



ASIS Councils NEWSLETTER

LAW ENFORCEMENT LIAISON COUNCIL
FEBRUARY 2008



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SEE:

"ASIS Dynamics"
for leadership
contact
information.

LELC: OPENING REMARKS

From the Desk of Oksana Farber, Vice-Chairperson

I was very pleasantly surprised as I participated in such an interesting and provocative LELC meeting at the Ritz-Carlton Pentagon City on January 18, 2008. Our Council and its members demonstrated, once again, why the LELC is such a potent and effective entity. The achievements that we have thus far accomplished, as well as the development of Chairman Chase's strategic plans for proactive communications between the IACP and ASIS International, acknowledge each of our members' commitments to our partnering causes. The ability to encourage, facilitate and promote information-sharing and partnering between the public and private sectors has evolved into a mission of communications on a grander scale.

As Bob Rowe indicated in his presentation at our meeting, the ASIS International staff hopes to play an integral part in dealing with any issues with the IACP, specifically because our LELC "functions at a higher level". Although this is a positive step in the right direction, our Council serves the greater cause in a far more elevated capacity than merely as an "advisory one" by helping to forge critical security partnerships locally, nationally and internationally.

The security relationships that our Council members have nurtured in the ongoing challenge to maintain rapport and reciprocity with security leaders in both sectors have had notably successful results. The outstanding work of Jim Birch, Stacy Irving, Walt Smith and Rob Rabena, for example, with the Transitional Training Program is only one example of such success. "Operation Partnership", another LELC success story, raises the bar for training and security standards as it drives home workable guidelines for information sharing. With much respect and admiration, we shall always be grateful to Bill Cunningham for his dedication to this project.

Through this increasingly popular newsletter, which I hope to encourage all of you to actively continue to share with your local chapters, Jim Fetzer has excellently provided an LELC voice and a documented arena of your work and efforts.

Jack Lichtenstein recognized the LELC's serious efficiency and how we have expanded our reach through our work. His advice was to make sure that

successful security partnering efforts all become members of the Lessons Learned Information Sharing website, llis.gov.

Each of your contributions has, and will continue to make a difference. Thank you for all of your efforts and keep up the good work..

“Road makers on every hand enrich us. We must extend the area of life, and multiply our relations.”
R. W. Emerson

WHAT IS LELC...HOW DOES IT WORK?

Editor: Jim Fetzer, CPP

As with many organizations, there are committees that form the skeleton of the organization. Our mission statements below will give you the “meat” on those skeletal organizational bones. LELC has ten sub-committees. We are focusing on two of those sub-committees.

BOOK REVIEW COMMITTEE

MISSION STATEMENT:

Review, evaluate and develop a short report on all books and manuscripts received from the ASIS learning center for publication in “SECURITY MANAGEMENT” Magazine..

GUIDELINES COMMITTEE

MISSION STATEMENT

The mission of the Committee on Guidelines is to inform members of the Law Enforcement Liaison Council of proposed, adopted or enacted legislative bills, laws, administrative rules and regulations, standards, and guidelines addressing or otherwise affecting the relationship of private security practitioners and law enforcement agencies, either positively or negatively. Examples of such information include, but are not limited to, requirements and recommendations concerning the screening of private security personnel, their training, or their authority; private security roles in emergency response planning and implementation; and restrictions or authorizations for specific aspects of traditional law enforcement functions to be delegated to the private sector.

The committee's focus is primarily federal in scope, but occasional issues may arise within specific states or localities that could set significantly impact the cooperative relationships built between private security and law enforcement. When and as the committee learns of such issues, they will also be reported to the Council.

The purpose of such reporting is to enable members of the Council to maintain awareness of the ever-changing legal environment within which private security and law enforcement agencies operate. Dissemination of this information allows members of the Council to understand those legal requirements and recommendations, and to take appropriate action, as individuals or collectively, to participate in and contribute to the formulation of these laws, policies, and practices, subject to applicable bylaws and procedures of ASIS International

We will continue this series and focus on two more sub-committees next month.

VOLUNTEERS IN POLICE SERVICE (VIPS)”

From James T. “Tom” Roberts, Jr. CPP, LELC Member

In-house security organizations have a great opportunity to work with their local law enforcement agencies through the Volunteers in Police Service (VIPS) program. By developing a joint program with the local department, non-security employees who volunteer can receive training, increased security awareness and intelligence gathering skills that are supportive of the Corporation’s security objectives. A recent survey of VIPS volunteers indicated that 55% felt that volunteers should be required to attend a Citizens Police Academy (CPA). Ten percent indicated that their departments did not offer a CPA. The latter situation would make a great project for the security staff to spearhead! Corporations like to support the local police and many would provide training facilities for those departments. As many of our security professionals have law enforcement ties, they could provide additional trainers, equipment, and audio visual support for the local police instructors.

Here are some of the most recent VIPs projects: The Escondido, California Police Department was seeking recruits for the police explorer program. The Capitola, California PD was able to use a grant to buy an electric cart to allow its volunteers to check on the elderly, patrol the mall, and provide mobility in crowd control for special events. The Longmont, Colorado PD is using its volunteers to patrol the exterior areas of the local schools to report suspicious activities. The Tyler, Texas PD is using its volunteers to watch over shoppers and their merchandise, place "Vehicle Burglary Report Cards" on windshields for theft prevention purposes, and observe parking lots. The Indianapolis, Indiana PD recruited more than a dozen ministers to serve as liaison and peacekeepers. In November 2007 alone, thirteen law enforcement agencies signed up for the VIPs program.

With a little imagination, security professionals can capitalize on the VIPs program to work with their local law enforcement counterparts. For more information, go online and visit info@policevolunteers.org.

NO COST HOMELAND SECURITY COURSE

From Naval Postgraduate School

Matt Simeone, LELC Member

The Naval Postgraduate School's Center for Homeland Defense and Security (CHDS) is now offering non-credit versions of several of its Master's Degree courses online. Offered at no cost, registration for these courses is open to corporate homeland security managers or contractors.

The available courses include: *The Global Jihadi Threat; Critical Infrastructure: Vulnerability Analysis and Protection; Technology for Homeland Security: Inspection and Detection Technologies*; and *Research Process and Methods*. Several more courses are expected soon. While graduate credit is *not* offered, upon completing a course, participants can download a record of completion. These courses utilize an easy-to-use online format that provides students with a dynamic experience which includes the opportunity to engage in dialogue with others in the course.

CHDS, which is located at the Naval Postgraduate School (NPS) in Monterey, California, has been the nation's premier provider of homeland security graduate and executive level education since 2002. NPS and the U.S. Department of Homeland Security have partnered to pioneer the development and delivery of homeland security education programs for governors, mayors and senior homeland security leaders from across a wide spectrum of disciplines in local, tribal, state and federal government, and the military. Recognizing the important role of the private sector, CHDS is making these online courses available to corporate security professionals who have homeland security responsibilities.

As some of you may be aware from my monthly articles which have been excerpted from my Naval Postgraduate School CHDS thesis, I am a recent graduate of the Master's program. I can tell you from experience that the faculty and staff at CHDS are second to none and if you have the time and are willing to put in the effort, you can really get a lot out of these courses.

For more information, visit the CHDS website at <http://www.chds.us/?special/info&pgm=Noncredit>. Portions of this article were excerpted from the CHDS website.

AVOIDING THE APPEARANCE OF IMPROPRIETY

Robert E. Lee, Jr. LELC member and Past LELC Chairperson

"Nobody ever gave a cop something for nothing." This quote is credited to

O. W. Wilson, who strongly influenced the development of professional law enforcement.

The October 31, 2007 edition of the Los Angeles Times in a story titled: An unsettling Portrait of 'America's Sheriff reported that Orange County Sheriff Mike Carona has been indicted for conspiracy related to his relationship with a local businessman. In this case the Sheriff is accused of accepting unauthorized payments and doing favors for a local business man. The story brings to mind some cautionary thoughts needed on both sides of a public-private relationship.

While the LELC has been providing guidance and encouragement for private security and public law enforcement to work together we note that there must be a line of demarcation between the personal and professional activities that keep each party ethically pure.

In a public-private relationship each hopes that the other will be giving in the relationship. Even as this is true, private security must be concerned with its requirement to protect proprietary business, personal and customer information. And law enforcement must do the same with intelligence and citizen's personal information.

As an example, an FBI agent I once worked with wondered why a retired agent working for a major corporation wasn't forthcoming with the home addresses of some company employees for use in a federal investigation. I asked who was now paying the retired agent's salary. Duty to the law and contractual relationships will temper the interests of each side in a relationship. (btw, the company itself was the target of the investigation)

To be effective in partnership each side must remind itself of the requirements affecting them and learn ways to cooperate without compromise to the rule of law in the specific jurisdictions where they do business.

However cooperative a private security official may wish to be, you may at times find resistance because a public official wants to avoid the appearance of impropriety. The best way to overcome this obstacle is to be sure that exchanges between a private and public entity are done in the light of day.

As an example, there have been proposals for companies to sponsor the purchase of police cars in simple exchange for the opportunity to have the donation noted on the side of the police car. While it may not seem so unreasonable and all taxpayers may reap savings in their tax bill, can you imagine what happens when a car sponsored by McDonalds shows up at the Golden Arches to settle a dispute between a customer and the restaurant? Whose side is the cop on?

There are some ethics questions that govern the operation of government: Is it against the law? Does it violate a departmental regulation, guidance or philosophy? Does someone gain favor that effectively excludes others from access or a similar favor? Does it give the appearance of impropriety?

When we at the LELC discuss private-public partnerships, we often hear talk of the "government" being unwilling to cooperate or not recognizing the value in the partnership. For private enterprise, being cognizant of the government's need for a healthy skepticism, we would do well to demonstrate that entering into a partnership for the benefit of all citizens is an asset. In the proposal we would be wise to demonstrate that all taxpayers may benefit from the newly proposed partnership, even if a specific benefit may come to the private enterprise entering the arrangement.

For LELC we always like to point out the value of being able to replicate the partnership and this may be the spin-off of value to the community.

On both sides of the relationship, the parties must have a healthy skepticism but avoid an unhealthy distrust that keeps things from moving forward. I offer a respectful tip of the hat to all who serve in partnership.

"The Integration of Virtual Public-Private Partnership's into Local Law Enforcement to Achieve Enhanced Intelligence-Led Policing: Part 4

Masters Degree Thesis: Naval Postgraduate School, Monterey, CA Center for Homeland Defense & Security. Inspector Matthew Simeone, Nassau County New York Police Department, LELC member

In this, the fourth installment in this series, we will excerpt from Chapter 4 and examine POLICE-PRIVATE SECURITY PARTNERSHIPS:

Private security officers are our true first preventers because they control access to the myriad of facilities we enter and exit every day. They are the individuals with their boots on the ground in our efforts to recognize abnormal or unusual activity. . . *No one is in a better position to be a first preventer than the private security officer in America.*¹

This excerpt from “Private Security as an Essential Component of Homeland Security,” by Christopher John Hetherington, describes the tremendous potential that private security affords local law enforcement as a resource in preventing terrorism.

In fact, the capacity for law enforcement to provide homeland security may be more limited than police generally acknowledge.² With roughly two million people employed in private security and approximately 800,000 sworn law enforcement officers in the United States, private security makes up nearly three-quarters of the protective workforce.³ Along with the fact that the vast majority of our nation’s critical infrastructure is under private control, private security is, perhaps, in the best position to be “first preventers” of crime and terrorism.

In examining the symbiotic potential of law enforcement-private security partnerships, a 2004 IACP/COPS Office Summit report states:

For the most part, the public sector tends to have the threat information, while the private sector tends to have control over the vulnerable sites. Therefore, homeland security, including protection of the nation’s critical infrastructure, depends partly on the competence of private security practitioners. Thus, building partnerships is essential for effective homeland security.⁴

In line with the common need to protect people and assets from crime and terrorism, there has been a dramatic increase in the number of police-private security partnerships in the past few years.⁵ For local police, a partnership can provide an opportunity to leverage private security personnel as a force multiplier and to greatly expand the law enforcement intelligence network. These types of partnerships present a tremendous opportunity for law enforcement intelligence to greatly increase information and intelligence dissemination, as well as dramatically enhance the potential for information collection.

In discussing partnerships, there are several factors that can hinder information sharing between private security and law enforcement which need to be addressed. A 2004 National Policy Summit report on law enforcement-private security partnerships lists some of these factors as:

- Companies do not wish to let privileged business information enter the public record;
- Companies that report cyber crime may find their corporate records and computers seized by police;
- Companies may not want to speak candidly at law enforcement-private security partnership meetings. Competitors could find out their problems, and they may risk charges of antitrust violations if they discuss inappropriate topics. Information they give to law enforcement may become public through Freedom of Information Act requests;
- Law enforcement may not be comfortable sharing homeland security-related information with companies that operate in the United States but are owned by foreign entities;
- Law enforcement may not be legally permitted to share some information that private security desires, such as criminal histories.⁶

In addressing some of these information protection issues, the National Infrastructure Protection Plan states that “great care must be taken by the government to ensure that sensitive infrastructure information is protected and used appropriately to enhance the protection of the Nation’s Critical Infrastructure and Key Resources.”⁷ Ensuring this, however, will likely require federal legislation. At the very least, in the most critical of infrastructures, the potential consequences of system failure must be weighed against protecting private information from Freedom of Information Act requests or any other potential means of release.

In the past several decades, there has been an increasing level of competence and professionalism within the management ranks of the private security industry, with many in the field seeking professional certifications.⁸ The best known of these certifications is ASIS International’s Certified Protection Professional (CPP) certification. Since the inception of the CPP certification in 1977, over 8,000 have been earned by security professionals who, as a result, are now better prepared to protect their facilities.⁹ Even some in law enforcement have recognized the value of the CPP and have pursued the training required to attain this certification.¹⁰

Despite the differences between the public police and private security, there is clearly an overlap in mission. Both have prevention and protection as core elements of their duties and responsibilities, and each

has much to gain from engaging the other in partnership. Some of the benefits of working together include: the opportunity for creative problem solving; increased training opportunities; information and intelligence sharing; and reduced recovery time following disasters.¹¹

In addition, with private security in place at most infrastructure facilities, local police leaders should consider initiating discussions with security directors about conducting joint drills and working towards a coordinated response to critical incidents.¹² With relationships in place before an incident takes place, both police and private security can work much more effectively in the face of a crisis.

ENDNOTES

¹ Christopher John Hetherington, "Private Security as an Essential Component of Homeland Security" (Master's thesis, Monterey, CA: Naval Postgraduate School, 2004), xi.

² *Private Security/Public Policing, Vital Issues and Policy Recommendations*, 3.

³ *Private Security/Public Policing, Vital Issues and Policy Recommendations*, 2; William C. Cunningham, "U.S. Private Security Trends," Presentation (Amelia Island: Hallcrest Systems, February 2003): 4.

⁴ *Private Security/Public Policing, Vital Issues and Policy Recommendations*, 3.

⁵ Interview with Thomas Seamon, President of Hallcrest Systems, Inc., June 15, 2007, New York City. In 1999, as part of the research for *Operation Cooperation: Guidelines for Partnerships Between Law Enforcement & Private Security Organizations*, Mr. Seamon documented approximately 80 police-private security partnerships throughout the United States. As the research for Operation Partnership, sponsored by the COPS Office, has recently been completed, Mr. Seamon reports more than 500 police-private security partnerships throughout the U.S.

⁶ *Private Security/Public Policing, Vital Issues and Policy Recommendations*, 16.

⁷ National Infrastructure Protection Plan, 12.

⁸ ASIS International website, History of the CPP Designation.

⁹ Ibid.

¹⁰ Interview with Detective Lieutenant Raymond Martinez, New York City Police Department, NYPD Shield, March 19, 2007. Members of the NYPD Counterterrorism Division have pursued CPP certification.

¹¹ Morabito et al., *Engaging the Private Sector to Promote Homeland Security: Law Enforcement-Private Security Partnerships*, 3.

¹² *Private Security/Public Policing, Vital Issues and Policy Recommendations*, 3.

The entire thesis can be accessed at the Homeland Security Digital Library:
https://www.hsd1.org/homesec/docs/theses/07Sep_Simeone.pdf&code=6504ccfaa5139d188f1958dbf5bf3a7d

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