is the exchange of information under the present Citywide Incident Management System (CIMS). Collaborative effort at that level is hindered by the lack of a sustained working communications capability.

Beyond this, there is no established conduit to guide the flow of actionable intelligence, strategic, and tactical information, and observations of criminal and terrorist activity with regularity or certainty. The lack of a notification process, the absence of a reporting obligation, and the inadequacy of cross training place the individual agency’s priorities at the fore and leave collaborative effort a very distant second.

The present literature in the field places little importance on the need to improve communications at the first responder level. In an effort to bridge this gap, relying on experience and research, proposals to remedy these situations are presented. Comparative reviews of successfully implemented cross-agency communications in other jurisdictions offer some insight. More importantly, relying on a fusion center model of proximity,

regular interface and the reciprocal exchange of information between police officers and firefighters needs to be of paramount importance.

Ancillary organizations in private security, government, and related concerns have profited from such public-private consortiums developed to disseminate important information in a timely manner, so, too, should our own public safety agencies confer, with success measured in efficiency and profits measured in lives saved.

Finally, the recommendations presented are grounded in best practices with an eye toward proactive communications between agencies whose rivalry may have hindered such exchanges in the past. Collaborative efforts on the part of both agencies are recommended, which would engender a more collegial exchange of information and a obligating each agency to follow the admonitions of the 9/11 Commission¹ and realize the “need to share” trumps the “need to know.” The concluding recommendations of this thesis provide clear goals and structure to improve the interagency communication and coordination between the FDNY and the NYPD at both the first responder level and the executive level.

¹Thomas Kean et al., "9/11 Commission Report Final Report of the National Commission on Terrorist Attacks Upon the United States Executive Summary," *9/11 Commission Report Executive Summary*, July 22, 2004, 24, accessed August 20, 2014, http://govinfo.library.unt.edu/911/report/911Report_Exec.pdf.

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I. PROBLEM STATEMENT

One of the major problems facing law enforcement agencies today, including the New York City Police Department (NYPD), is the lack of communication and collaboration between first-responding agencies, which potentially puts the lives of citizens at risk. This problem becomes apparent as agencies try to address “everyday” public safety issues, and it has become particularly notable as these agencies attempt to combat terrorism. Although there is some communication and information sharing between agencies, there remains a critical need for improvement.

The NYPD, as well as the Fire Department of New York (FDNY), must improve inter-agency planning and coordination if they are to fulfill their missions to protect the citizens of New York City.¹ This became particularly clear on September 11, 2001. On that day, the United States of America was suddenly and deliberately attacked by a terrorist organization. Among the locations targeted were New York City’s World Trade Center and Washington DC’s Pentagon Building, although the bulk of devastation occurred in New York (the Twin Towers’ steel structure was compromised, which caused them to collapse).

The heroic actions of all first responders, both civilian and professional, helped save thousands of lives. A review of their response was initiated by the National Commission for the Terrorist Attacks upon the United States (9/11 Commission) to determine if any mistakes made by federal agencies, if avoided, could have prevented the attack, as well as to distinguish any areas of incident management that required improvement.² Although the majority of the commission’s report highlights the lack of coordination and shortcomings of the federal agencies, there is a chapter dedicated to the efforts of the first responders. This chapter contrasts the response at the World Trade

¹ McKinsey and Company, *Improving NYPD Preparedness and Response*, 2002, accessed January 2, 2012, <http://209.172.180.99/locations/madrid/pdfs/nypdemergency.pdf>.

² National Commission for the Terrorist Attacks upon the United States, “Heroism and Horror,” in *Final Report of the National Commission for the Terrorist Attacks upon the United States* (New York: W.W. Norton & Company, 2004), 314.

Center site versus the Pentagon site.³ The report by the 9/11 Commission provides valuable insight regarding internal issues associated with not only civilian response but the response of the NYPD, the FDNY, the New York City Emergency Medical Service (EMS), and the Port Authority Police Department (PAPD).

The primary issue the commission brought to the attention of first responders is a lack of coordination and communication among the departments, particularly the NYPD and FDNY. Interagency communication is improving with the introduction of interoperable radios and joint exercises with still a long way to go. While the 9/11 Commission report is over a decade old, some of these same complaints still exist today and are noted in several of the works examined in this paper's literature review. It is important to note that prior to this tragedy, the NYPD and FDNY worked independently of one another; therefore, response strategies within each department were varied and often conflicted. After the attack, both agencies responded to the target site as expected with the same goal: secure the safety of as many individuals as possible. With these instructions, thousands of NYPD and FDNY members responded to the scene and were present as the towers fell. As a result of the large number of first responders present, it came as no surprise that these agencies both suffered severe casualties. In addition to the almost 3,000 civilians that died, the FDNY lost 343 firefighters and the NYPD lost 23 police officers.⁴

Prior to September 11, 2001, the relationship between the NYPD and the FDNY had been contentious and remains so today nearly 13 years after the attacks. The proud histories of both departments combined with a human element (i.e., egos) can contribute to their autonomous mindset. Although the mission for both agencies is always saving lives, there are some core competencies performed by each agency that can lead to differences of opinion over who can best handle the emergency. Bravado and jealousy can sometimes get the best of the individuals on the ground. In addition, loyalty to one's agency can create intense competition, even as these agencies work toward the same

³ Ibid., 322.

⁴ "911 by Numbers," September 2014, *New York Magazine*, accessed July 18, 2014, <http://nymag.com/news/articles/wtc/1year/numbers.htm>.

goal. In 1988, then Mayor Ed Koch asked the fire and police commissioners to shake hands after they argued about which department had better scuba divers. That was just another step in breaking through the unnecessary animosity.⁵

Another example of the still much-needed communication fix between the NYPD and the FDNY is an incident that occurred in April, 2012.⁶ A NYC window washer became stranded and required aid of city professionals for assistance. Unfortunately, this is not an uncommon occurrence in New York City. The NYPD Emergency Service Unit responded and worked to rescue the man by rappelling down from a Manhattan high-rise. The FDNY was also present on scene—responding to the 911 call—and were working from inside the building where the man was dangling.

The communication problem began when the FDNY Battalion Chief used local media to air grievances on how this incident was handled, stating, “There was no need for NYPD ESU to perform the roof rescue.”⁷ The chief believed the FDNY was in charge and that the NYPD put their own officer’s life in danger. In response, the NYPD spokesperson stated that “high-angle rescues call for a unified command.”⁸ While the NYPD was working from the roof, the FDNY was working on the floor where the worker was stranded.⁹ Once again, the agencies were bickering over command control and operational tactics. The statements from the two departments provided reason for the public to doubt the ability of the two entities to cooperate. The stranded man was rescued, but more serious issues needed to be addressed.

There are numerous anecdotal stories of members of the FDNY notifying the NYPD of suspicious activities with no evident response. Additionally, there are also

⁵ Corey Adwar, “Why NYC Cops and Firefighters Keep Getting into Massive Brawls,” *Business Insider*, April 21, 2014, accessed September 25, 2014, <http://www.businessinsider.com/the-nypd-and-fdny-have-a-long-history-of-disputes-2014-4>.

⁶ Al Baker, “17 Floors Up, Rescue of 3 Shows Clash of Agencies,” *The New York Times*, April 13, 2012, accessed September 14, 2013, http://www.nytimes.com/2012/04/14/nyregion/skyscraper-rescue-shows-clash-of-ny-police-and-fire-depts.html?_r=3&ref=albak&.

⁷ Ben Yakas, “NYPD and FDNY Squabbled over Scaffolding Rescue,” *Gothamist* (blog), April 14, 2012, accessed August 24, 2013, http://gothamist.com/2012/04/14/nypd_and_fdny_squabbled_over_scaffo.php.

⁸ Al Baker, “17 Floors Up.”

⁹ *Ibid.*

occurrences where the FDNY received evidence of suspicious activity, but because of the current bureaucratic process, the information was not passed on to the NYPD for several days.

One such incident involved suspicious males observing the FDNY response to an occurrence on the NYC subway system. After investigating an emergency call in the subway, the FDNY discovered the anonymous 911 call was unfounded. A firefighter at the scene observed two males carefully watching all activity and reported their conduct to his commanders. Although ultimately this may have been nothing more than curious tourists, the NYPD's Intelligence Division was not made aware of these concerns for several days—thereby thwarting their mission and costing them an opportunity to investigate the individuals who may or may not have been reconnoitering the FDNY operational response.¹⁰

If the NYPD had been made aware of the initial incident, it could have taken some preliminary investigative steps (e.g., get a description, possibly identify the individuals, note license plates of any vehicles they were traveling in, canvass for video cameras). The fire officer and NYPD supervisor should have made contact with each other and ensured the intelligence was investigated by the appropriate agency. Again, this case demonstrates a failure to communicate even in “high stakes” counterterrorism situations.

The 9/11 Commission offered suggestions on ways to alleviate some of these issues. One of the recommendations for New York City was made after studying the response at the Pentagon, which is widely held as a better than the response in New York. The Pentagon used an incident command system that could strengthen an area's response to a crisis.¹¹ Part of this command system includes an incident management team in place for the National Capital Region of Washington, DC. The duties of this team include implementing procedures to alleviate problems in communication between federal, state, and local authorities as well as private sector jurisdictions. Although no system is without

¹⁰ Bureau of Fire Investigations, “Suspicious Civilians Observing Subway False Alarm” (internal document, New York City, June 30, 2010).

¹¹ National Commission for the Terrorist Attacks upon the United States, “Heroism and Horror,” 314.

flaws, the response to the attack at the Pentagon was considered to be generally effective.¹²

As well as the need to improve cooperation at the scene of an event, the NYPD and the FDNY need to find ways to work together in programs designed to mitigate events before they occur. To accomplish this, the agencies need to develop ways for the precinct and firehouse level personnel to collaborate in an effective fashion on a regular basis. Mitigating threats before they occur requires analytical and problem solving skills. Public safety agencies need to institute joint training programs to develop such skills in their first responder and first line supervisory personnel. A culture of intelligence sharing and collaborative effort has since been prescribed for New York City by the commission as a necessary means of combating hazards that confront public safety agencies (generally) and law enforcement (specifically). Criminal intelligence and counterterrorism are reliant on the reported suspicions and observations of civilians and outside agencies. To this end, law enforcement must enhance communication with other first responders, especially the fire services and emergency medical services. The training of outside agencies to identify and report such circumstances is critical.

A. RESEARCH QUESTION

How can the two major first responding agencies from New York City—the FDNY and the NYPD—collaborate more effectively? Can these agencies create a more *effective* mechanism for information and intelligence sharing to better protect the City of New York? To answer these questions, this thesis reviews the steps already taken by each agency to better share information and intelligence. It includes an analysis to reveal what communication gaps still remain. This is followed by recommendations for measures that could be adopted to ensure New York City’s information and intelligence sharing model is more effective in the future.

This thesis explores the efforts that the NYPD, FDNY, and other municipal agencies have made in to collaborate with each other to keep New York City safe from a variety of harms. The character of many of these harms differ, but the models of

¹² Ibid., 322.

collaboration that have been developed to mitigate these harms may be “generalizable”—that is, they can be adapted to combat the terrorist threat that the city places a high priority on addressing. The first chapter reviews the NYPD’s attempts to “think outside the box” in its collaborative efforts, which are designed to try and break down some of the traditional “stove piping” barriers that municipal agencies erect. The second section takes the same approach with the programs the FDNY has initiated to work more collaboratively. The fire department has placed an increased emphasis on counterterrorism, and in recent years this has been reflected by new programs. The third chapter explores the history and role of the New York City Office of Emergency Management (OEM). It examines OEM’s role of ensuring collaboration and establishing the Citywide Incident Management System (CIMS). The thesis looks outside New York City and highlight collaborative efforts throughout New York State, including the State Fusion Center. Before the recommendations, a successful police/fire collaboration from another jurisdiction is analyzed. The thesis then provides several concrete recommendations for a more collaborative public safety model in New York City that is better constructed to mitigate terrorist threats and deeds.

II. LITERATURE REVIEW

There is a distinct lack of literature on this subject matter of inter-agency communication partly because it was not a public sector priority before September 11, 2001. The review of the existing literature for this thesis is broken into two main categories: governmental/scholarly publications and practitioner reports. The governmental/scholarly publications pertain to communication in the area of homeland security and examine various agencies and actors and their approach to collaboration. The practitioner reports are typically policy papers that make recommendations based on the author's experiences.

A. GOVERNMENTAL/SCHOLARLY PUBLICATIONS

After the tragedy of September 11, literature detailing the different viewpoints of the event specifically regarding communication and collaboration has increased. Furthermore, the creation of the new governmental Department of Homeland Security provided insight to the need for intelligence sharing between both law enforcement agencies and the community. Much of what has been written highlights the necessity for improved communications within enforcement departments, such as the report by the 9/11 Commission. There have also been documented accounts from the viewpoints of first responders, particularly firemen, regarding the necessary education of the intelligence process.¹³

COPS Collaboration Toolkit is a government publication that explores the benefits of collaboration between community and law enforcement entities. It is an influential document—first responders rely on this resource in practice and refer to its content in their policy proposals. The toolkit tries to “provide a more systematic comprehensive approach to addressing emergencies.”¹⁴ The framework the toolkit

¹³ Richard J. Baltus, “Altering the Mission Statement: Training of Firefighters as Intelligence Gatherers” (master’s thesis, Naval Postgraduate School 2008), accessed May 11, 2013, <https://www.hSDL.org/?view&did=235057>.

¹⁴ Tammy Rinehart, Anna Laszlo, and Gwen Briscoe, *Collaboration Toolkit: How to Build, Fix, Sustain Productive Partnerships* (Washington, DC: Department of Justice, 2001), accessed June 20, 2013, http://www.cops.usdoj.gov/html/cd_rom/collaboration_toolkit/pubs/collaborationtoolkit.pdf.

proposes is unique; it identifies nine components of a successful collaboration and makes an abstract concept (collaboration) attainable by informing the reader how to execute each component.

Building Collaborative Capacity: An Innovative Strategy for Homeland Security Preparedness by Susan Hocevar, Eric Jansen, and Gail Fann Thomas, describes two different methods for building homeland security collaboration. The work highlights both positive and negative factors that affect inter-organizational collaboration. One of the concepts described is “social capital” or interpersonal relationships. According to the authors, “Social capital is the development of camaraderie/esprit de corps to carry the group through conflicts.”¹⁵ In addition, Hocevar, Jansen and Thomas observe issues surrounding the constantly changing environment of homeland security, where job-stay is always a looming question. They ask: “How will they [practitioners] keep their collaborative efforts going without losing momentum in times of change for political and other reasons?”¹⁶

This observation emphasizes the consequences of political turnovers on employees of all first responder agencies. If there is a constant need to hire and train new employees, progress will never be possible as action will always be in the initial phase of collaboration. It is important that the “boots on the ground” build relationships that will be sustained beyond term limits. This is as relevant today as it was on September 12, 2001. As former Police Commissioner Raymond W. Kelly stated: “In two months we’ll hold a general election to determine the next Mayor. Whoever wins will carry the daunting responsibilities. Arguably the most important is to protect the city from another terrorist attack.”¹⁷

¹⁵ Susan P. Hocevar, Erik Jansen, and Gail Fann-Thomas, “Building Collaborative Capacity: An Innovative Strategy for Homeland Security Preparedness,” *Advances in Interdisciplinary Studies of Work Teams*, Vol. 12, ed. Michael Berertein, 255–274 (New York: Elsevier Ltd, 2006), https://calhoun.nps.edu/bitstream/handle/10945/38475/inc_Hocevar_Thomas.pdf?sequence=1, 261.

¹⁶ *Ibid.*, 268.

¹⁷ New York Police Department, “Remarks of Police Commissioner Raymond W. Kelly Before ABNY & Council on Foreign Relations Breakfast,” news release, September 9, 2013, accessed August 20, 2014, http://www.nyc.gov/html/nypd/html/pr/pr_2013_09_09_pc_remarks_before_assn_for_better_ny_council_foreign_relations.shtml.

In *Firefighters Developing a Role in Counterterrorism*, authored by Daveed Gartenstein-Ross and Kyle Dabruzzi, the authors suggest that firefighters should be integrated into counterterrorism efforts to alleviate demands that currently fall solely on local law enforcement using the volume of firefighting personnel to support their claim. According to the authors, of the 30,635 fire departments in the United States, 4,052 are career departments while 26,583 are mostly staffed by volunteers.¹⁸ Furthermore, the authors also posit that many of the core competencies firefighters now rely on while responding to fires (e.g., mitigating natural or man-made disasters) can also be applied and directed towards counterterrorism. According to the Gartenstein-Ross and Dabruzzi, “There are three broad ways in which a fire department can contribute to counterterrorism efforts: as intelligence collectors, users and sharers; as developers of community networks; and as organizers of joint planning, preparedness, and response.”¹⁹ A specific area of concern and a common issue in programs that use firefighters as intelligence gatherers is to guard against the firefighters drifting into law enforcement activities; the work discusses ways to address this issue.

Fusion centers serve as focal points within the state and local environment for the receipt, analysis, gathering, and sharing threat-related information between the federal government and state, local, tribal, territorial (SLTT), and private sector partners.²⁰ They exist to support the response and recovery mission preparation and execution. A U.S. Department of Justice (Office of Justice Programs) report titled *Fire Service Integration* suggests fire service personnel should be involved in training exercises to help them understand the use of fusion centers.²¹ The authors of the report advocate that this integration will display the value of reporting suspicious activity and the benefits once

¹⁸ Daveed Gartenstein-Ross and Kyle Dabruzzi, “Firefighters’ Developing Role in Counterterrorism,” Manhattan Institute, August 2008, accessed September 28, 2014, http://www.manhattan-institute.org/html/ptr_03.htm.

¹⁹ Ibid.

²⁰ Department of Homeland Security, “Fusion Centers and Emergency Operation Centers,” December 19, 2013, accessed September 28, 2014, <https://www.dhs.gov/fusion-centers-and-emergency-operations-centers>.

²¹ Department of Homeland Security and Department of Justice, *Fire Service Integration for Fusion Centers: An Appendix to the Baseline Capabilities for State and Major Urban Areas Fusion Centers*, April 2010, accessed August 28, 2014, <https://it.ojp.gov/docdownloader.aspx?ddid=1280>, 13.

these reports are acted upon. The report also lists which actions fusion centers should be responsible for, such as information gathering, collection, and recognition of the precursors to terrorism. Moreover, it emphasizes the need for fusion centers to develop a method of reporting suspicious activity. This is also a key issue affecting the NYPD and the FDNY as they develop protocol for reporting suspicious activity.

Homeland Security Presidential Directive-5 (HSPD 5), issued February 28, 2003, directs the Secretary of Homeland Security to develop and administer a National Incident Management System. This was developed to standardize responses by federal, state, and local governments to emergencies nationally regardless of size or complexity. A key component of this directive is “step # 20,” which mandated a system be in place if state and local governments wanted to be considered for federal preparedness assistance grants, contracts, or other activities.²²

New York City Mayoral Executive Order Number 61, dated April 11, 2005, implemented the Citywide Incident Management System (CIMS).²³ In response to HSPD 5, NYC developed CIMS to be in compliance with the national incident management system (NIMS).²⁴ The new system mandated that the Office of Emergency Management (OEM) Commissioner be responsible for implementing the city’s protocol for responding to and recovering from emergencies incidents, and to ensure procedures are consistent with NIMS. Though CIMS places an emphasis on life-saving via joint operations, it has also contributed to the tension between the NYPD and the FDNY. This is because the CIMS protocols can be somewhat ambiguous at times when determining the lead agency in an incident (e.g., according to CIMS, sometimes the lead agency is the first one to arrive on the scene²⁵).

²² White House, *Homeland Security Presidential Directive/HSPD-5 Management of Domestic Incidents* (Washington, DC: White House Office of the Press Secretary, 2003).

²³ “NYC Executive Order #61 Citywide Incident Management System,” August 11, 2005, accessed February 20, 2013, http://www.nyc.gov/html/records/pdf/executive_orders/2005EO061.pdf.

²⁴ Ibid.

²⁵ New York City Office of Emergency Management, “Primary Agency Matrix,” October 26, 2014, accessed July 20, 2013, http://www.nyc.gov/html/oem/html/planning_response/cims_matrix.shtml.

B. PRACTITIONER REPORTS

Jerome Hagen, a captain in the Seattle Fire Department, examines four disciplines within homeland security—law enforcement, public health, emergency management, and the fire services—in his CHDS thesis, “Interagency Collaboration Challenges Among Homeland Security Disciplines in Urban Areas.” He notes the *National Strategy for Homeland Security* requires all first responder disciplines to engage in efforts to prevent terrorism. In addition, Hagen discusses the lack of trust among officials throughout different jurisdictions as well as between officials. This lack of trust can be attributed to feelings of self-determination within each department to complete their own work. He notes there is intense competition among departments over a limited availability of resources.²⁶

To address this issue, Hagen hypothesizes that the law enforcement community needs to reach outside their own agencies into different disciplines. Public health workers and firefighters, much like police officers, are in frequent contact with the public. Hagen believes “law enforcement agencies should include these disciplines in their intelligence process.” Hagen’s work offers some tangible solutions to the problems mentioned by both practitioners and scholars.²⁷ Some of the obstacles to collaboration among agencies that are described in this thesis are the same barriers that exist between the NYPD and the FDNY. Despite the development of the Citywide Incident Management System (CIMS) protocols, there are still unclear roles and responsibilities for each agency.

Captain John P. Flynn, a Fire Captain who wrote a CHDS thesis entitled “Terrorism Information Management Within the New York City Fire Department: Past, Present and Future” notes that the “FDNY has instituted some novel and well-intentioned improvements in preparedness but falls short of truly enhancing the awareness of the

²⁶ Jerome D. Hagen, “Interagency Collaboration Challenges Among Homeland Security Disciplines in Urban Areas” (master’s thesis, Naval Postgraduate School, 2006), accessed September 28, 2014, http://www.researchgate.net/publication/235192512_Interagency_Collaboration_Challenges_Among_Homeland_Security_Disciplines_in_Urban_Areas.

²⁷ *Ibid.*, 30.

average firefighter in his daily routine as he awaits the next terrorist event”²⁸. Although his ideas about establishing a more productive information exchange between the FDNY and the NYPD are sound, there are some concepts that are problematic. For example, the author believes line firefighters should be assigned to the Joint Terrorist Task Force (JTTF), which currently employs two fire marshals. Flynn feels the fire marshals “are not operational personnel and as such correspond directly with ‘management’ rather than ‘the field.’”²⁹ Additionally, Flynn takes issue with the adequacy of representation within Joint Terrorist Task Force, noting the NYPD’s 120 representatives verses the FDNY’s two. Flynn views the JTTF as an intelligence source, when in fact, it is actually an investigative unit. Having operational personnel in an investigative unit makes for an inefficient arrangement. Despite the problematic elements of Flynn’s thesis, he highlights the urgent need for collaboration between city agencies.³⁰

Captain Joseph McGeary of the FDNY describes the Goldwater-Nichols Act as a model New York City should use for collaboration in his thesis, “Applying Goldwater-Nichols Reforms to Foster Interagency Cooperation between Public Safety Agencies in New York City.” The Goldwater-Nichols Department of Defense Reorganization Act of 1986 was sponsored by Senator Barry Goldwater and Representative Bill Nichols. This act centralized the operational authority for the armed forces through the Chairman of the Joint Chiefs as opposed to the service chiefs from each individual branch of the service.

McGeary describes the competitive relationship between the NYPD and the FDNY as analogous to that of the various branches of the military services with each other after World War II and continuing through the 1980s, culminating with the passage of the Goldwater-Nichols Act in 1986. Most notably, McGeary points to the history of the “jurisdictional turf wars where both agencies claimed to be in charge.”³¹ He emphasizes that there is a lack of communication and information sharing. In addition,

²⁸ Ibid., 61.

²⁹ Ibid., 59.

³⁰ Ibid.

³¹ Joseph McGeary, “Applying Goldwater-Nichols Reforms to Foster Interagency Cooperation between Public Safety Agencies in New York City” (master’s thesis, Naval Postgraduate School, 2007), accessed September 27, 2014, <http://calhoun.nps.edu/handle/10945/3630>, 1.

McGeary details the lack of respect existing between the NYPD and FDNY for each other's roles and responsibilities, and how it has even evolved into physical altercations between members or shouting matches between the commissioners. The author believes this behavior continues through the generations of police officers and firefighters, who rise through the ranks in an environment of competition and distrust.³²

McGeary posits that before information sharing between the two agencies can occur, they must develop a better working relationship. Thus, he recommends assignment to the New York City OEM for mid-level and staff-level positions from the NYPD and the FDNY. He believes this will build personal relationships and theoretically breakdown some of the stereotypes and barriers that have been built throughout their careers. McGeary explains, "It will familiarize these members with the priorities, concerns, and goals of other agencies" and allow for an environment in which they can collaborate freely.³³

McGeary also suggests joint education and training through more formalized drills to break previous habits. He also describes the use of the Citywide Incident Management System (CIMS), highlighting this system's failures in comparison to that of the National Incident Management System (NIMS).³⁴ A complaint echoed throughout this thesis and several others written by members of the FDNY is that the NYPD is designated as the single Incident Commander (IC) at any Chemical Biological Radiological Nuclear (CBRN) incident.

In "New York City Fire Department Chief Officer's Evaluation of the Citywide Incident Management System as it Pertains to Interagency Emergency Response," FDNY Chief John Esposito addresses the CIMS protocols, questions the effectiveness and outlines the problems related to the policy. Furthermore, Esposito identifies the NYPD's unwillingness to share information as a key problem with the CIMS policy.³⁵

³² Ibid.

³³ Ibid., 158.

³⁴ Ibid.

³⁵ John M. Esposito, "New York City Fire Department Chief Officer's Evaluation of the Citywide Incident Management System as It Pertains to Emergency Response" (master's thesis, Naval Postgraduate School, 2011), accessed January 20, 2013, <https://www.hsdl.org/?view&did=691272>, 47.

Esposito acknowledges his work only displays the viewpoint of the FDNY with no input from other city agencies, including “the main antagonist” to the FDNY, the NYPD. Esposito used a survey allowing the responders to add personal comments concerning CIMS. Most members complained about the makeup of the CIMS protocols, some members used this as an opportunity to complain about the NYPD, and several did not have any major issues.³⁶ One executive respondent noted that although he has witnessed cooperation between the FDNY and the NYPD in the past, he did not have any occasion to order members of the NYPD to do something or ask them to refrain from doing a task.³⁷ However, this executive did not have confidence that the NYPD would heed his advice, even when he was a subject matter expert. Finally, Esposito recommends that additional research be conducted to improve the interagency coordination and cooperation between the FDNY and NYPD.³⁸

Abdo Namood, author of “The Collaborative Capacity of the NYPD, FDNY, and EMS in New York City: A Focus on the First Line Officer,” presents the need for trust and collaboration among departments as essential training for newly hired police officers and firefighters. In addition, Namood recommends the executive staff of each of these agencies become involved in joint training efforts. As the title implies, the importance of the involvement of first-line supervisors in collaboration efforts is critical to any success the NYPD and FDNY will jointly achieve. The leadership must not only endorse collaboration, but also emphasize the need for the first-line supervisors and the “boots on the ground” to put this into practice. Furthermore, Namood suggests that joint training throughout the ranks will allow for a more collaborative working environment, especially in emergency conditions. Although the author is successful in addressing the importance of a collaborative working environment, he does not discuss sharing intelligence.³⁹

³⁶ Ibid. 63–65.

³⁷ Ibid., 63.

³⁸ Ibid.

³⁹ Abdo Nahmod, “The Collaborative Capacity of the NYPD, FDNY, and EMS in New York City: A Focus on the First Line Officer,” (master’s thesis, Naval Postgraduate School, 2010).

The thesis “Effective State, Local, and Tribal Police Intelligence: The New York City Police Departments Intelligence Enterprise-A Smart Practice”, written by NYPD Lieutenant John Comiskey, discusses the NYPD’s intelligence division. This document lays out the formation of the intelligence division and its history.⁴⁰ Before 9/11, the intelligence division was considered a glorified escort service for visiting dignitaries and politicians. This division was not involved with crime-fighting tactics or providing intelligence to members of the NYPD.

After the events of 9/11, however, this changed. Police Commissioner Raymond W. Kelly reinvented the intelligence division, making it a primary provider of intelligence to the law enforcement community. Comiskey also notes the need for intelligence sharing between all members of the department as well as outside agencies.⁴¹ To understand the significance of this, it is important to understand that one of the cornerstones of the intelligence division is the Field Intelligence Officer (FIO) Program. The FIO program will be explained more later in this thesis. Comiskey highlighted state, local, and tribal law enforcement intelligence functions and the roles they play in the security of their areas, as well as their contributions to homeland security.⁴² In addition to reinventing the intelligence division, Commissioner Kelly also created a Counter-Terrorism Bureau. He dedicated more than 1,000 investigators to the fight against terror.⁴³

C. LITERATURE REVIEW SUMMARY AND ANALYSIS

Both the governmental/scholarly publications and the practitioner reports provide overwhelming evidence that there is a lack of collaboration among first responder agencies in NYC. The governmental/scholarly publications also identify a need for intelligence sharing, and for firefighters to be involved in the intelligence gathering

⁴⁰ John Comiskey, “Effective State, Local, And Tribal Police Intelligence: The New York City Police Department’s Intelligence Enterprise: A Smart Practice,” (master’s thesis, Postgraduate School, 2010), accessed September 15, 2013, <https://www.hSDL.org/?view&did=27141>, 14–18.

⁴¹ *Ibid.*, 9.

⁴² *Ibid.*, 1.

⁴³ *Ibid.*

process. The practitioner reports are excellent at identifying impediments to collaboration, especially in New York City. The practitioner literature also identifies some general mechanisms by which collaboration could be improved such as joint training.

What is absent from the literature are specific recommendations about who in each agency should be collaborating. Some of the practitioner literature makes a case for “the boots on the ground” in the FDNY and the NYPD to collaborate, but they do not identify which practitioners are best suited for this. A policy maker could *not* use the existing literature to determine which titles in each agency are best suited for collaboration, the frequency at which information sharing sessions should occur, and at what hierarchical level should intelligence-sharing actors be accountable for (i.e., should the collaborators operate at a community level, precinct level, borough level, or citywide level?).

In the upcoming chapters, this report will add to the existing literature by exploring some of the current collaborative efforts that the NYPD and the FDNY have undertaken since September 11, 2001. It will also explore some of the collaborative efforts that have been arranged by New York City and New York state. It will review how far the NYPD and FDNY have come and highlight how far they need to go. It will then offer concrete recommendations on how the agencies can break down internal and external barriers.

III. CURRENT COLLABORATIVE EFFORTS BY THE NYPD

The literature review supplied overwhelming evidence that there is a lack of collaboration between first responder agencies. After reading the critiques from the aforementioned authors, one might begin to suspect that these agencies are not *capable of collaborating*—that an autonomous mindset is in their “organizational DNA.” To address this concern, it is important to review the current collaborative programs of the first responder agencies in the New York City Area, specifically the NYPD and the FDNY.

The NYPD has traditionally had “stove-piping issues.” However, the agency has advanced rapidly since September 11, 2001 in addressing this issue. This is evidenced by the partnerships the department has established in recent years with other entities such as the FBI, local police agencies, and private sector companies through initiatives such as the Joint Terrorist Task Force, Operation SHIELD, Operation Sentry, Operation Nexus, the Lower Manhattan Security Initiative, and the Securing the Cities campaign. Some of these partnerships will be surveyed in this chapter to provide evidence that the NYPD is capable of collaborating and to evaluate models for potential future NYPD-FDNY collaboration.

A. THE JOINT TERRORIST TASK FORCE

Prior to the attacks of September 11, 2001, 17 members of the NYPD and multiple Federal Bureau of Investigation agents manned the Joint Terrorism Task Force (JTTF). After his appointment to Police Commissioner, one of Ray Kelly’s top priorities was to increase JTTF staffing. Kelly dedicated 108 *additional* sworn officers to the task force. This commitment to the task force gave the NYPD insight into more federal cases that may have had an impact on New York City and allowed the department to more quickly tailor deployments as the intelligence became available. The NYPD summarized the effort by noting, “The JTTF not only provides the NYPD with access to national-level

classified intelligence, but it is also a means by which the NYPD can disseminate its own intelligence and analysis at the federal level and to other law enforcement agencies.”⁴⁴

As previously mentioned in the literature review, there are currently two FDNY fire marshals’ assigned to the JTTF. However, this arrangement does not necessarily enhance the working relationship between the NYPD and the FDNY—the main collaborator for NYPD purposes is the FBI. Also, any collaboration between the NYPD and FDNY in this task force would be similar to those found in the Office of Emergency Management arrangement—forced collaboration with the guidance of a third party.

B. SHIELD

The NYPD SHIELD program is the cornerstone of the department’s counterterrorism efforts. It is an umbrella program covering current and future NYPD counterterrorism initiatives within both the public and private sectors. The program involves cooperation between police officers and private sector security members to exchange information regarding terrorist threats or activities. The SHIELD program facilitates contact with private security and local businesses. These participants are informed of developing situations within the city, upcoming events, and new intelligence as it becomes available. The briefings between these entities address industry and geographic-specific concerns while providing feedback from the security field on policies instituted by the department. NYPD SHIELD allows private sector security managers access to information and the use of certain NYPD resources, which increases the level of communication between public and private sectors. The program provides training to members of the private sector by members of the NYPD who may aid in defending against terrorism.

In addition, information specific to a particular sector or neighborhood is transmitted directly to those affected by one of several methods:

- In-person intelligence and threat briefings conducted by Counterterrorism Bureau and Intelligence Division personnel

⁴⁴ “Counter-Terrorism Units,” New York Police Department, accessed September 26, 2014, http://www.nyc.gov/html/nypd/html/administration/counterterrorism_units.shtml.

- Informal conferrals with Patrol Borough Counterterrorism Coordinators
- NYPD website postings
- SHIELD Alert e-mail messages

The SHIELD program is also the main interface the NYPD has with the OEM for counterterrorism issues. Public access to this program is available online at the SHIELD website, which provides the members with business protection and emergency preparedness brochures. These programs take an all hazards hands-on approach to helping New Yorkers during an emergency and also increases the lines of communications between the NYPD and the majority of the population.⁴⁵

This public-private partnership is a clear example of a NYPD collaborative effort. It succeeds because the NYPD understands that the private security personnel have a unique perspective that the patrol officer may not have, such as knowing who belongs in their buildings or what may be out of place. A report conducted by The Aspen Institute of Homeland Security Program noted the degree to which private sector security officials are made privy to government intelligence and the degree to which the private sector augments the government's intelligence collection by serving as additional "eyes and ears" on the ground.⁴⁶

The FDNY does not participate in SHIELD and because SHIELD has little to do with FDNY operations; it is not clear if the FDNY would receive any benefit if it did participate. However, the success of the program prompts the question: If the NYPD is providing and receiving information and intelligence from private security personnel, what would prohibit the department from engaging in the same sort of collaboration with the FDNY in a program that would benefit both agencies?

⁴⁵ "NYPD SHIELD: About the Shield Program," New York Police Department, accessed September 26, 2014, <http://www.nypdshield.org/public/about.aspx>.

⁴⁶ Clark K. Ervin, *New York City's Preparedness for Terrorism (and Catastrophic Natural Disasters)* (Washington, DC: The Aspen Institute, 2008), accessed February 20, 2012, <https://www.aspeninstitute.org/sites/default/files/content/docs/pubs/TerrorismReport.pdf>.

C. OPERATION SENTRY

The threat of terrorism is not limited to bustling metropolises—suburbs and other counties are all potential targets. This realization means communication with law enforcement agencies outside of NYC is essential. The NYPD has begun outreach to surrounding jurisdictions through Operation Sentry NYPD. This program is the department’s effort to forge counterterrorism partnerships with law enforcement agencies within a 200-mile radius of Manhattan. Although some in law enforcement may feel the NYPD is overstepping its boundaries, *New York Post* reporter Judith Miller quoted New Haven Connecticut Police Chief Francisco Ortiz as calling Operation Sentry “invaluable.”⁴⁷ Through the program, Chief Ortiz was able to receive updates on regional threats that may have impact in his jurisdiction.

Operation Sentry is not NYPD’s first outreach effort; the NYPD has previously maintained external relationships with outside agencies for information sharing. For example, the NYPD Detective Bureau has always worked alongside outside jurisdictions when looking for suspects who fled the city after committing a crime. There have also been instances when the detectives from other jurisdictions have come to NYC in search of fugitives and the NYPD has provided aid. Operation Sentry puts a formal system in place where previously this kind of collaboration happened on an ad hoc basis.

Although Operation Sentry represents a successful NYPD collaborative effort, it is important to note that it is an “intra-industry” collaboration, not an “inter-industry” collaboration. Operation Sentry involves organizations with identical missions (police departments) collaborating with each other. An inter-industry collaboration would allow different “civil service stovepipes,” such as police departments and fire departments, to connect with each other. Nonetheless, Operation Sentry is important because it stands in contrast to assertions made by practitioner reports that claim inter-jurisdictional rivalries tend to stifle collaboration. Although the FDNY would be a poor fit in Operation Sentry, the success of the program leads an observer to theorize: If the NYPD can successfully collaborate with outside jurisdictions, it follows logically that it should not be overly

⁴⁷ Judith Miller, “NYPD’s Intelligence Advantage,” *New York Post*, July 16, 2007, accessed January 12, 2013, <http://nypost.com/2007/07/16/nypds-intelligence-advantage/>.

difficult for the department to “take the next step” and commence inter-agency collaboration. Put another way, Operation Sentry has proved to be a successful inter-jurisdictional collaboration, and it could be viewed as “stepping stone” toward a successful collaboration with the FDNY.⁴⁸

D. OPERATION NEXUS

Operation Nexus is similar to the SHIELD program—businesses join a network in an effort to prevent another terrorist attack. According to NYPD administrators, since the inception of this program, detectives assigned to Nexus have enrolled more than 25,000 firms in this collaborative effort.⁴⁹

Operation Nexus recognizes that most potential terrorists will need to acquire the materials necessary to complete their plan from a business in or around the NYC area. By establishing a relationship with merchants, Nexus opens the lines of communication by warning business owners of what to look for in terms of potential threats. In addition, this also gives the merchant a point of contact within the NYPD.⁵⁰

The program allows operators and their employees to review business transactions and discern anything unusual or suspicious and to report such instances to authorities. For example, after the London bus and subway bombings in 2005, it was reported that the bombs appeared to have been made with hexamine, a compound often used as fuel for camping stoves. Within hours, Nexus detectives had visited every business in New York that sold hexamine fuel tablets.⁵¹

Operation Nexus does not include the FDNY. This is a program weakness because the FDNY does thousands of building and business inspections each year, taking note of locations with hazardous materials or flammable liquids. Some of these locations

⁴⁸ “NYPD Convenes Operation Sentry Members,” press release, May 5, 2009, New York Police Department, accessed September 25, 2014, http://www.nyc.gov/html/nypd/html/pr/pr_2009_ph10.shtml.

⁴⁹ “NYPD SHIELD: Operation Nexus,” New York Police Department, accessed August 20, 2013, <http://www.nypdshield.org/public/nexus.aspx>.

⁵⁰ *Ibid.*

⁵¹ “Meet the New Supercops,” *Popular Mechanics*, October 1, 2009, accessed August 20, 2013, <http://www.popularmechanics.com/technology/military/2818211>.

would not be identified via Operation Nexus. Although the FDNY conducts these inspections to give the local firefighters a situational awareness, it could also uncover important information that can be passed onto the NYPD.

E. LOWER MANHATTAN SECURITY INITIATIVE

The Lower Manhattan Security Initiative (LMSI) was started in November 2008. According to the NYPD, it is “a networked surveillance project designed to detect threats and perform preoperational terrorist surveillance south of Canal Street in Lower Manhattan, combining increased police presence with technology to accomplish its mission.”⁵² Put simply, the program allows the NYPD to tap in to the CCTV feeds of the private buildings/businesses in lower Manhattan. The core of this program is the continuing partnership between the NYPD, public agencies, and private corporations.

Part of this program required the department to obtain office space to be staffed 24/7 by NYPD officers and serve as the central intake facility for all information gathered by the surveillance technology in the area. Public and private partners are offered seats in the Coordination Centers Operation Facility. The LMSI is a more advanced version of the city of London CCTV program “Ring of Steel.” The London Ring of Steel involves securing the city of London through an extensive system of security cameras. This “Ring” was constructed primarily to deter the Irish Republican Army (IRA) from targeting the city of London and to protect the city from other terrorist threats. The fortified virtual perimeter meant would-be attackers could not enter or depart the city without being recorded on camera.⁵³ Similarly, the LMSI surveillance system covers 1.7 square miles of lower Manhattan from Canal Street to Battery Park, including the areas between the East River and Hudson River. It protects high-profile and iconic locations in government, finance, banking, commerce, transportation, and telecommunications,

⁵² “Counter-Terrorism Units,” New York Police Department.

⁵³ Cara Buckley, “Manhattan Takes Cue from London’s Ring of Steel,” *New York Times*, July 9, 2007, accessed January 26, 2013, http://www.nytimes.com/2007/07/09/world/americas/09iht-security.1.6561247.html?_r=0.

paying special attention to 76 partner locations identified by the Department of Homeland Security.⁵⁴

The mission of LMSI is “to detect, pre-empt, and disrupt terrorist operations by utilizing the latest surveillance technology; closed circuit video feeds with video analytic software, fixed and mobile license plate readers, advanced explosive trace detection equipment, radiation detection vehicle and radiation detectors.”⁵⁵ These sources of information all feed into a computer system and an operational dashboard then provides a complete security picture for lower Manhattan at the Coordination Operation center. By proactively monitoring the cameras coupled with video analytics, the NYPD is able to establish a coordination of alerts that will trigger an alarm when a predefined condition is encountered (e.g., an abandoned object, directional motion, motion detection, a tripwire, facial image capture, or object removal). The officer on duty will then respond to the alert and review the video to determine if any further response is required. These alerts provide the responding officers on patrol with situational awareness about what they may be walking into.

The FDNY is not involved with the LMSI, and at first glance, the program does not appear like it would benefit the fire department. But real-time access to private CCTV is not only critical to the NYPD; it is an untapped safety asset for the FDNY. There are a number of missed opportunities each day to alert the FDNY of what its personnel are responding to when firefighters are deployed locations across the city. For example, all of the video cameras in the subway system in lower Manhattan are linked in to the LMSI; in the event of a gas attack, similar to the one that occurred in Tokyo in 1995, the video feeds would give all first responders a better view of what was happening and a situational awareness that previously was not afforded. If the live video feed was simultaneously relayed to FDNY, their responses could be safer and more effective.

⁵⁴ Matthew Harwood, “New York City’s Ring of Steel Gets Wider,” Security Management, October 5, 2009, accessed September 21, 2014, <http://www.securitymanagement.com/news/new-york-citys-ring-steel-gets-wider-006294>.

⁵⁵ “Counter-Terrorism Units,” New York Police Department.

F. SECURING THE CITIES

Securing the Cities (STC) began in 2006 as a pilot project for the New York City region, to provide equipment, tools, and training through cooperative agreements managed by the New York Police Department, which distributes grant money to other participating agencies. According to the Department of Homeland Security, STC has “provided more than 5800 pieces of detection equipment, trained nearly 11,000 personnel, and conducted more than a hundred drills.”⁵⁶

As part of the Securing the Cities program, on April 5, 2011, the NYPD, along with first responders from the tri-state area, conducted a five-day exercise in which they attempted to prevent a dirty bomb detonation. The exercise was a success and proved the NYPD is making the essential steps towards collaborating with non-traditional partners—not just strictly law enforcement—in an all-hazards approach. The principal partners for this program were the FDNY, Connecticut State Police, New Jersey State Police (NJSP), the Metropolitan Transportation Authority Police Department (MTAPD), the Nassau County Police Department (NCPD), Suffolk County Police Department (SCPD), Port Authority of New York and New Jersey Police Department (PAPD), NYC Department of Environmental Protection (NYC DEP), the NYC Department of Health and Mental Hygiene (NYCHMH), and the Westchester County Department of Public safety (WCDPS). The NYPD’s participation in Securing the Cities is the best example of a program via which the department works collaboratively with the FDNY.⁵⁷

This chapter reviewed some of the enhanced collaboration the NYPD has undertaken in recent years with the aforementioned agencies. Some practical improvements to collaborative programs have been made by the NYPD. The evolution of these efforts is a continuous process, which improves with technological advances. Through continuous reassessment, the NYPD needs to continue to look for opportunities

⁵⁶ “DHS Supports Exercise of Securing the Cities Program Designed to Detect Radiological and Nuclear Threats,” *Department of Homeland Security* [blog], April 5, 2011, accessed August 07, 2013, <http://www.dhs.gov/blog/2011/04/05/dhs-supports-exercise-securing-cities-program-designed-detect-radiological-and>

⁵⁷ New York City Police Department, “Police Commissioner Kelly Chairs Securing the Cities,” news release, November 7, 2013, accessed September 27, 2014, http://www.nyc.gov/html/nypd/html/pr/pr_2013_11_07_securing_cities_meeting.shtml.

to enhance the roles of all public safety agencies. The expansion of the role of individual agencies into fields previous out of their scope should now be considered as a matter of course. With this in mind, the limited role played by FDNY in certain responses should be revisited. In reconsidering the roles of various public safety agencies and in an attempt to draw on each agencies capabilities, the role of the FDNY should be reconsidered. Those areas of collaboration with the FDNY may be expanded. Additionally, the FDNY may be utilized to perform tasks previously not considered in its purview. In this effort, agencies may capitalize on previously missed opportunity for optimal response to critical incidents. The next chapter will explore similar changes to the FDNY in collaboration and thinking outside of the box.

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IV. FDNY COLLABORATIVE EFFORTS

This chapter will highlight some of the advances the FDNY has made and areas where there may be an opportunity to work more effectively with the NYPD. The FDNY does not operate as many collaborative efforts as the NYPD; however, it is important to remember that the former is an agency with approximately 9,000 members, and the latter is an agency with 40,000 members.

A. COORDINATED BUILDING INSPECTION AND DATA ANALYSIS SYSTEM

In the past, the FDNY scheduled building inspections on an ad-hoc basis, and there was no thought given to life safety or fire risk posed by these building. This outdated system meant that more convenient and less risky buildings might have been inspected more often than those posing higher level of risk. Furthermore, this inspection system was stored on individual computers where it could not be shared with anyone other than those who were personally involved in the inspection.

To address this shortcoming, the FDNY developed the Coordinated Building Inspection and Data Analysis Systems (CBIDAS). The creation of this new database for building inspections and safety information allows the firefighters as well as supervisors on site to obtain situational awareness before entering a fire location. This system is also accessible in instances when the situation is not emergent. The CBIDAS is a collaborative resource that is shared with the Department of Buildings and the Department of Environmental protection. Also, the shared computer system allows the FDNY to “make better use of the other agencies’ building information to help improve public safety.”⁵⁸ Although the FDNY is working with the other city agencies in CBIDAS, the NYPD is not one of those agencies. This is a missed opportunity because the NYPD should be using all available information regarding the layout of a building when responding to emergency calls, executing search warrants, etc.

⁵⁸ Fire Department New York, *FDNY Strategic Plan 2011–2013*, accessed January 13, 2013, http://www.nyc.gov/html/fdny/pdf/publications/FDNY_strategic_plan_2011_2013.pdf, 8.

B. CENTER FOR TERRORISM AND DISASTER PREPAREDNESS

In 2004, the FDNY created a Center for Counter-Terrorism and Disaster Preparedness (CTDP), which coordinates training and runs drills. According to the FDNY, “the CTDP exercise design team creates and conducts tabletop, functional, and full-scale exercises based on identified risks and requests from FDNY officers, other governmental agencies, and the private sector.”

The CTDP conducts about 40 exercises per year. To design the exercises, the FDNY collaborates with local and national intelligence providers, including the National Operations Center (NOC), the New York State Intelligence Center (NYSIC), and the NYPD Counter Terrorism Division.⁵⁹ The CTDP looks to be in the fore front of training as it “survey[s] a wide range of interdisciplinary research”⁶⁰ It must be noted, however, that the training and drilling are specific to FDNY personnel, and the NYPD does not regularly participate in these exercises.

C. FIRE SERVICE INTELLIGENCE ENTERPRISE

In September 2006, the Department of Homeland Security (DHS) engaged members of the fire service in an intelligence-sharing initiative. The FDNY met several times with DHS representatives to develop and initiate a plan, which was reevaluated every 90 days. Approximately one year later, they came up with the FSIE.

The Fire Service Intelligence Enterprise (FSIE) is a partnership between the FDNY and the 15 largest fire departments within the United States. The goal of the FSIE is to facilitate the identification and development of information/intelligence sharing networks. The FDNY was one of the original agencies to become part of this initiative, and it exposed the FDNY to a formal information and intelligence-sharing program. Unfortunately, information gathered from the FSIE is rarely shared with the NYPD.⁶¹

⁵⁹ Ibid., 12.

⁶⁰ Fire Department New York, *FDNY Counter Terrorism Risk Management Strategy*, 2011, accessed August 20, 2014, http://www.nyc.gov/html/fdny/pdf/publications/FDNY_ct_strategy_2011_12.pdf, 12.

⁶¹ “Fire Service Intelligence Enterprise: A Unique Program with a Big Impact,” YouTube video, March 31, 2014, accessed October 07, 2014, <https://www.youtube.com/watch?v=FtuNaqu7zc8>.

With intelligence on the forefront the FDNY has expanded its intelligence role beyond consumer to producer. It has developed the “Watchline” as a weekly newsletter with noteworthy stories and topics directed towards emergency responders. The FDNY estimates this product is delivered over 100 agencies throughout the government and outside the United States.⁶² In addition to the Watchline, FDNY also uses a product called Fireguards. These are PowerPoint presentations that expand on different issues, such as the FDNY definition of the Mumbai style attack, which is an incident in which the terrorists used fire as part of a terrorist attack.

These are only a small look at some of the changes the FDNY is utilizing to enhance firefighter and public safety that may also benefit the NYPD. It is not highly sensitive information and could easily be shared if requested by the NYPD. This seems like another missed opportunity for mid-level management to be interacting and exchanging information. The next chapter gets to the lead agency for collaboration in NYC, the Office of Emergency Management (OEM).

⁶² Fire Department New York, *FDNY Counter Terrorism Risk Management Strategy*.

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V. OTHER CITYWIDE COLLABORATIVE EFFORTS

This chapter looks at the role of the NYC Office of Emergency Management (OEM). City agencies, such as the OEM, have been working on enhancing relationships and public safety for some time. OEM was mandated to develop citywide protocols for the response to and recovery from man-made and natural disasters and emergencies. Furthermore, OEM established these protocols to ensure collaboration and cooperation between all city agencies, including the between the FDNY and NYPD. The OEM's success has been varied, and it worth exploration.

A. THE OFFICE OF EMERGENCY MANAGEMENT

The New York City OEM's is the coordinating agency for NYC's response to and recovery from an emergency. What is unique to OEM though is how it has evolved under different mayors and commissioners. A look at the history of the OEM reveals its importance in developing a functioning first responder collaborative effort in New York City.

In 1984, the Office of Civil Preparedness was renamed the Office of Emergency Management and placed within the jurisdiction of the NYPD.⁶³ In 1996, an executive order from then Mayor Rudolph Giuliani created the Mayor's Office of Emergency Management as a "standalone office," managed by City Hall. An OEM charter was created at that time, which states that OEM:

shall be the lead agency in coordination and facilitation of resources in incidents involving public safety and health, including incidents that may involve acts of terrorism. All agencies shall provide the department promptly any information or intelligence relevant to the performance of emergency management functions and shall collect and make available any information requested by the department for use in emergency planning agencies, and shall promptly provide the department with all

⁶³ New York City Office of Emergency Management, "About OEM: History of NYC OEM," accessed September 26, 2014, <http://www.nyc.gov/html/oem/html/about/history.shtml>.

appropriate material, equipment and resources needed for emergency management functions, including personnel.⁶⁴

Mayor Giuliani relied on the OEM to coordinate the various city agencies that participated in the recovery effort after the attack on the World Trade Center in 2001. Although the initial response to the attack on the Trade Center could not be labeled a successful collaboration between the NYPD and FDNY, the subsequent recovery effort as first responders cleared debris around “the pile,” represented a more successful collaboration between the agencies—albeit a forced one because of OEM intervention. That was one of the reasons that the City Council granted OEM agency status by revising the New York City Charter in November, 2001.⁶⁵

In 2004, New York City adopted the Citywide Incident Management System (CIMS) model for incident management.⁶⁶ CIMS has been developed and managed by OEM to define the roles and responsibilities for city, state, and other government entities, and nonprofit and private sector organizations that perform and support emergency response. At event scenes, OEM will send coordinators to facilitate interagency communication with all city agencies, not just the NYPD and the FDNY, and resource requests and, more importantly, ensure agencies follow CIMS.

The role OEM has played with assisting in relationships between the NYPD and the FDNY can be seen in some of the drills they have conducted. One such drill was the “Command Post Exercise” conducted in June, 2011. The objective of this exercise was to get both agencies together and reinforce the need for a unified incident command as well as a unified operations section. In coordinating the exercise, OEM demanded that participants establish effective communications, maintain flow of information, and practice joint decision making.

⁶⁴ New York City Office of Emergency Management, *OEM Charter*, accessed September 26, 2014, http://www.nyc.gov/html/oem/downloads/pdf/oem_charter.pdf.

⁶⁵ New York City Office of Emergency Management, “About OEM: History of NYC OEM.”

⁶⁶ New York City Office of Emergency Management, “Citywide Incident Management System (CIMS),” accessed September 27, 2014, http://www.nyc.gov/html/oem/html/planning_response/about_cims.shtml.

Another training exercise run through OEM was the “New York City Resilience.” This six-part drill was built around the city’s response to a terrorist attack, specifically multiple car bombings. More than 1,000 volunteers and first responders participated in this 2011 exercise. An important component of the drill was the coordination between the NYPD and FDNY. It addressed search and rescue, medical triage, law enforcement, and investigation. This operation illustrated the role of OEM in planning and preparing for all emergencies and facilitating partnerships.⁶⁷

B. CITYWIDE INCIDENT MANAGEMENT SYSTEM

There is a difference between cooperation and collaboration. When cooperating, entities can strive towards their own, unrelated goals and then simply agree to operate in such a fashion that will not disrupt the other entity from achieving its goals. When collaborating, two entities share a goal and then work together to achieve that goal. Despite the lack of *collaboration*, overall *cooperation* between the NYPD and the FDNY has improved since the attacks of September 11, 2001. Some believe that improved cooperation was partially due to the development of a formal incident management system.

Assessments made by the 9/11 Commission were critical of the NYPD and the FDNY and the lack of collaboration and coordination between these two agencies. It was obvious to the commission that there was no clear leadership or direction, and it appeared as though the responding agencies were working autonomously with little or no collaboration. In response to this criticism, New York City Mayor Michael Bloomberg signed an executive order to implement the Citywide Incident Command System (CIMS) in April, 2005. CIMS was designed to conform to the National Incident Management System (NIMS). Although most incidents are managed at a local level, NIMS provides a foundation or template for the management of incidents that are bigger in scale and allow the flexibility to change rapidly regardless of the size or complexity of the incident. It is a comprehensive systematic approach to incident management that incorporates the best

⁶⁷ New York City Office of Emergency Management, “OEM Command Post Exercises,” OEM Biennial 2013, accessed September 27, 2014, http://www.nyc.gov/html/oem/html/news/biennial2013/index_1.html#15.

practices of first responders throughout the country. The *Homeland Security Presidential Directive 5* (HSPD-5) required that “beginning in federal fiscal year 2005, all federal departments and agencies make the adoption of NIMS a prerequisite for State and local governments to receive federal preparedness assistance.”⁶⁸

Although CIMS increased cooperation between the FDNY and NYPD, it was intended to enhance collaboration. It failed in this respect. This is due to the fact that the CIMS system that New York City adopted sparked very contentious debate at the highest levels of the NYPD and FDNY over which entity would be the lead agency at emergencies.

For example, one of the main points of contention was which agency would be the lead agency for response to a hazardous materials incident. In most locales throughout the country, the fire department is the lead agency. In New York City, CIMS stated the NYPD “will be the primary agency (Incident Commander) at chemical, biological, radiological, and nuclear/hazmat incidents. If the NYPD determines there is no actual or suspected criminal activity or terrorism, a unified command will be implemented.”⁶⁹ Eventually, the Police Commissioner and Fire Commissioner were both called to testify before a city council hearing to resolve the matter. Although the FDNY eventually accepted CIMS protocols such as the aforementioned example, it did so begrudgingly.

As evidenced by several theses written by FDNY personnel, CIMS remains a point of contention within the hierarchy of the FDNY. With the implementation of CIMS, a “Primary Agency Matrix” was developed as a resource for city agency personnel. This matrix tried to use the core competencies of each of the New York City agencies to identify the primary agency at different types of incidents. Sometimes, the assignment of a primary agency according to the matrix is perplexing. One example of this is “auto extrication.” The primary agency for these types of incidents between the NYPD and the FDNY is designated as the “first to arrive.”⁷⁰ Therefore, if the FDNY arrives on scene

⁶⁸ White House, *Homeland Security Presidential Directive/HSPD-5*.

⁶⁹ New York City Office of Emergency Management, “Primary Agency Matrix.”

⁷⁰ *Ibid.*

with better equipment and more personnel to execute an auto extrication, but the NYPD happens to be the first to get there, the NYPD will still remain the primary agency. For the FDNY to follow the rules of the Primary Agency Matrix represents cooperation, but in this example “following the rules” does not equate to collaboration.⁷¹

Although the FDNY’s and NYPD’s adherence to the Citywide Incident Management System represents *cooperation* not *collaboration*, it is an arrangement worth examining. Effective collaboration between agencies with different missions cannot happen overnight; that is, the “groundwork” must be laid to help the agencies become familiar with each other so eventually mutual trust can be established. Put another way, cooperation is a precondition for collaboration. Having the agencies participate in the Citywide Incident Management System is paving the way for the NYPD and FDNY to take part in more advanced collaborative efforts.

The breakdown of the history of OEM and its role as the coordinating agency for NYC show there is still a long way to go. Although it has made progress meeting several of the federal mandates for incident management, it can be inferred by some of the literature that not all first responder personnel are completely satisfied with the outcome. While the OEM, along with the NYPD and the FDNY, have made great strides there is still work to be done in this area. This leads into the next chapter and the review of the collaborative efforts on the next level, New York State. While NYC, based on size, will do much of its emergency response as a stand-alone entity, no one agency can be successful without collaboration inside and outside of NYC.

⁷¹ Ibid.

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VI. NEW YORK STATE FIRST RESPONDER COLLABORATIVE EFFORTS

This chapter will look at how fusion centers operate in New York state and how NYC could benefit from this program as a model. Although the State of New York has multiple collaborative efforts in the realm of counterterrorism with the federal government, it does not routinely involve participants from municipal agencies. However, there is one program that the state operates that encourages collaboration among first responders: fusion centers.

According to the Department of Homeland Security, a fusion center is defined as “a collaborative effort of two or more agencies that provide resources, expertise, and information to the center with the goal of maximizing their ability to detect, prevent, investigate, and respond to criminal and terrorist activity.”⁷² That definition should be the model of a collaborative effort the NYPD and the FDNY should take.

Fusion centers are not emergency operations centers, which are minimally staffed until a crisis; rather, they are continually functioning investigative support centers that have personnel permanently assigned from various agencies. Each representative is intended to be a conduit of information from his or her agency, a representative who can infuse that agency-specific information into the collective body of information for analysis.

Conversely, when the fusion center needs intelligence, the representative is the conduit back to the agency to communicate, monitor, and process the new information needs. The primary objective of a fusion center is the ability to provide situational awareness and warnings that are supported by vetted intelligence. These centers also benefit the law enforcement community by providing agencies with resources, including organized intelligence support. In addition, they can assist law enforcement with intelligence-led policing and systematically gather and share information statewide to reduce crime and produce safer communities.

⁷² Department of Homeland Security, “Fusion Centers and Emergency Operation Centers.”

Prior to September 11, 2001, fusion centers were primarily “law enforcement centric,” but they have definitely evolved. According to the *Washington Post* investigation “Top Secret America,” New York State operates six fusion centers: the New York State Intelligence Center (NYSIC), the NYPD Terrorism Threat Announces Group (TTAG), the Rockland County Intelligence Center, the Suffolk County Police Department, the Upstate New York Regional Intelligence Center (UNYRIC), the Westchester County crime analysis unit (a component of the Westchester County Police Department that operates as an all crimes fusion center). The primary function of each of these agencies is law enforcement. This shows what has been evident all along, that law enforcement agencies have been using the fusion process and information and intelligence sharing for a while.

The challenge is now to incorporate the fire service, for the NYPD specifically, the FDNY, into its intelligence process. According to the NYPD website, “the TTAG performs analysis and disseminates open-source and classified information to recipients within the department, the private sector, the US intelligence community and all the law enforcement agencies.”⁷³ An emerging component of many fusion centers is to include an expanded group of stakeholders, such as public safety, homeland security, the private sector, and critical infrastructure communities. Fusion centers are the structural embodiment of collaboration. Moreover, they increase communication and continuity of service for all agencies in public safety, while decreasing duplication.

Fusion centers are encouraged to have mission statements. The idea is that it focuses the efforts of the organization moving forward and it lets the members know what they are getting from a fusion center. A sample mission statement is that of the Upstate New York Regional Center (UNYRIC):

To advance the efficient, timely, accurate exchange of information between all New York state law enforcement agencies. The UNYRIC focuses on all aspects of criminal activity in the 54 counties outside the

⁷³ “Counter-Terrorism Units,” New York Police Department.

New York City area and interacts with law enforcement agencies nationwide.⁷⁴

Both the NYPD and the FDNY participate in the state-run fusion centers; however, there is no direct collaboration between the NYPD and FDNY in this forum. This is because of the nature of the centers, which, despite their post-9/11 expansion, are still very law-enforcement oriented. NYC will need both the NYPD and the FDNY to collaborate at the local fusion center then further collaborate between their home agencies.

⁷⁴ Department of Homeland Security and Department of Justice, *Fusion Center Guidelines for Developing and Sharing Information and Intelligence in a New Era* (Washington, DC: Department of Homeland Security and Department of Justice, 2006, accessed September 22, 2013, it.ojp.gov/docdownloader.aspx?ddid=1149).

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VII. ANALYSIS OF CURRENT CITYWIDE, NYPD, FDNY, AND NEW YORK STATE COLLABORATIVE EFFORTS

This chapter will look at the overall picture of the current collaborative efforts, again highlighting areas of missed opportunities or shortcomings. By examining the aforementioned collaborative efforts, it is evident that the NYPD and FDNY *are* capable of collaborating—and that an autonomous mindset is *not* in their “organizational DNA.” However, it would seem that they still tend to collaborate with other law enforcement and fire agencies (respectively). Perhaps this is because it is easier to collaborate with an entity with an identical organizational mission.

Also notable is that despite its reputation for being opaque, the NYPD *can* share intelligence. The department does so with civilians in programs such as SHIELD and Operation Nexus. This stands in contrast to multiple practitioner sources explored in the literature review. The FDNY and NYPD have quasi-collaborative efforts with each other. They work together in the Office of Emergency Management and via the CIMS construct. But these tend to be executive collaborations, which encourage communication between “the brass” in each agency. Absent from the efforts reviewed is a program that encourages collaboration on a lower or middle-management level.

Overall, the NYPD and FDNY do not regularly collaborate. They do so only at the occasional training exercise or during a major incident. This is particularly unfortunate because all of their collaborative programs that involve the general public or other governmental agencies involve regular collaboration. There is no program in which the NYPD and FDNY work together in an ongoing collaboration similar to those found in fusion centers.

Field-level collaborative efforts are non-existent—local precinct and fire personnel do not know each other, and do not know who in a precinct/firehouse to talk to when they have/want valuable information. Although the FDNY’s Center for Counterterrorism and Disaster Preparedness tells its staff to notify the NYPD of any intelligence they think would be worth sharing, an organization that relies on members to

make haphazard notifications is not proactively collaborating. There is no program in place that recognizes the value firefighters have as intelligence gatherers.

Thus, if the FDNY and NYPD are going to effectively collaborate and share intelligence, the following deficiencies must be addressed:

- There is currently no program/mechanism to facilitate on-going information and intelligence sharing between non-executive FDNY and NYPD personnel.
- The NYPD has failed to identify specific actors for which collaboration with the FDNY is part of their duties and responsibilities (i.e., *The NYPD Patrol Guide* lists the duties and responsibilities for ranks, such as sergeants/lieutenants/captains, and the duties and responsibilities for titles, such as training sergeant and special operations lieutenant; nowhere in the *Patrol Guide*⁷⁵ can one find a duty or responsibility telling a specific rank or title to “Collaborate with the FDNY.”)
- It is likely that one of the key reasons that no such program/mechanism exists is because the NYPD does not recognize FDNY’s value as intelligence gatherers. This is evidenced by the fact that the NYPD prefers to collaborate with other law enforcement agencies.

Most of the above collaborative models are ill-suited to address these deficiencies. Programs such as Operation Sentry, Securing the Cities, and the Coordinated Building Inspection and Data Analysis System (CBIDAS) are situational collaborative efforts; that is, they tend to require a triggering event, such as a fleeing fugitive or training exercise, for collaboration to commence. They do not foster constant collaboration on matters both large and small. Other programs such as the *Lower Manhattan Security Initiative* (LMSI) are high cost enterprises that are specially developed to collect only certain types of intelligence. If the NYPD and FDNY looked to create a collaborative model based on one of the previously discussed efforts, *the Joint Terrorist Task Force* and *fusion centers* hold the most promise as starting points because both of these enterprises place non-executive personnel in constant and close proximity with each other. The “fusion center model” possesses a distinct advantage over the “Joint Terrorist Task Force model” in that it fusion centers are designed to give stakeholders equal footing in the collaboration. Also,

⁷⁵ New York Police Department, *NYPD Patrol Guide* (internal document, New York Police Department, New York).

fusion centers are designed to synthesize a greater variety of information into usable intelligence and are not preoccupied with any particular type of crime and/or threat.

The next chapter looks at a jurisdiction close to NYC where collaboration is a key component of how it does business. While not nearly the size of NYC and its major first responder agencies, it does note the importance of working together.

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VIII. A COLLABORATIVE MODEL FROM ANOTHER JURISDICTION

This chapter will look at a model of public safety collaboration on a much smaller scale than NYC. Despite the considerable differences in population, personnel strength and geographic size, the lessons learned by a comparison with the city of White Plains are worthwhile. On review, the NYPD and FDNY had previously employed collaborative efforts with limited success, which at least demonstrated an ability to coordinate. However, none of these efforts provided a truly effective model for the NYPD and FDNY to replicate with consistency.

The size, population, and diversity of NYC make it an anomaly and difficult to compare with other cities, but those comparisons are still necessary if innovation is desired. Small to mid-sized cities are often the incubators of urban innovations that can be adapted and amended to suit the needs of cities of disparate sizes. The nature of a global city such as New York, as a tourism hub with iconic places, home to business headquarters, and sensitive locations makes it a taxing place in which to provide public safety services. The aplomb with which those services are provided is a testament to the abilities of the NYPD and the FDNY. There is always a need and the room for improvement. Reviewing programs in other municipalities provide lessons and best practices to improve public safety in NYC.

To this end, successful public safety models in other municipalities can offer ideas for programmatic changes, interagency cooperation, and more utilitarian functions for the police and fire service that may be lacking in New York City. By such a comparison, the city of White Plains public safety model offers a template for the successful integration of the police and fire departments, with interoperable communications, unified command and co-located executives as its the strengths. White Plains is a mid-sized city in affluent Westchester County, just north of NYC. The county seat, the city of White Plains is a commercial, retail, and financial hub, with a population of almost 60,000 that grows to an estimated quarter of a million daily with business and

commerce.⁷⁶ White Plains sees many of the same issues as NYC, albeit on a smaller and probably more easily managed scale. Approximately one year after the attacks of September 11, 2001, the city of White Plains hired Frank Straub, a public safety manager with a vision. At the time of his hiring, he proclaimed: “The biggest thing for me is that unless you have fire and police (working together), you’re looking at a disaster, no agency can do it themselves—not even the 36,000 officer NYPD.”⁷⁷

Once installed as the White Plains Public Safety Director, Straub he felt he had two different agencies who rarely communicated. To address this dysfunctional dynamic, he took leaders from each agency and showed them the “common ground” on which they both operate. Straub moved the two chief executives from each agency into an office right next to each other, when they both participate in weekly co-agency meetings. He also began inter-agency initiatives, through which police officers and firefighters were cross-trained in some of their counterparts’ core competencies. For example, police officers were trained to identify office building and public housing fire code violations and report them to the fire department. Likewise, firefighters have received training to help them identify telltale signs of gang activity, such as graffiti tags, and how they report them to police. The elite rescue units and emergency units from each agency began training together on an increasingly regular basis. Police officer and firefighters took the co-training opportunity to get comfortable with working together regularly so it did not just occur at the scene of emergencies.

The collaborative approach used in White Plains broke down the barriers between the agencies, and now they are comfortable engaging in problem-solving together. Many issues were not seen as problems for the police department to address, or problems for the fire department to solve go unaddressed. Rather, they are viewed as *public safety issues*, where the combined resources of both agencies are leveraged to solve a problem. Straub criticized the relationship between the NYPD and FDNY, and he observed that if real

⁷⁶ “Welcome to an Engaged Community,” City of White Plains, accessed September 06, 2014, <http://www.cityofwhiteplains.com/index.aspx?nid=248>.

⁷⁷ John Buntin, “Battle of the Badges,” September 2005, accessed September 08, 2014, <http://www.governing.com/topics/public-justice-safety/Battle-Badges.html>

collaboration between the agencies was ever to occur, “places like New York need to find small areas where they can work together on a daily basis.”⁷⁸

Looking at the White Plains model, it is evident that it had three characteristics that led to a successful collaboration. First, key agency personnel were situated in a co-terminus fashion to encourage direct communication. Even in the age of digital communication, the importance of having key personnel in close physical proximity with their interagency counterparts should not be overlooked. The co-location of the police and fire chiefs’ offices ensures constant face-to-face meetings to discuss even the most mundane of subjects. Stronger interpersonal relationships are forged and interagency trust is firmly established at the executive level.

Second, having a third party, an independent arbiter such as a public safety manager, serving to referee issues between agencies helps to identify the “common ground” shared by both agencies operates is an excellent tactic to promote collaboration. When different public safety agencies recognize the existence of similar interest address the same issue, they are more likely to come together to problem solve.

Finally, the inter-agency initiatives and cross-training of personnel ensures that the front line field units and first line supervisors in both the police and fire departments are comfortable and familiar with their counterparts’ roles and proficiencies by habitually working together with regularity. The White Plains model demonstrates how police officers and firefighters can coordinate efforts, working together regularly to address *small issues*, enhancing their ability and willingness to collaborate during more sizable events, emergencies, and critical incidents.

These successfully implemented characteristics demonstrate a collaborative model adaptable to the needs of NYC. The implementation of such cooperative measures in NYC will require efforts of a much larger scope, given the characteristics of NYC. That ability to reach across city agencies needs to be to be expanded to include those private sector stakeholders who bear some of the same burdens as the police and fire departments. The collection and dissemination of critical information of concern to both

⁷⁸ Ibid.

public safety and the private sector should be consistent and freely traded with an eye toward enhancing public safety and efficiently deploying personnel while ensuring the economic well-being of the city's business community.

Efforts to cooperate with partners from outside the city remain paramount in a global city such as NYC. The multi-jurisdictional nature of the city coupled with NYC's dominance in the metropolitan area requires interagency cooperation with state, federal, local, and multi-state agencies to address ongoing issues, terrorism, critical incidents, and recurring, common public safety issues. The use of technology needs to be embraced, integrated and interoperable. Both the police and fire departments need to have familiarity with those technologies that are adaptable and supportive of the missions of both agencies.

Finally, there needs to be a realization that there are times when the roles of both agencies are more alike than they are different. Each agency's personnel should have more than a basic understanding of the fundamental roles and needs of the other agency. Firefighters should embrace their unique ability to support the police when they observe and report information of a criminal or terrorist nature detected during routine firefighting calls. In a similar vein, police may be tasked with assisting firefighters to gain entry for inspections, enforcement and ease of access to locations. Such measures are highlighted and explained in the recommendations in the subsequent chapters.

IX. RECOMMENDATIONS

In proposing a realignment of services with long traditions, there is an expected reluctance to surrender responsibilities and to retreat from roles that represent the very essence of each distinct profession. The progress of the modern era requires age-old institutions, such as the police and fire services, to adapt and become more accepting of newly prescribed roles. To this end a series of recommendations are offered to make the police-fire collaboration a more realistic undertaking, allowing each service to maintain distinct responsibilities while at the same time engineering a policy of collaboration that assigns new roles to each, encourages counterpart familiarity, and demands the exchange of information.

While comprehensive, the recommendations offered are malleable, open to variations that may prove more successful. To begin to employ a more collaborative approach to public safety and counter-terrorism, agencies must be open and flexible in embracing these newly recommended roles and responsibilities. Timely review, repeated reassessment, and constant reevaluation of these policies will allow for successful innovations to become efficient, sustainable, and enduring best practices.

A. RECOMMENDATION 1: OPEN UP CURRENT PROGRAMS WITHIN EACH AGENCY TO THEIR COUNTERPARTS

The first recommendation this thesis offers is for NYPD and the FDNY to take advantage of programs offered by each other. While on the surface some of these programs seem law enforcement or fire service specific, there is value to be taken out from each for their counterpart.

- NYPD Shield program consists of over 10,000 members yet very few are FDNY. In consideration of what value the SHIELD program could bring to the FDNY, we should look at the product that they produce. While a component of SHIELD is pushing out alerts on major events around the country and internationally, there is an analytical component that does an assessment of these events. After the assessment, SHEILD runs regular briefings for the private sector and security personnel. The NYPD will bring in analysts to explain the situation and try to give a security perspective and an assessment of the tactics being used and how it can

impacts on NYC. Certainly, FDNY could benefit from the same presentation—it would give members a situational awareness of how these events could affect their response.

- Operation Nexus involves getting businesses to report suspicious business encounters that may have a nexus to terrorism. Realizing that some of these business owners are experts in their field, the NYPD relies on their expertise in certain areas to alert authorities of potential suspicious activity. The NYPD should consider including the FDNY as a partner in soliciting business to get involved with this program during the course of its regular interactions with the public.
- Through Operation Sentry the NYPD has regular meetings and briefings with regional and multi-jurisdictional agencies (approximately 100 state and local law enforcement agencies). These briefings help to identify potential threats that may come from outside New York City. This program was developed in recognition of the fact that there have been terrorist attacks abroad that have been planned and staged from outside the target cities, such as the recent attacks in London and Madrid (domestically, the 1993 and 2001 World Trade Center attacks fit this criteria, too). Operation Sentry highlights the importance of communication and collaboration between jurisdictions. This program is also utilized for disseminating other law enforcement, sensitive information such as gang, narcotics and other criminal activities. While the FDNY would not need to be included on criminal briefings, it should be part of briefings that include terrorist activities and tactics and how they impact New York City.
- The Lower Manhattan Security Initiative (LMSI) program is a network of closed circuit cameras, as well as chemical, biological, and radioactive sensors deployed throughout lower and mid-town Manhattan. This system allows the NYPD to be networked into private and public cameras that observe public areas. When they are alerted to an issue, the camera “monitors” can view it and give real-time perspective to responding personnel. Giving FDNY access to this system would let firefighters see calls for service in real-time in the coverage zone. (If a firehouse was dispatched to a call for service, LMSI could relay information to responding FDNY personnel and provide situational awareness—the firefighters would know what hazards are in public view while they are still blocks away).
- The Global Affairs Lecture Series is designed for uniformed and civilian members of the NYPD. It enhances their understanding of the terror threats and events around the globe and the potential impact of these threats/events on New York City. This is much like the SHIELD program, and it seems like a missed opportunity for the NYPD and FDNY to meet under non-stressful times to build relationships.

In parallel, FDNY has several programs that on the surface may provide some value to the NYPD.

- The Coordinated Building Inspection and Data Analysis Systems (CBDIAS) was developed in phases, using information from the Department of Buildings and Department of Environmental Protection. Personnel created a database with all the safety information about the locations they inspect. As the program advances to the next phase, it will include direct access to information from other city agencies. Giving the NYPD instant access may allow them new information as it prepares for search warrants or hunt for wanted individuals in these buildings.
- The Fire Service Intelligence Service (FSIE) is an information sharing tool to get the fire service into the homeland security information and intelligence sharing. The FDNY developed the two intelligence products: the “Watchline” and “Fireguards.” These two products are used to get the latest intelligence and information out to the units in the field. The NYPD should include this in its review of intelligence products to insure they are not without critical information.

To create a better mechanism for information and intelligence sharing between the FDNY and NYPD with regard to counterterrorism, this thesis makes three recommendations. The first of these is conceptual; that is, to promote a new outlook in both of these agencies about the value FDNY personnel can have as intelligence gatherers. The second two recommendations offer methods that can operationalize this concept. Each recommendation is a concrete plan for a collaborative program that will increase New York City’s capacity for intelligence gathering and counterterrorism preparedness.

B. RECOMMENDATION 2: THE NYPD MUST RECOGNIZE FDNY’S VALUE AS INTELLIGENCE GATHERERS

According to the FDNY, intelligence has a place in all three of its missions: prevention, preparedness, and response. The FDNY’s reliance on intelligence gathering is evidenced by its operations. For example, the FDNY meets with other city agencies before major events so that they may determine which areas may be inaccessible to fire equipment and create an alternative emergency response plan. Also, on almost every call for service, information is provided to firefighters as they respond to an incident to ensure

they are prepared for whatever they may encounter—from dangerous chemicals to other potentially dangerous activities.

Having advanced situational awareness about what may be going on allows the firefighters to engage in problem solving and ready themselves before they arrive on the scene of an incident. Intelligence gathering is something routinely associated with law enforcement agencies, but it is an activity that is also embedded within the New York City Fire Department's "DNA."

In addition to being aware of the FDNY's *capacity* to collect intelligence, the NYPD must also recognize its *access* to information. The New York City Fire Department is the largest fire department in the world. Its firefighters respond to more than two million calls for service each year, and they routinely enter locations without the need for a search warrant. These calls can be anything from routine building inspections, to arson investigations, to responses to fire and medical emergencies. They also inspect and catalogue premises storing hazardous materials. While performing these inspections, members often carry equipment designed to detect the hazardous materials that could be used to create a "dirty bomb." There are case studies demonstrating how important firefighters' *access* can be.

For example, Bryan Heirston describes an incident during which a firefighter provided intelligence that led to the creation of a Federal Bureau of Investigation Terrorist case.⁷⁹ The firefighter, who received hazardous material training, responded to a simple and routine call for a "smoke condition." However, when inspecting the scene, the firefighter recognized that the materials present were intended for bomb making. Law enforcement would have had no cause to enter the location, and the malicious intent of the property owner was only discovered because a 911 call for fire service was made, and the responding firefighter had received advanced hazardous material training. When the FBI conducted its investigation, additional bomb making materials, New York City maps, and train schedules were discovered.

⁷⁹ Bryan Heirston, "Terrorism Prevention and Firefighters: Where Are the Information Sharing Boundaries" (master's thesis, Naval Postgraduate School, 2009), accessed March 20, 2013, http://calhoun.nps.edu/bitstream/handle/10945/4930/09Mar_Heirston.pdf?sequence=1.

Although it is critical that law enforcement work closely with firefighters in matters of intelligence gathering, it is also just as important to ensure that the firefighters do not “blur the lines” and transition from trained observers to active investigators in the course of their daily operations. Civil libertarians have raised concerns about the ramifications of fire departments adapting similar missions to their counterparts in law enforcement. One such opponent of the fire service engaging in information gathering and sharing is the American Civil Liberties Union (ACLU). The ACLU cites the Fourth Amendment as the main reason to object to such actions. This amendment guarantees citizens protections against unreasonable search and seizures of their premises.⁸⁰ The fire service enjoys a relationship with the public where firefighters are more readily granted access to peoples’ private homes and businesses. If they become trained agents of law enforcement, the public would become more suspicious and may be reluctant to call when they need their services.

Thus, the primary mission of firefighters should always remain the protection of life and property—they must never be held by the public as an extension of law enforcement. However, maintaining this primary mission does not stand in contradiction to simply asking firefighters to carefully observe their surroundings as they enter locations. Consider that New York City asks the same of *all* its citizens with the “If You See Something, Say Something” public service announcement campaign. Firefighters need only be trained in terrorism pre-cursors and be asked to do nothing more than pass qualifying information directly to law enforcement.

The New York City Fire Department has already begun training its members to act in this capacity. The department conducts classes in identifying suspicious behavior and recognizing what might be indicators of terrorist planning. In doing so, it has used faculty from the United States Military Academy to educate fire and EMS officers about the threat terrorists pose to first responders, and they are taught which hazardous materials are associated with terrorism.⁸¹

⁸⁰ Gartenstein-Ross and Dabruzzo, “Firefighters’ Developing Role in Counterterrorism.”

⁸¹ Fire Department New York, *FDNY Strategic Plan 2011–2013*.

However, there is still no mechanism for information sharing. Rarely is any information passed along to be acted upon; usually “it slips through the cracks” because the FDNY practice of passing information to local law enforcement is done on an ad-hoc basis. Specifically, any reports of suspicious activity are forwarded through a chain of command and evaluated at every level to determine merit. Information *may* ultimately reach the two fire marshalls assigned to the FBI’s Joint Terrorist Task Force (JTTF). But even if it does, and the Fire Marshalls transmit the data to the FBI, there is no guarantee it will receive follow-up—the FBI will only follow-up on information that has a direct nexus to terrorism.⁸² After all, the FBI does not have the resources to respond to every local complaint.

Intelligence about activities that do not rise to the level of criminality is *supposed to be* rerouted to the NYPD, and if this occurs, it is usually with a significant time delay. This is a missed opportunity for the NYPD and the FDNY to deal directly with each other and share information. A piece of intelligence that may initially appear to have no nexus to terrorism may, in fact, be proven to do so after follow-up. But right now this follow-up is not happening. Intelligence sharing could also have secondary benefits because even if the intelligence transmitted from the FDNY to the NYPD is not connected to terrorism, it may reveal vital details about chronic conditions that plague communities (e.g., guns, drugs, human trafficking).

Put simply, the lack of information sharing is occurring because the NYPD has yet to recognize firefighters’ value as intelligence gatherers. But this thesis has demonstrated that the FDNY has the capacity to collect intelligence, the access to critical information, and the training in place to teach their members what to look for. Thus, the mindset of the NYPD brass must change. Of course, once it does, and police executives recognize firefighters’ value as intelligence gatherers, the question remains: how,

⁸² John Flynn, “Terrorism Information Management within the New York City Fire Department: Past, Present and Future,” (master’s thesis, Naval Postgraduate School, 2007), accessed September 22, 2014, http://www.researchgate.net/publication/235052486_Terrorism_Information_Management_Within_the_New_York_City_Fire_Department_Past_Present_and_Future.

specifically, do we keep vital information from “slipping through the cracks” as the agencies begin to collaborate?

Of course, recognizing FDNY’s values as intelligence gatherers is as much of an aim as it is a recommendation, but it is an aim that must be met before the following two recommendations, which involve operational changes, can be implemented (i.e., this recommendation is *a precondition* for the next two). How can the NYPD make progress towards this goal? First, more joint training would help familiarize NYPD personnel with their FDNY counterparts. This joint training would begin with cross-briefings for academy recruits and should be continued at all levels with programs like “NYPD-FDNY executive retreats.” Second, the NYPD should request better access to the *Coordinated Building Inspection and Data Analysis System* so the agency can witness first-hand the quantity and variety of information the FDNY collects. To encourage the FDNY to grant this access, the NYPD could simply allow the FDNY better access to the *Lower Manhattan Security Initiative*—this act of “good will” would not only help familiarize NYPD personnel with their FDNY counterparts, but it would also promote firefighter safety and create goodwill between the agencies.

C. RECOMMENDATION 3: THE NYPD MUST IDENTIFY LIAISONS TO COLLABORATE WITH THE FDNY

The NYPD has a robust and reliable mechanism in place to collect and transmit intelligence internally. It is a system that embeds intelligence collectors and analysts with the frontline first responders. These “field intelligence officers” are tasked with collecting, analyzing, and sharing intelligence. See Figure 1.

What is a Field Intelligence Officer (FIO)?

The Field Intelligence Officer (FIO) position was created by the NYPD in early 2000s. The department wished to have an intelligence officer assigned to every one of the 98 uniformed commands in the Patrol Services, Transit, and Housing Bureau. These intelligence officers are embedded in the precincts and are the liaisons between the uniformed commands and the investigative units. They have some autonomy—FIOs can target conditions in conjunction with the precinct commander, whereas detectives are assigned cases only when complaints filed.

FIOs share information internally in several different ways. Within the command, they are assigned to, they must be familiar with the day-to-day crime conditions. They meet daily with the detective squad, the crime analysis personnel, special operations personnel, and the precinct commanding officer. IN addition, the FIOs routinely address police officers' roll calls, both providing intelligence and soliciting information. FIOs debrief prisoners and attempt to sign-up confidential informants. The information they solicit from the informants and debriefings is transmitted to the precinct commander, the detective squad, or local narcotics team as appropriate.

The FIOs also communicate daily with the NYPD's Intelligence Division, which functions as a repository for all information gathered. In addition, the FIOs transmit myriad information electronically to the Intelligence Division. FIOs can search databases that contain thousands of entries that have been made by other FIOs. Perpetrators do not pay attention to precinct boundaries, and the intelligence databases allow FIOs better identify and investigate local patterns, which may span across multiple adjoining precincts. Finally, the FIO's are a citywide conduit for information pertaining to wanted individuals.

Figure 1. FIO Defined

The field intelligence officer, with his or her direct access to precinct, Detective Bureau, and Intelligence Division resources, is the ideal individual for liaising with the fire department on a local level. The FDNY “battalion chief” is the rough rank equivalent of a NYPD precinct commander—a local executive who is generally well aware of the issues and observations of the first responders assigned to him. Having FIOs open lines of communication with the battalion chiefs will “plug in” the many firehouses to the NYPD intelligence network. It is unlikely that the FDNY would object to having to provide notice to law enforcement regarding possible terrorist or criminal activity. The uniformed firefighters, company officers, and chief officers in New York City are peace officers under New York State criminal procedure law, with power to make warrantless

arrests, to use physical force and deadly physical force in making an arrest or preventing an escape, and to carry out warrantless searches whenever such searches are constitutionally permissible and acting pursuant to their special duties. New York City fire marshals have full police officer powers, including search, arrest, and the obligatory carrying of a firearm. Put simply, routine, official meetings between FIO's and battalion chiefs should not create a labor issue because of the law enforcement powers afforded to members of the FDNY.⁸³

The mechanism would be simple: in the event that suspicious activities are noted by a firefighter, a standard suspicious activity report (SAR) would be prepared and brought to a battalion chief for immediate review and action. Battalion chiefs would notify FIOs of intelligence collected and e-mail them the SARs as necessary. If search warrant was necessary for evidentiary searches or seizures, the FIO would process the search warrant application with the firefighter as a "witness in hand."

To foster this relationship, the FIO should meet with the battalion chief regularly. The meeting will occur either at the local firehouse or at the precinct concerned. These meetings should be to exchange information and ensure open lines of communication not to address operational issues or complaints. Any operational issues can be addressed between the precinct commanders and the local battalion chiefs. See Figure 2 as an illustration of the NYPD FIO and FDNY information and intelligence sharing.

⁸³ NY State Criminal Procedure Law "Police Officer, Police Officer Definition," Sec 1.20 #34 sub (i), New York State Criminal Procedure Law.

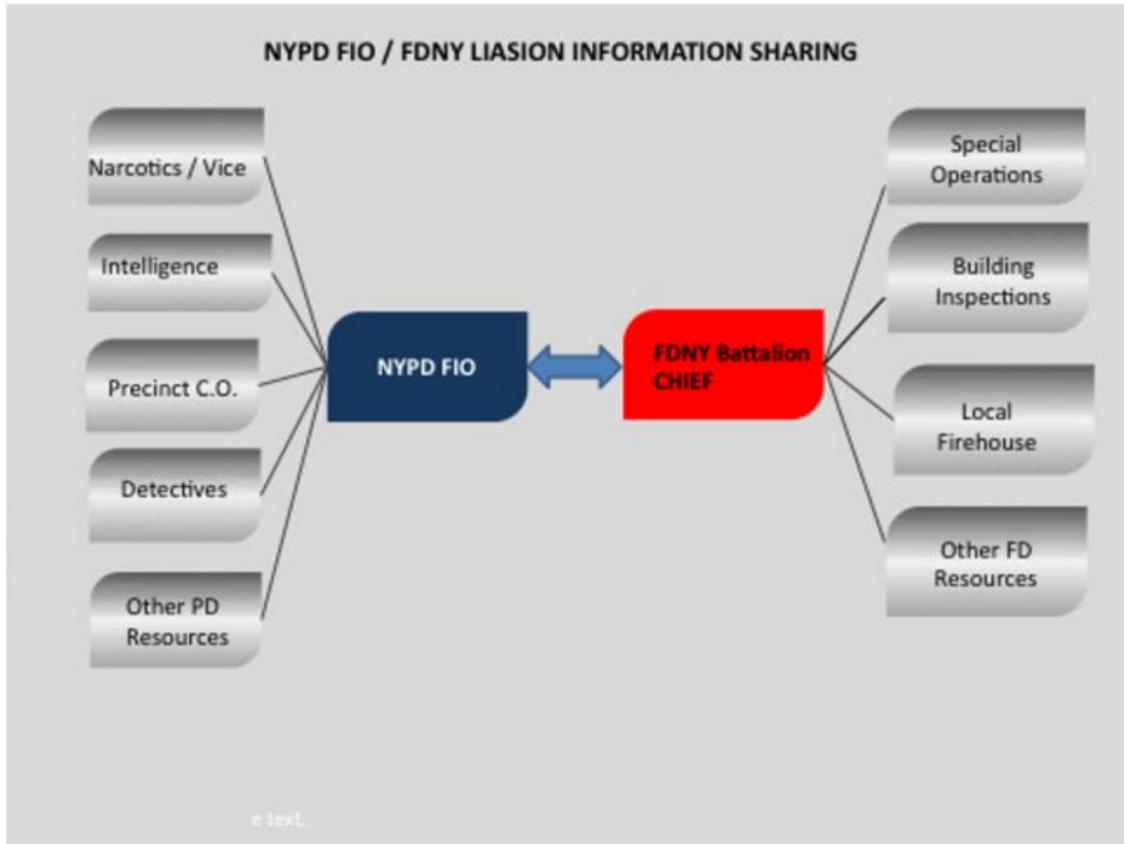


Figure 2. Information/Intelligence Sharing Model

D. RECOMMENDATION 4: THE NYPD SHOULD ESTABLISH LOCAL COLLABORATIVE HUBS IN COOPERATION WITH THE FDNY

As a result of examining the collaborative efforts of the NYPD and FDNY, we already know that the agencies’ “top brass” are collaborating. The recommendation that NYPD field intelligence officers liaise with FDNY battalion chiefs creates collaborative relationship between the respective agencies’ “boots on the ground.” However, what about the middle management—those executives who represent a vital link between the upper management and the field personnel? In each department, these are the executives that work at a borough level and have the authority to command and mobilize significant local resources, be it 1,000 cops or 500 firefighters. Figure 3 gives a description of an NYPD patrol borough is.

What is a “Patrol Borough?”

The NYPD divides the New York City in to eight “patrol boroughs.” These eight patrol boroughs encompass the five geographic boroughs of New York City. Staten Island and the Bronx are each their own patrol borough while Manhattan, Brooklyn and Queens are broken into two patrol boroughs each (Patrol Borough Manhattan South, Patrol Borough Manhattan North, Patrol Borough Queens South, Patrol Borough Queens North, Patrol Borough Brooklyn South, and Patrol Borough Brooklyn North.) These patrol boroughs are further divided into precincts. Currently, there are 77 NYPD precincts.

Figure 3. NYPD Patrol Borough Defined

Each patrol borough in the NYPD maintains an “operations unit” that is staffed around the clock, every day of the year. These operations units track every significant incident that happens in the patrol borough and immediately relay the information to the mid-level executives that oversee the borough. They also develop plans for all major events, including details, rallies, protests, parades, and celebrations. These events may be planned or unplanned at any of the precincts located within the borough.

It is recommended that the patrol borough operations units be expanded and transformed into “local collaboration hubs” where FDNY personnel, in the rank of lieutenant or captain, would also be assigned. This rank would put them on par with their NYPD supervisory counterparts in the patrol borough operations units (i.e., sergeant and lieutenant). The FDNY supervisors would report directly deputy assistant chiefs, who would be the FDNY equivalent of NYPD patrol borough commanders.

The FDNY personnel assigned to the collaboration hubs would get to participate in the daily crime briefings and weekly strategy meetings on crime. They would become an integral part of planning for upcoming events, and they would be relied upon to brief both the mid-level executives they report to and the local firehouse commanders.

Briefings could include notifications regarding noteworthy crimes and violence near the firehouses. In addition, during the briefings, the FDNY collaboration hub representatives could acquire information from their peers about the needs of the fire department for upcoming events (e.g., which streets they recommend closing for a local

block party so they could move equipment expeditiously in the event of an emergency). Furthermore, they would assist in logistical planning on a day-to-day basis while serving as a critical link between the middle management of the two agencies. Most importantly, unlike the occasional liaising between the field intelligence officers and battalion chiefs, the collaboration hubs would create an arrangement where *constant* collaboration takes place at the executive level.

To be clear, this is not an arrangement where mid-level executives are in constant communication directly with each other; they would be communicating via a proxy—their operations unit personnel. We must recognize that these are extraordinarily busy individuals, who likely will not have the time to meet daily with their counterparts from another agency. However, the personnel assigned to patrol borough operations constantly prepare briefings for these executives. It is assumed that if need be, the operations personnel could immediately notify the executives they report to contact their NYPD/FDNY counterpart.

It is the job of the field intelligence officer and battalion chief to *gather intelligence*; it would be the job of the collaboration hub *to act on the intelligence gathered*. The mid-level executives would create operational responses to information transmitted to them (e.g., an elevated “terror alert level” would result in the collaboration hub planning for the assignment of additional personnel to high value targets in the patrol borough).

It is also worth noting that the field intelligence officer/battalion chief’s collaborative success depends on the caliber of each of those two individuals. Results may vary by locale based on the enthusiasm of each respective collaborator. Conversely, the collaboration hub is a permanent measure that fosters, even *forces*, collaboration—no matter what the caliber and enthusiasm of the participants are.

Furthermore, the collaboration hub arrangement would cost the NYPD little to nothing because the requisite personnel are already assigned to the patrol borough operations units. However, the FDNY would need to put approximately 16 supervisors in these assignments.

To insure the success of this program, it is recommended that the FDNY assign the most recent promotees and get “buy in” from their personnel. It is also recommended that they assign their personnel during regular business hours. This is when most operational planning is accomplished. During late night/early morning hours, the operations unit functions as a notification center, simply passing incident information via phone or e-mail to NYPD mid-level executives. Nothing prevents NYPD personnel from simply making the same notifications to FDNY mid-level executives, negating the need for 24 hour FDNY staffing.

The “collaborative hub model” is based on the “fusion center model,” and the evidence shows that fusion centers with fire department personnel assigned work. Washington state has been operating a fusion center since 2010. It reports that its center has been critical in “supporting the receipt, analysis, gathering, and sharing of threat-related information between the federal government and state, local, tribal, and territorial (SLTT), and private sector partners.”⁸⁴ Since 2008, the state of California also operates four regional fusion centers called Regional Terrorism Threat Assessment Centers (RTTACs). The RTTACs serve the greater areas of northern California, Sacramento, Los Angeles, and San Diego. The state reports:

California’s fusion centers foster communication and collaboration amongst the fire service; law enforcement; the federal homeland security and intelligence communities and public safety stakeholders. Appointees serve as the conduit through which homeland security and crime-related information flows from the field to the Fusion Center for assessment and analysis. The network also serves as the vehicle to carry actionable intelligence from the Fusion Center to field personnel. This information flow provides for increased safety and security for fire department personnel as well as the communities served.⁸⁵

It is important to note that the “collaboration hub” model proposed in this thesis for the FDNY and NYPD has a much more simple mechanism for sharing than the California or Washington endeavors, and it requires less agency resource commitment to

⁸⁴ “About the Fusion Liaison Program,” Washington State Fusion Center, September 25, 2012, accessed July 27, 2014, <http://www.wsfc.wa.gov/FLO>.

⁸⁵ “Terrorism Liaison Officer,” Office of the State Fire Marshall, accessed September 21, 2014, <http://osfm.fire.ca.gov/training/terrorismliasonofficer.php>.

maintain. The proposed model has been scaled for an urban metropolis, and if these states can maintain a coalition of a dozen agencies, it should be much easier for New York City to maintain a coalition of two agencies.

The collaborative hub organizational structure is illustrated in Figure 4.

Patrol Borough Organizational Structure

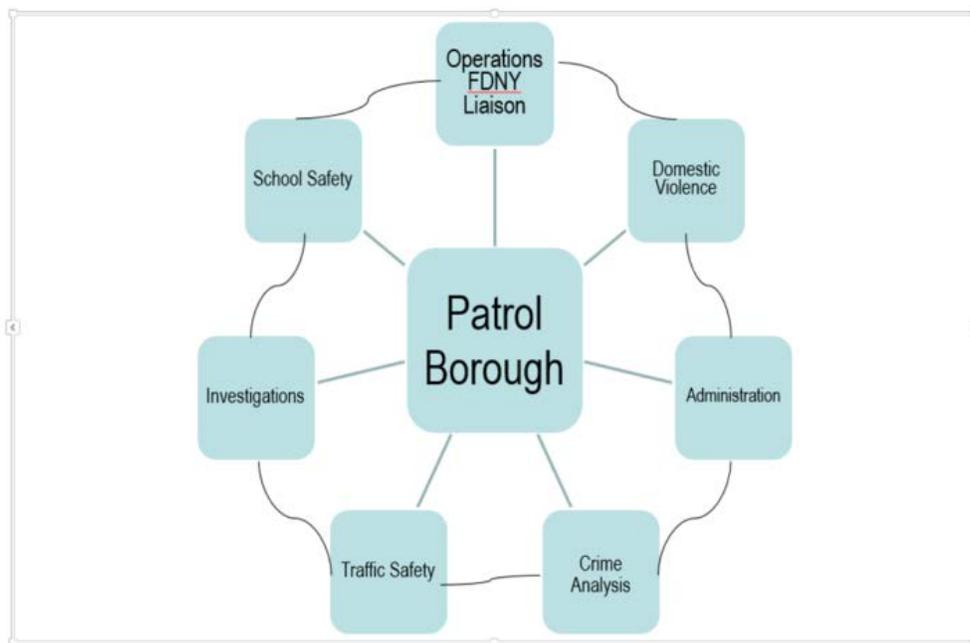


Figure 4. Proposed Collaborative Hub

X. CONCLUSION

This thesis has examined some of the difficulties the NYPD and the FDNY experience in an effort to work collaboratively to keep NYC safe. Subsequent to the terrorist attacks of September 11, 2001, “collaboration” and “information sharing” became buzz words in the first responder communities. That tragic day saw the horrific loss of thousands of lives and at the same time witnessed the greatest lifesaving rescue operation in our nation’s history. A review of those events highlighted that while heroism was in no short supply, a less than optimal cooperative response effort by NYC’s two leading first responder agencies the NYPD and the FDNY needed to be addressed. The individual acts of first responders were in the greatest traditions of the police and fire services of the city. However, many of the breakdowns in communication, coordination, and collaboration that may have hindered organizational performance on that day stemmed from long, deep-rooted histories, which existed long before the events of September 11. In spite of best efforts, in many ways some of these problems continue today.

While both agencies have advanced towards cooperation, collaboration, and increased communication in a multi-agency, all hazards environment, there is still much more to accomplish. The NYPD has become a formidable example of the best practices of domestic preparedness, counter-terrorism law enforcement, threat mitigation, and intelligence collection, by the creation of its own counter-terrorism bureau and increase in the analytical capacity of its intelligence apparatus, which reaches to public safety agencies throughout the world. The NYPD has also made inroads to the private sector, tapping into resources of security directors, property managers, and communications companies. The resources and expertise of these partners in the private sector are utilized to share information in increasing volume and at a greater pace than ever before. The most important aspect of this public-private partnership is NYPD opening up the lines of communication and sharing information with other stakeholders as well as receiving

information willingly. The “need to share,” as the 9/11 Commission admonished,⁸⁶ has allowed the private sector to become the force multiplier necessary, especially in austere times.

Similarly, the FDNY has advanced by increasing the use of emerging technology and initiating regular communication and information sharing with fire service agencies outside of NYC. Additionally, the FDNY has increased outreach and efforts to not only share information with federal law enforcement, but to partner with federal law enforcement and other agencies to develop coordinated, combined responses to critical incidents, increase the fire service participation in the JTTF, and attempt to partner with DHS in developing intelligence sources. Unfortunately, there have been limited improvements in communication between the NYPD and FDNY.

The OEM was tasked with addressing some of the coordination and incident management issues. These efforts have been successful to a degree, with CIMS protocols as a part of incident response for over a decade, and the execution of numerous, coordinated, major joint training exercises. A review of pertinent literature reveals a number of detractors. The directed efforts of the OEM are practical and effective on the organizational level, bringing agency heads and high level commanders together while addressing the larger issues; however, the current training does not fully address day to day operations, the first level coordination, and sharing of information.

The thesis recognizes the advances made by both the NYPD and FDNY, and it has reviewed the coordination throughout New York state, specifically in a comparable jurisdiction outside of NYC. The comparative review highlights the progress made by first responders in NYC while at the same time exposing the gap and disconnection in interagency coordination and information sharing by those elements of each agency that are boots on the ground during both critical incidents and seemingly routine calls. The recommendations offered present operational changes that may be employed by the NYPD and FDNY. The recommendations are prefaced with the caveat that there is an

⁸⁶ National Commission for the Terrorist Attacks upon the United States, “Heroism and Horror,” in *Final Report of the National Commission for the Terrorist Attacks upon the United States* (New York: W.W. Norton & Company, 2004).

absolute need to formalize a system to share information and create an apparatus to pass timely and accurate intelligence between agencies, noting the need for such lines of communication as an organizational imperative for both agencies.

Some of the same lack of collaboration between the FDNY and NYPD noted in the 9/11 Commission report still persists today. It has not been simply remedied by the implementation of the programs/constructs as they exist today (e.g., the Citywide Incident Command System). Presently, however, there is a real opportunity for meaningful change to be affected. New York City has a new mayor, who has appointed new but thoroughly experienced police, fire and OEM commissioners, each with sterling reputations. These individuals have the monumental task of keeping the city safe but must be unafraid of drastic reform. The hazards of the present are of a most difficult nature and in need of direct, coordinated, and collaborative response by first responders. The present needs of the public and of the public safety agencies are at a crossroads, requiring smarter, more efficient and more focused action. In adopting the recommendations proposed for evaluation in this thesis, the increased communication and coordination of efforts would provide a framework for collaboration, which would result in improved communication and coordination and ultimately increase public safety if implemented.

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