

Hearing before the
Senate Committee on the Judiciary,
Subcommittee on the Constitution, Civil Rights and Human Rights
“Hate Crimes and the Threat of Domestic Extremism”

Wednesday, September 19, 2012

Question for the Record from Senator Coons:

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In your testimony, you noted the critical role that fusion centers play in ensuring that federal, state and local agencies work together to protect public safety. Citing examples, if possible, please elaborate on how fusion centers contribute to coordinated efforts to combat hate crimes and domestic extremism.

Answer for the Record from Daryl Johnson:

Since the terrorist attacks of September 11, 2001, all levels of government have been attempting to improve intelligence gathering and information sharing between federal, state and local agencies. To promote greater information sharing and collaboration between the U.S. intelligence and law enforcement communities, and state and local authorities, the U.S. Department of Homeland Security (DHS) established fusion centers throughout the country.

According to a DHS Office of Inspector General report, “In June 2006, the Secretary of Homeland Security signed an implementation plan to support state and local fusion centers and designated the Office of Intelligence and Analysis (I&A) as the executive agent for managing the department’s role in the nationwide Fusion Center Initiative.”¹

“Fusion centers are a collaborative effort of two or more agencies that provide resources, expertise, and information to the center with the goal of maximizing its ability to detect, prevent, investigate, and respond to criminal and terrorist activity” the report says. “The department’s fusion center program is intended to provide information, people, technology, and other resources to fusion centers to create a web of interconnected information nodes across the country.”

During my tenure at DHS/I&A, I observed and actively participated in many efforts between my domestic terrorism team and our fusion center counterparts in a coordinated effort to combat hate crimes and domestic extremism. The following list illustrates only a few examples:

- DHS/I&A domestic terrorism analysts received numerous invitations to provide training for, or to speak on, a variety of domestic extremism topics to federal, state, and local law enforcement and fusion center meetings, working groups, and conferences. In 2008

¹ “DHS’ Role in State and Local Fusion Centers Is Evolving,” U.S. Department of Homeland Security, Office of Inspector General, Report OIG-09-12, December 2008.

alone, my team presented briefings and conducted trainings at nearly thirty external events. This included several training events at the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) National Academy, the FBI Academy, multiple visits and training to fusion centers and various law enforcement–sponsored conferences.

- DHS/I&A domestic terrorism analysts collaborated with their counterparts at various fusion centers on law enforcement bulletins and other finished reports dealing with violent domestic extremist activity, threats and other topics related to hate crimes and domestic terrorism.
- Fusion centers provided many useful intelligence reports and law enforcement bulletins on domestic extremist criminal activity and hate crimes to analysts at DHS/I&A as well as federal, state, local and tribal law enforcement.
- Prior to 2009, DHS/I&A reports officers provided several useful raw reports concerning violent domestic extremist activity. This information was disseminated to relevant government agencies within the law enforcement and intelligence communities.
- On September 16-18, 2008, more than 150 representatives from DHS/I&A and most fusion centers took part in the 2008 HS SLIC National Analytic Conference in Newport, Rhode Island. The goal of this event was to discuss domestic terrorism and to identify potential threats and the facilitators that are likely to have a substantial impact on the size, capabilities and intent of the various U.S. domestic extremist groups.
- During August - September 2008, my team provided information to the Michigan Intelligence Operations Center (MIOC) concerning possible criminal activity and threats involving the Hutaree militia. In March 2010, the FBI arrested eight members of the Hutaree militia for plotting to kill police officers. The conspiracy charges were later dropped against the Hutaree Militia members, but two were ultimately convicted of weapons violations. Although we had nothing to do with the criminal investigation related to the Hutaree, I am confident that the information we provided the MIOC in August 2008 and later in September 2008 was instrumental in bringing law enforcement attention to a very dangerous and potentially violent militia group. Though the terrorist plotting aspect of the case was later dismissed, I am confident a threat was mitigated.
- On September 25, 2008, two tactical officers with the Illinois State Police were shot during a drug raid in Carbondale, Illinois. The suspect, William Patrich, who shot at officers, was killed as SWAT officers returned fire. DHS subject matter experts collaborated with fusion centers in Illinois and Missouri to identify extremist connections between the deceased suspect and a known sovereign citizen group as well as white supremacist groups. Our input reportedly expanded the joint law enforcement investigation into the shootings.
- During autumn 2008, I participated in a pilot working group looking at white supremacist, sovereign citizen, and militia extremist activity within Missouri and Illinois. The working group consisted of analysts from DHS, FBI, the Missouri fusion center,

Illinois fusion center, Chicago Police Department, Kansas City Terrorism Early Warning Group, and St. Louis Terrorism Early Warning Group. Our goal was to identify which types of domestic extremist groups were active in each state, their activities, and whether or not there were any linkages between extremist groups in the respective states.

- In November 2009, Daniel Wayne Moreschi, a neo-Nazi white supremacist, was arrested in Ashe County, North Carolina, and charged with three felony counts of breaking and entering and larceny. On December 1, 2009, I received information about Moreschi from the North Carolina Information Sharing and Analysis Center (NCISAC). I later forwarded this information to the Bureau of Alcohol, Firearms, Tobacco, and Explosives (ATF), Charlotte Field Division. Based on the information I provided, ATF agents decided to follow up and interview Moreschi. A week later, the ATF notified me that they had seized a sawed-off shotgun from Moreschi and were able to charge him with a felony firearms offense.

The DHS/I&A is responsible for providing comprehensive responses to the information and intelligence needs of its stakeholders, which includes the state and local fusion center network. In turn, fusion centers also provide comprehensive responses to the needs of DHS/I&A. These information sharing requirements are referred to Standing Information Needs (i.e. DHS/I&A information requests to the fusion centers) and Priority Information Needs (i.e. fusion centers information requests to DHS/I&A). These “information needs” provide an organized framework to facilitate information sharing on a variety of topics, including domestic and international terrorism as well as threats to the safety and security of faith-based communities, critical infrastructure, emergency responders (i.e. police, fire, ambulance), among other potential targets of violence.

It is important to note that the strength of the state and local fusion center program is its ability to facilitate information sharing between all levels of government and across both the intelligence and law enforcement communities. Fusion centers are not really intended to conduct criminal investigations or terrorism interdiction, although they have a supporting role in preventing violent crime and terrorism. Terrorism investigation, incident response and interdiction are the responsibility of federal, state and local law enforcement agencies, specifically the Federal Bureau of Investigation (FBI) and its Joint Terrorism Task Forces (JTTF), which are known for withholding terrorism-related information. In contrast, fusion centers are known for sharing information in an effort to better “connect the dots” to identify emerging violent extremist trends, criminal tradecraft, and potential threats.

In closing, the state and local fusion center program is still maturing. It continues to improve and evolve. Fusion centers have added value in the fight against hate crimes and domestic extremism. However, challenges remain with internal processes, coordination, mission alignment and priorities (between fusion centers and DHS/I&A) as well as funding obstacles related to sustaining the fusion center network and the deploying of computer systems and personnel to the fusion centers in a timely manner.