

Global Metropolitan Policing: An Emerging Trend in Intelligence Sharing

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The emergence of transnational criminal actors challenges national law enforcement and intelligence agencies. Global criminals are involved in traditional organized crime activities, *e.g.*, theft, smuggling, and dealing in all types of contraband. These criminal networks, however, also engage in activities that can fuel domestic and international conflicts, potentially creating threats that can undermine state actors and existing security regimes. The tensions created by what amounts to the “darker side” of globalization challenge existing mechanisms of cooperation among various national police organizations.

The purpose of this article is to explore how transnational criminal networks are creating incentives to change traditional police operations and to describe how law enforcement officers can better coordinate their activities as they adapt to contain and eliminate global criminal threats. To accomplish this objective, the article first describes the global, networked dimension of this threat. It then describes the differences between current practice of “international policing” and an emerging approach to countering the criminal threat, best described as “global metropolitan policing.” The article concludes by offering several suggestions on how law enforcement agencies can acquire the skill sets and practices needed to address the global criminal enterprise.

GLOBAL THREATS AND THE POLICE

Police, like the rest of society, face a changing political, technical, and economic setting. Traditionally, urban police forces confined their activities to their immediate local area for the simple reason that criminal activity was primarily a local phenomenon – jurisdictions generally matched patterns of criminal activity. As globalization and technology stimulated greater linkages among cities, widespread connections between criminal and terrorist activity began to surface, culminating in a new range of threats that local police had to address.

One component of this threat stream is the global Islamist jihad. Islamist movements form a loose confederation of independent groups with varying roles and reach. They often work in a cooperative manner among “theaters of operation.” Local groups gather intelligence and targeting data and share it across the global jihadi network. David Kilcullen believes that this movement is best viewed as a global insurgency. Countering it, according to Kilcullen, “demands extremely close coordination and integration between and within police, intelligence, military, development, aid, information, and administrative agencies” – a difficult task when undertaken at the global level.¹

Other observers believe that Osama bin Laden’s al Qaeda is a malignant and mutated version of the market-state – an emerging state form. Al Qaeda and its kin are more than state-less gangs.² These networked adversaries possess standing armies, treasury and revenue sources derived from criminal enterprises, a bureaucracy or “civil” service,

intelligence collection and analysis capabilities, welfare systems, and the ability to make alliances with state and other non-state actors. They also promulgate law and policy for their adherents and declare war. From this perspective, the al Qaeda network constitutes a sort of virtual state that can control territory. Through insurgency and terrorism it seeks to influence events and policies across the globe.

Criminal and terrorist networks thus constitute a departure from traditional criminal activity because they are not concentrated in any one local jurisdiction. They create a problem for everyone, but they belong to no one. Actions taken by a few local jurisdictions or even states can deliver a setback to the criminal network, but they cannot destroy the network because it exists outside of their jurisdictions. To contain and eventually destroy these international criminal and terrorist enterprises, local and national jurisdictions have to work together in real time. The traditional distinction between domestic and foreign threats that is common in both the law enforcement and security studies literature seems especially inappropriate because the external threat posed by terrorists to one state actually represents an ongoing domestic threat to another government. In effect, the nature of this threat creates a good deal of pressure to increase the pace, scope, and intensity of global law enforcement activity. Without global engagement, terrorists can always retreat to safe havens provided by unchallenged portions of their networks.

FROM INTERNATIONAL TO GLOBAL METROPOLITAN POLICING

In the past, local police worked within their own geographically limited jurisdictions. When international cooperation was needed in an ongoing investigation, “international policing” provided the model for interstate relationships. In international policing, national police organizations served as the conduit for sharing information among foreign law enforcement agencies. To facilitate this exchange between states, bilateral relationships – limited to specific investigations or cases – were developed. Over time, international institutions, such as the 181-member International Criminal Police Organization (ICPO-Interpol), founded in 1923, and the European Police Office (Europol), founded in 1992, were created to help facilitate this “case-by-case” collaboration. As Mathieu Deflem observes, “law enforcement institutions engage in a variety of international activities and have forged international cooperative structures and organizations that aim to foster collaboration in the fight against crimes that are of an international nature.”³ International policing relies on international institutions, not ad hoc collaboration among local agencies, to exchange information about individuals and events of mutual interest.

In federal states, international relations are largely left to federal agencies. In the United States, the Federal Bureau of Investigation (FBI) carries out most international liaison activity and the federally sponsored National Central Bureau largely deals with Interpol. International police activities undertaken by the United States are primarily planned and executed by a limited number of U.S. federal law enforcement agencies and departments. The FBI and Drug Enforcement Administration (DEA) are the most active U.S. law enforcement agencies operating overseas. The FBI’s system of legats (legal attachés) places representatives in fifty-two countries, while the DEA’s foreign liaison system maintains seventy-eight offices in fifty-six countries.⁴ International policing can

thus be quite extensive, playing an important role in traditional international law enforcement and diplomatic activity.

GLOBAL METROPOLITAN POLICING

In the aftermath of the September 11, 2001 terror attacks, police forces across the globe have developed new domestic and international counter-terrorism strategies, while international police agencies have likewise stepped up their efforts to combat terrorism. Because of the nature of the threat, many of these activities require greater international cooperation, leading police organizations to act more independently in relation to the dictates of the national governments of their respective states.⁵ As a result of this bureaucratic autonomy, local police forces are developing and sharing expert “systems of knowledge” with fellow professionals across national boundaries.⁶ Deflem notes that this activity is undertaken in response to the full range of international crime, is oriented toward local and national enforcement tasks, and primarily involves bi-lateral liaison activities focused on specific, short-term collaborative investigations.⁷ These developments have not led to the formation of a supranational police force, but they have led to the emergence of a global metropolitan network and global metropolitan policing.⁸

Global metropolitan policing includes both national and metropolitan law enforcement agencies as well as linkages with intelligence organizations, non-governmental organizations, and private and corporate security entities. This collaboration involves efforts to construct security-intelligence networks. The globalization of this police activity involves the dispersal of security governance along nodal (network-based) lines involving state, corporate, non-governmental, and informal nodes rather than a network that is solely based on state-sponsored entities. These networks involve informal relationships between social agents and agencies that treat each other as equals. These informal links contribute to the evolution of formal networks among security agencies that are often codified by treaties or other types of legal agreements.⁹

In Peter Gill’s formulation, the territory where police and security networks emerge is both symbolic and physical. These networks provide information and intelligence to support traditional policing of people and spaces. Global metropolitan policing thus involves a “deepening” of the levels of government involved – local, regional, national, and transnational. It also involves “broadening” of the sectors of society involved in sharing information – state, corporate, and community. Gill also notes that it involves a “stretching” of spatiality based on the idea that “developments in one part of the globe can have immediate and world-wide impact.”¹⁰ These networks routinely cross agency boundaries, mediating between, if not transcending, different local, state, and national sovereignties.¹¹ According to D. Bigo, the impact of this activity already is profound, producing “networks of control agents who see as their primary task the maintenance of public order, broadly conceived, and who distance themselves from all political reasoning.”¹² Global metropolitan policing has created a network of thousands of agents working together every day; in so doing, they are breaking down national sovereignty and other kinds of jurisdictional boundaries.

NEW NETWORKS

New law enforcement networks are the foundation of global policing. Some networks are created by linking national and local police forces. In response to transnational gangs, for instance, a partnership was formed between U.S. and Salvadoran law enforcement officials. The Transnational Anti-Gang (TAG) initiative (*Centro Antipandillas Transnacional*) was intended to target the violent *Mara Salvatrucha* (MS-13). This network emerged when two agents from the FBI were stationed in San Salvador to work directly alongside investigators and analysts from El Salvador's Policia Nacional Civil. The collaboration was undertaken by the FBI to conduct joint investigations, share information and intelligence, and provide technical assistance.¹³

Other initiatives link major municipalities directly with other jurisdictions. For instance, the New York Police Department (NYPD) has developed its own global liaison network. NYPD's liaison program is based on the premise that the NYPD has to operate globally because the war on terrorism has no national boundaries. New York's Police Foundation, which partially funds the program, refers to the initiative as "Global Policing in the 21st Century." NYPD has deployed detectives to Toronto, Montreal, Santo Domingo, London, Paris, Lyon, Madrid, Tel Aviv, Amman, and Singapore.¹⁴ These NYPD detectives are unarmed and are not directly involved in investigations and enforcement actions. Instead, their primary responsibility is to foster the exchange of information, warnings, and best practices among law enforcement professionals who can put this information to immediate use.

Although detectives are engaged solely in liaison and information exchange, the NYPD initiative is not without its critics. According to Judith Miller "[the presence of NYPD detectives] overseas has strained the department's often tense relations with the F.B.I. In Israel, for instance, the bureau [FBI] opposed creating the post for the department's detective, according to American and Israeli officials."¹⁵ The fact that NYPD encounters bureaucratic resistance to its efforts to "go global" suggests that its liaison initiatives have clearly encroached on the "domain" of other agencies. Nevertheless, such initiatives are just the beginning of a new type of urban law enforcement, a logical response to new threats and to new technological opportunities that empower domestic organizations to take a more direct interest in international events that impact local security.

NETWORKS AND POLICING

Although John Arquilla and David Ronfeldt note that "it takes networks to fight networks," the good news is that terrorists and criminals are not alone in their ability to organize themselves as a network.¹⁶ Corporations, nongovernmental organizations, government agencies and officials can work as decentralized, informal, and flexible entities that rely on exchanges of data and ideas to achieve their objectives. National and municipal governments can address networked threats by establishing their own global or regional networks of financial regulators, prosecutors, criminal investigators, immigration officials, transportation officials, and customs agents.¹⁷

According to Ann-Marie Slaughter, changes in state forms are already occurring. States are likely to become increasingly disaggregated as government networks populate

a new global landscape. In her view, horizontal and vertical government networks are emerging. Horizontal networks, characterized by peer-to-peer links with professional counterparts across borders, will be the most common form of cooperation. Vertical, government networks, between national government officials and their supranational counterparts (*e.g.*, the Rome Statute for the International Criminal Court and the Strasbourg-based European Court of Human Rights), will become lesser players. In Slaughter's typology, there are information, enforcement, and harmonization networks that can be arranged as horizontal, vertical, or disaggregated international organizations. Information networks are cooperative and frequently informal. Enforcement networks result from the inability of individual agencies to enforce the law. Harmonization networks are typically authorized by treaty or by executive agreement. These networks can be codified in formal agreements, emerge as informal arrangements, or emerge as a spontaneous response to an emerging threat or opportunity.¹⁸

Law enforcement is already adopting many of these different types of organizing principles. The Financial Action Task Force on money laundering (FATF), which seeks to detect and prevent misuse of world financial systems by terrorists, is a noteworthy example of a networked police organization.¹⁹ The FATF brings together state and sub-state actors from Argentina, Australia, Austria, Belgium, Brazil, Canada, Denmark, the European Commission, Finland, France, Germany, Greece, the Gulf Co-Operation Council, Hong Kong, Iceland, Ireland, Japan, Luxembourg, Mexico, Holland, New Zealand, Norway, Sweden, Switzerland, Turkey, the United Kingdom, and the United States. Traditional organizations also have taken on attributes of networks. For instance, Europol created a crisis center for coordination and information sharing and a task force for broad analysis and threat assessments. In terms of fostering contacts among individual professionals, Eurojust (the European Union's Judicial Cooperation Unit) seeks to increase judicial cooperation and information exchange through direct contact among judges, an implicit recognition of the need for cross-border judicial relations to address transnational threats.²⁰

CONCLUSION

The law enforcement response to terrorists and transnational threats posed by organized crime and third-generation gangs must build on best practices related to community interaction, investigation, intelligence and enforcement. At the local level, police must work with the community to protect against crime and victimization. Police must be visible. They must engage community partners to build trust within their immediate jurisdictions. They must not be seen as serving as instruments of repression and corruption. Law enforcement is first and foremost responsible for maintaining situational awareness across local jurisdictions. This is the basis of global metropolitan policing.

Linking professional, accountable, and democratic police and law enforcement agencies in a distributed-network fashion can help stop the transnational criminal enterprise. Because overseas criminal and terrorist networks are beyond the reach of any one territorial jurisdiction or any one domestic law enforcement authority, they can evade standard countermeasures pursued in any one country. Law enforcement is

constrained by a world with borders, while international criminals and terrorists move in a borderless world and are free to seek the path of least resistance when it comes to carrying out their schemes.²¹

Global metropolitan policing is beginning to compete with international policing as a model of police co-operation. NYPD's International Liaison Program is an example of this trend. Personnel exchanges among police agencies for liaison and the deployment of police officers to participate in task forces abroad are likely to increase as police battle terrorism, transnational gangs, and global crime.

This trend challenges traditional police relationships. Intelligence and law enforcement operations now intersect, eroding the distinction between domestic and foreign police and intelligence activities. Metropolitan police join national police as liaisons occur among and across all levels of governance. These new types of liaison will require police to acquire new skills. Individual police officers as well as their home organizations will need to understand the nature of diplomacy and international relations, master multiple languages, understand multiple culture and legal systems, and bridge police and intelligence operations. Police continue to conduct the majority of their activities locally, but they have to think globally and bring that global knowledge back home. International meetings, professional exchanges across disciplines, and public diplomacy now join local crime fighting as essential police skills.

Police and law enforcement need to co-operate across national boundaries to better preserve the rule of law in all nations and to foster global security. Building capabilities that expand upon formal structures, such as Interpol and Europol, while stimulating new multilateral connectivity and co-operation is essential to combating these global criminal threats. These capabilities must serve as a bridge from local to global activities. They must embrace civil societies across territorial divides and different cultural contexts to create cooperative police and intelligence operations.

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¹ David J. Kilcullen, "Countering Global Insurgency," *Journal of Strategic Studies* 28, No. 4 (August 2005): 607.

² Philip Bobbitt, *Terror and Consent: The Wars for the Twenty-First Century* (London: Allen Lane, 2008), 820-821.

³ Mathieu Deflem, "Global Rule of Law or Global Rule of Law Enforcement? International Police Cooperation and Counter-terrorism," *Annals, AAPSS* 603 (January 2006): 241.

⁴ Mathieu Deflem, "International Policing: Role of the U.S.," in Richard A. Wright and J. Michell Miller (Eds.), *The Encyclopedia of Criminology* (New York: Routledge, 2005), pp. 808-812.

⁵ Mathieu Deflem, "Europol and the Policing of International Terrorism," in *The Encyclopedia of Criminology*, ed. Richard A. Wright and J. Michell Miller (New York: Routledge, 2005), 338.

⁶ *Ibid.*, 339.

⁷ *Ibid.*

⁸ Mathieu Deflem, "'International Police Cooperation against Terrorism: Interpol and Europol in Comparison,'" in *Understanding and Responding to Terrorism*, ed. H. Durmaz, B. Sevinc, A.S. Yayla, and S. Ekici (Amsterdam: IOS Press, 2007), 17-25.

⁹ Peter Gill, "Not Just Joining the Dots But Crossing the Borders and Bridging the Voids: Constructing Security Networks after 11 September 2002," *Policing and Society* 16, no. 1 (2006): 27-49.

¹⁰ *Ibid.* p. 30.

¹¹ *Ibid.* p. 39.

¹² D. Bigo, "Liaison officers in Europe: New officers in the European security field," in *Issues in Transnational Policing*, ed. J. Sheptycki (London: Routledge, 2000).

¹³ Federal Bureau of Investigation (FBI), "Going Global on Gangs: New Partnership targets MS-13," Press Release, October 10, 2007. MS-13 is a transnational, third generation street gang that operates in forty U.S. states and ten different nations across two continents.

¹⁴ See New York City Police Foundation, International Liaison Program at <http://www.nycpolicefoundation.org/global.asp>.

¹⁵ Judith Miller, "A New York Detective's Tricky Beat in Israel," *New York Times*, May 15, 2005, <http://www.nytimes.com/2005/05/15/nyregion/15nypd.html>.

¹⁶ John Arquilla and David Ronfeldt, *Networks and Netwars: The Future of Terror, Crime and Militancy* (Santa Monica, CA: RAND, 2002), 15.

¹⁷ Anne-Marie Slaughter, "We Can Beat Terror at Its Own game: Networks are both the problem and the solution," *Los Angeles Times*, April 25, 2004, <http://www.latimes.com/news/opinion/commentary/la-op-slaughter25apr25.1.1645678.story?coll=la-news-comment-opinions>.

¹⁸ Anne-Marie Slaughter, *A New World Order* (Princeton: Princeton University Press, 2004).

¹⁹ *Ibid.*, 54.

²⁰ Nora Bensahel, *The Counterterrorism Coalitions: Cooperation with Europe, NATO, and the European Union* (Santa Monica, CA: RAND, 2003), 39-41.

²¹ Rohan Gunaratna, "The Terror Market: Networks and Enforcement in the West," *Harvard International Review* XXVII, no. 4 (Winter 2006): 69.