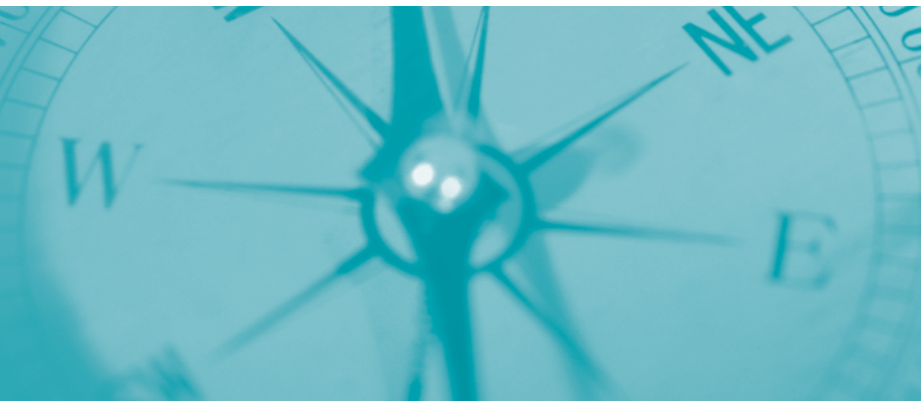


Human Resource Issues



8

CHAPTER EIGHT

Human Resource Issues

Who should perform the intelligence function in a state, local, and tribal law enforcement (SLTLE) agency and what qualifications should that person have? This question is impossible to answer conclusively because it depends on myriad variables tied to the attributes of a given law enforcement agency. The agency's size, jurisdiction, the priority intelligence is given, resource flexibility, competing crime and calls for service issues, and collective bargaining agreements must be calculated into the formula. Rather than provide for the ideal situation, this chapter will present issues and guidelines that will enable the law enforcement executive to make an informed decision about options available for staffing the intelligence function.

STAFFING

131 For more detail, see: Wells, Ian. (2000). "Staffing the Intelligence Unit". (2000). *Intelligence 2000: Revising the Basic Elements*. A joint publication of the Law Enforcement Intelligence Unit and the International Association of Law Enforcement Intelligence Analysts, pp. 53-66.

132 The General Counterdrug Intelligence Plan (GCIP), discusses issues related to human resources in Section E: Analytic Personnel Development and Training. While not specifically addressing the issues in this discussion, nonetheless provide some observations and recommendations are germane to the issues presented herein. See http://www.whitehousedrugpolicy.gov/publications/gcip/section_e.html

Clerical and support staffing decisions can be made for the intelligence function just as for any other assignment in the agency, taking into consideration professional staff workloads, service demands, nonprofessional work activities (e.g., data entry, clerical work), and budget, among others. The key positions are with the professional staff.¹³¹

The Intelligence Analyst

The intelligence analyst is a professional who collects various facts and documents circumstances, evidence, interviews, and other material related to a crime and places them in a logical, related framework to develop a criminal case, explain a criminal phenomenon, or describe crime and crime trends. The analyst should have at least a baccalaureate degree and receive training in the intelligence process, criminal law and procedure, statistical analysis, and factual and evidentiary analysis. The analyst should be an objective, analytic thinker with good writing and presentation skills. This is a professional position that should be compensated accordingly.

The intelligence analyst is a professional who takes varied facts, documentation of circumstances, evidence, interviews, and any other material related to a crime and places them into a logical and related framework for the purpose of developing a criminal case, explaining a criminal phenomenon, or describing crime and crime trends.

An ongoing issue is whether the intelligence analyst will be sworn or nonsworn. Different agencies use different models, each with its advantages and disadvantages.¹³² Those who advocate that the intelligence analyst position would be best served by a nonsworn employee argue that the nonsworn analyst's characteristics and background may provide a

more creative and less restrictive view of data when compared to sworn personnel. Further, a sworn employee is likely to be either transferred or promoted out of the intelligence unit, thereby reducing the unit's overall efficiency. Advocates of having a nonsworn employee argue that the position does not require law enforcement authority; therefore placing a sworn person in an analyst's position may be viewed as an ineffective use of personnel. Finally, the role of an analyst is highly experiential: Over the years the experienced analysts accumulates a mental repository of names, locations, businesses, and so forth, that can be highly useful in an analysis. If this person is a sworn employee who is transferred out of the unit, that accumulated knowledge is lost.

Conversely, opponents argue that nonsworn employees do not have the substantive knowledge and experience for conducting investigations nor do they understand, with the same degree of insight, the life of the street where many intelligence targets live and operate. The analyst builds his or her expertise and knowledge cumulatively throughout his or her work life. Much of this expertise is substantive knowledge and information (persons, crime patterns, locations, and so forth) learned while working on a variety of criminal cases. The analyst needs to view crime problems from the big picture—a picture that is most precisely focused with years of law enforcement “street” experience.

Other factors not related to the conceptual responsibilities will enter the equation such as the compensation package, collective bargaining agreement, civil service regulations, organizational culture, the candidate pool, and so forth. This is a critical position requiring an effective analytic capability and care should be taken to hire the “the right person” to fit the agency's needs. It should not be, as has too often been the case, an appointment of convenience or a “reward appointment” to a good clerical person who has “worked hard for the department.” Professional output from the intelligence unit will occur only if the position is filled by a professional analyst.

TRAINING

The Bureau of Justice Assistance-funded Criminal Intelligence Training Coordination Strategy (CITCS) Working Group, conducted a needs

assessment of intelligence training in spring of 2004. Among the findings were the following:

- That training is lacking in all of the training classifications. However, respondents rated Intelligence Analyst and Intelligence Manager as the classes most lacking in adequate training. Surprisingly, 62 percent of respondents stated they are receiving adequate training, but over a third (36 percent) indicated they were not receiving adequate training.
- The majority of respondents cited lack of funding as the primary impediment of training, but respondents also rated high on difficulty finding good trainers, travel and lodging costs, and unsure of available training. Only a handful of respondents selected unsure of appropriate training for personnel as an impediment. *One respondent indicated that in order to support the tenets of the NCISP, additional training guidelines and opportunities are needed. Other respondents indicated that training can be sporadic, which dovetails into the need for core minimum standards that can be used consistently nationwide. Other respondents indicated that their agency has not needed intelligence training because they do not have the staff or resources to engage in an intelligence function.*¹³³ (Emphasis in original).

133 Bureau of Justice Assistance, Criminal Intelligence Training Coordination Strategy Working Group. (2004). *Survey of Law Enforcement on Intelligence Training*. Unpublished staff report.

134 Carter, David L. and Richard N. Holden. (2004). "Chapter 2: Law Enforcement Intelligence." *Homeland Security for State and Local Police*. Englewood Cliffs, NJ: Prentice Hall.

Clearly, intelligence training currently represents the proverbial mixed bag of content, availability, and structure. The content or subject matter of law enforcement intelligence can be divided in two broad categories.¹³⁴ The first category is *protocols and methodology of the intelligence process*. This includes subjects such as information collection methodologies; laws and regulations associated with intelligence records systems; analytic methods and tools; intelligence reporting structures and processes; and intelligence dissemination. Essentially, these elements constitute the discipline of law enforcement intelligence.

The second category is somewhat more amorphous. Broadly speaking, this is *subject matter expertise*. It includes understanding the motives, methods, targets, and/or commodities of criminal intelligence targets. Intelligence researchers and analysts must have subject matter knowledge of the types of enterprises that are being investigated and the context within which these enterprises occur. Whether the target crime is

terrorism, drug trafficking, money laundering, or the trafficking of stolen arts and antiquities, the intelligence specialist must be a subject matter expert on the genre of criminality being investigated, both broadly speaking as well as with the unique facts associated with a specific investigation. For example, an intelligence analyst working on cases of terrorism by Islamic extremists needs to substantively understand the distinctions between Shiite and Sunni Muslims, the role of sectarian extremism (notably as related to Palestine), the different Islamic terrorist groups (e.g., al-Qaida, HAMAS, Hezbollah, Islamic Jihad, etc.) and their methods, the culture of Islamic nations, different leaders, methods of funding, and so forth. This type of substantive knowledge is essential for an analyst to be effective. All training programs currently available contain some aspect of the protocols and methodology of the intelligence process, although most programs for nonanalysts provided an overview of these items rather than detailed instruction. Fewer programs contained subject matter information for intelligence as part of the training. For those that did provide this information, it was typically because the agency sponsoring the training had a specific jurisdictional responsibility (e.g., the Regional Counterdrug Training Academy's "Operational Intelligence" course integrates "intelligence concepts" with more specific "drug intelligence indicators"). Training programs continue to emerge on intelligence related topics, particularly since the Office of State and Local Government Coordination and Preparedness of the Department of Homeland Security is preparing to fund a series of new training programs on various aspects of counterterrorism, including intelligence.¹³⁵ Perhaps the best single source to monitor training programs of all types is through the Bureau of Justice Assistance Counterterrorism Training website¹³⁶ which includes not only training opportunities but funding and related information as well.

135 At this writing not all programs have been announced. One program that has been funded was awarded to the School of Criminal Justice at Michigan State University. Under this program, law enforcement agencies will have access to no-cost training to help create an intelligence capacity within their department, regardless of size. For more information see:<http://intelligenceprogram.msu.edu>.

136 <http://www.counterterrorismtraining.gov>

Perhaps the best single source to monitor training programs of all types is through the BUREAU OF JUSTICE ASSISTANCE COUNTERTERRORISM TRAINING website which includes not only training opportunities but also funding and related information.

Figure 8-1: Intelligence Training Categories and Descriptions

Training Category	Description
Awareness	The broadest, most diverse, types of intelligence training could best be described as “awareness” training. These programs, which vary in length from 2 hours to 4 days, tend to include information about the intelligence discipline (i.e., definitions, methods, processes, etc.) as integrated with a specific subject matter (e.g., drugs, terrorism, auto theft, etc.).
Intelligence Analyst	Intelligence Analysts training programs have a reasonable degree of consistency in the subject matter topics; however, the hours of training on each topic has more variability. In some cases, the curricula include substantive modules on subject matter: For example, the FBI College of Analytic Studies program integrates intelligence methods specifically with crimes within FBI jurisdiction. Similarly, the DEA curricula integrates intelligence methods with material on drug trafficking.
Investigators and Intelligence Unit Researchers	Some intelligence training programs exist which lack the depth of training found in the Analyst curricula, but are more detailed than simply “awareness” training. It appears that the intended audience for these programs is investigators, “investigative analysts”, or “intelligence researchers”. In each of the cases, the curricula are similar. Notable among these courses are the 2-week DEA FLEAT course and the FLETC intelligence course.
Management Issues for Intelligence	One program, offered at the Regional Counterdrug Training Academy at NAS Meridian, Mississippi is specifically labeled as being an intelligence course for managers. ¹³⁷ Some other courses could be labeled as such, but were more likely to be “issues” courses. In some cases, intelligence issues for managers have been discussed in broader venues, such as in courses offered by the FBI National Academy.
Specialized Training	This training focuses on a narrow aspect of the entire intelligence process. The best known of these courses is the Criminal Intelligence Analysis course offered by Anacapa Sciences, Inc., ¹³⁸ that focuses exclusively on the “analysis” component of the intelligence cycle. Other courses that fall into this category are generally “software courses” such as classes on how to use a particular type of intelligence software (typically either analytic software or databases).

137 See <http://www.rcta.org/counterdrug/catalog/ipm.htm> for a course description and enrollment information.

138 Anacapa is a private company. This reference should not be considered an endorsement of the product by the author, the Department of Justice, or any of its components. It is used only as a descriptive illustration.

Categories of Currently Available Intelligence Training Programs

A wide range of programs has been developed on various aspects of law enforcement intelligence. Virtually all of these were developed before the standards and specifications in the National Criminal Intelligence Sharing Plan. Figure 8-1 describes the five categories of available training programs.

A few law enforcement intelligence training programs serve as the core programs because of their consistency and the expertise they offer. A great deal of experience and thought has served as the basis for their development and, as such, they provide models for good practice. The following summary descriptions of the most notable programs will provide more insight.

Federal Bureau of Investigation College of Analytic Studies¹³⁹

After the terrorists' attacks of 9/11, the attorney general mandated the FBI to focus on terrorism as its top priority. This necessitated a number of changes in the Bureau, including expanding its law enforcement intelligence capability and working closely with state and local law enforcement agencies on terrorism investigations through Joint Terrorism Task Forces (JTTF) and Field Intelligence Groups (FIG). Among the needs precipitated by these changes was a significant broadening of the capacity for intelligence analysis among FBI personnel as well as among state and local JTTF and FIG intelligence staff. The FBI's College of Analytic Studies (CAS), created in 2002 and located at the FBI Academy, is a seven week course that focuses on analysis functioning and tradecraft for terrorism, counterintelligence, and criminal intelligence analysis as well as specific FBI intelligence systems and practices related to terrorism. Twenty-five percent of each session of course capacity is reserved for state and local law enforcement personnel who have federal security clearances and are working with the JTTF in their region.¹⁴⁰

139 For enrollment information contact the Training Coordinator at your local FBI Field Office - see <http://www.fbi.gov/contact/fo/fo.htm> - or the FBI Academy <http://www.fbi.gov/hq/td/academy/academy.htm>.

140 Some variation in the 25% state-local training allocation may occur in the short term as the FBI significantly increases the number of Intelligence Analysts being hired by the Bureau.

The FBI intelligence curriculum is based on a number of successful concepts, processes, and tradecraft found in intelligence practices in the U.S. Intelligence Community; federal, state, and local law enforcement in the U.S.; and in friendly foreign services around the world. In addition to the CAS, the FBI is developing online intelligence training at its Virtual Academy and will be available to SLTLE agencies in the coming months. The Training Coordinator in the local FBI Field Office will be able to provide more details on the availability of the Virtual Academy courses and enrollment processes.

New specialized courses are being developed for intelligence analysts, as well, including a course on reporting raw intelligence. Beyond the CAS, a greater presence of intelligence issues is found in the curricula of the new agent's basic academy, the FBI National Academy (FBINA), the Law Enforcement Executive Development Seminar (LEEDS), and the National Executive Institute (NEI). In addition, training coordinators in each FBI Field Office can help facilitate different types of intelligence-related training programs for SLTLE.

141 For further information on DEA training see <http://www.usdoj.gov/dea/programs/training.htm>.

Drug Enforcement Administration (DEA)¹⁴¹

The DEA has long been recognized for the quality of training provides through the Intelligence Training Unit of the DEA Academy at Quantico, Virginia. DEA intelligence training focuses on information research and intelligence analysis through the 9-10 week (it varies) Basic Intelligence Research Specialist (BIRS) program. DEA also offers an advanced intelligence training program as well as specialized programs related to the use of different data bases and the classified DEA proprietary intelligence computer system, MERLIN.

Because of the DEA's historic role of working with state and local law enforcement agencies, and the inherent need for intelligence in the Organized Crime Drug Enforcement Task Forces (OCDETF) and the High Intensity Drug Trafficking Areas (HIDTA), DEA developed a 4-week Federal Law Enforcement Analyst Training (FLEAT) program specifically directed toward state and local law enforcement agencies. The program is offered in different cities throughout the U.S. to enhance the ability of state and

local agencies to send intelligence personnel to this tuition-free program. While the program has historically focused exclusively on drug enforcement and money laundering, it is being revised to include a component related to both domestic and international terrorism.

Federal Law Enforcement Training Center (FLETC)¹⁴²

Serving 72 federal law enforcement agencies, FLETC has a massive training responsibility. For several years the Financial Fraud Institute (FFI) of FLETC has offered a 4-week intelligence course that focused on intelligence concepts, research, and analysis. Given that the Department of Homeland Security (DHS) has a significant intelligence responsibility through its Information Analysis and Infrastructure Protection (IAIP) directorate,¹⁴³ the need for revitalizing intelligence training has emerged.

Analyst training has been revised and now consists of a 2-week core Intelligence Analyst Training Program (IATP) that provides the basic substantive skills. Personnel may then opt for a wide variety of follow-up specialized classes to further enhance their skills, ultimately earning an Intelligence Analyst certificate after 4 to 6 weeks of total training.

In addition, FLETC also assessed the need for intelligence training and, in light of the mandate for state and local law enforcement to be involved in counterterrorism efforts, defined the need for intelligence training to focus on different responsibilities: intelligence analysts, managers, and intelligence “awareness” for line-level personnel.¹⁴⁴ As a result, the FFI has worked cooperatively with the FLETC National Center for State and Local Law Enforcement Training to conduct a needs assessment among state and local law enforcement agencies and develop intelligence courses that meet their needs. As of this writing, a 2-day intelligence awareness course, specifically for nonanalyst SLTLE agencies has been developed and will be offered beginning in the fall of 2004 at no cost at geographically decentralized locations throughout the U.S.¹⁴⁵

142 FLETC is part of the Department of Homeland Security. For more detail and contact information see http://www.fletc.gov/ffi/IATP_Ovr.htm.

143 See http://www.dhs.gov/dhspublic/interapp/editorial/editorial_0094.xml.

144 Manzi, Merle. Intelligence Program Coordinator, Financial Fraud Institute, Federal Law Enforcement Training Center. *Intelligence Training for State and Local Law Enforcement Agencies in Support of Homeland Security*. An internal concept paper. (May 2003).

145 See <http://www.fletc.gov/ffi/index.htm>.

General Counterdrug Intelligence Plan (GCIP)¹⁴⁶

The General Counterdrug Intelligence Plan (GCIP) of February 2000 was revisited in 2002 and once again called for the creation of an interagency-validated, basic law enforcement analytical course that could be used by law enforcement at all levels of government. The result of this initiative was the creation of an intelligence analyst training curriculum called “The Community Model.” Guiding the process was the Counterdrug Intelligence Executive Secretariat (CDX), with subsidiary working groups representing federal, state, and local law enforcement.

This curriculum builds on the earlier work of the Generic Intelligence Training Initiative (GITI) developed in 2000-2001 as well as other intelligence training programs, notably from federal agencies. These include the DEA Intelligence Analyst and Intelligence Researcher course, a program developed by the National Drug Intelligence Center, and a course offered by the U.S. Customs Service at FLETC. While CDX does not offer the training itself, the curriculum is available and used by a number of different training entities.

146 See <http://www.whitehousedrugpolicy.gov/publications/gcip/>.

147 For the training schedule and enrollment see <http://www.ialeia.org/fiat.html>.

IALEIA Foundations of Intelligence Analysis Training (FIAT)¹⁴⁷

The five day FIAT program was developed and is offered by the International Association of Law Enforcement Intelligence Analysts. Given the expertise that exists in the IALEIA membership and the extent to which the association has been working on analyst training issues, this course provides a compact yet highly substantive training experience. The program is offered throughout the U.S.

Other Programs and Training Resources

Law enforcement intelligence training continues to evolve, and a number of important initiatives are now underway to deliver improved basic and specialized training at the state and local levels. In addition to the programs described so far, intelligence training initiatives include the

In addition, the State and Local Anti-Terrorism Training (SLATT) program has both DIRECT and INDIRECT intelligence awareness training.

National White Collar Crime Center's (NW3C) Analyst Training Partnership,¹⁴⁸ the Regional Counterdrug Training Academy's "Operational Intelligence" course,¹⁴⁹ the High Intensity Drug Trafficking Areas (HIDTA);¹⁵⁰ and a new intelligence analyst training and certification program offered by the Florida Department of Law Enforcement.¹⁵¹ In addition, the State and Local Anti-Terrorism Training (SLATT)¹⁵² program has both direct and indirect intelligence awareness training.

While not intelligence training, per se, a program that is essential for all SLTLE agencies is 28 CFR Part 23 training. This section of the Code of Federal Regulations specifies the file guidelines that must be followed for multi-jurisdictional criminal intelligence records systems funded by the federal government. Despite the fact that the regulations only apply to SLTLE agencies meeting those stipulations, the guidelines can be an important tool for minimizing risk to liability and ensuring that all intelligence record keeping is consistent with constitutional standards. A comprehensive training program, funded by the Bureau of Justice Assistance, is available to SLTLE agencies at no charge.¹⁵³

Beyond these programs, several COPS Regional Community Policing Institutes (RCPIs) offer a range of counterterrorism training programs, some of which include components of intelligence awareness training. Agencies should contact the RCPI in their region to determine training program offerings.¹⁵⁴

INTELLIGENCE COURSES IN HIGHER EDUCATION

In recent years, there has been increasing recognition in the academic community of the need for coursework in law enforcement intelligence that incorporates broad multidisciplinary issues, research, and a philosophical

148 This includes the International Association of Law Enforcement Intelligence Analysts (IALEIA), the Law Enforcement Intelligence Unit (LEIU), and the Regional Information Sharing Systems (RISS). For training opportunities see http://www.nw3c.org/training_courses.html.

149 See <http://www.rcta.org/counterdrug/catalog/file.htm> for a description and enrollment information.

150 A number of the HIDTA initiatives have intelligence-related training programs. See <http://www.whitehousedrugpolicy.gov/hidta/> to find a HIDTA office. In addition, the Washington-Baltimore HIDTA often lists a wide range of training programs, including those that are intelligence related. See http://www.hidta.org/training/law_enforcement.asp.

151 Florida Department of Law Enforcement, Training Division, Post Office Box 1489, Tallahassee, FL 32302, Phone: 850-410-7373.

152 See <http://www.iir.com/slatt/training.htm>.

153 For the course description, schedule and enrollment, see <http://www.iir.com/28cfr/Training.htm>.

154 The RCPI for a specific service area and appropriate contact information can be located on the interactive map at <http://www.cops.usdoj.gov/default.asp?Item=229>.

approach to intelligence issues. While a number of institutions have offered sporadic courses on the topic, there are three degree programs that are worthy of note.

The nation's oldest criminal justice degree program at Michigan State University (MSU) has offered a cross-listed undergraduate/graduate course entitled "Law Enforcement Intelligence Operations" for approximately 15 years. As a result of a partnership created with DEA, MSU will begin offering a master of science degree in criminal justice with an emphasis on Law Enforcement Intelligence in 2005.¹⁵⁵ The degree program, offered completely online, is taught by regular MSU criminal justice faculty members, and is designed as a "terminal" degree, much like a Master of Business Administration. In addition, Michigan State will offer "certificate programs" in different aspects of intelligence, many of which will be available for academic credit.

155 It is anticipated that the curricular process will approve the degree as a master of science in criminal intelligence effective in the spring of 2005. See <http://www.cj.msu.edu>.

156 See <http://www.mercyhurst.edu/undergraduate/academic-programs/index.php?pt=riap>.

157 See <http://www.dia.mil/Jmic/>.

Mercyhurst College offers a Baccalaureate degree in Research/Intelligence Analysis through its History Department.¹⁵⁶ A Master's degree will be offered in 2004. The degree programs are designed to provide the necessary background for students to pursue careers as research and/or intelligence analysts relating to national security or criminal investigative activities in government agencies and private enterprise.

Established in 1963, the Joint Military Intelligence College (JMIC) is located at Bolling Air Force Base and is attached to the Defense Intelligence Agency (DIA).¹⁵⁷ JMIC is a highly respected institution in the Intelligence Community offering both an accredited baccalaureate and master's degree in intelligence studies. Its mission has been to serve national security and military intelligence needs. Recognizing the integration of law enforcement processes associated with transnational terrorism investigations, JMIC offered a course entitled "Counternarcotics Policy and Intelligence" in spring 2004. The course director was Visiting Professor of Law Enforcement Intelligence Dr. Barry Zulauf who was assigned part time from

Drug Enforcement Administration. The same course has been offered in fall 2004 at the National Security Agency campus, and will be offered again in spring 2005 at JMIC. A course entitled “Law Enforcement Intelligence Collection and Analysis” is in development for 2005. Moreover, law enforcement personnel – initially from federal agencies – who have at least a Top Secret security clearance with a Sensitive Compartmented Information (SCI) designation may now enroll in JMIC degree programs.

CONCLUSION

This chapter provided an overview of critical issues in the management of the law enforcement intelligence function. The author included comprehensive resources in the footnotes so that the reader may monitor changes and current events. The environment of law enforcement intelligence is changing rapidly; hence, published information tends to have a short life. As such, the need to be vigilant in monitoring the online resources becomes even more critical.

