New York State of Mind:

Policing Terrorism in the Empire City

James R. Honsa

Advisors: Professors Coit D. Blacker and Phillip Taubman
Center for International Security and Cooperation
Freeman Spogli Institute for International Studies
Stanford University
May 2014
Abstract

What factors explain the New York Police City Department’s (NYPD) post-9/11 counterterrorism reforms? The conventional narrative suggests that New York’s counterterrorism strategy has been a direct reaction to the events of September 11th, with the NYPD adapting to address new threats and vulnerabilities. While necessary, this 9/11-centric explanation is insufficient in understanding the scope, scale, and tactics of the NYPD’s counterterrorism strategy. Instead, the evidence suggests that imprinted institutional norms and path dependence within New York policymaking shaped the Department’s response to terrorism. Dating back to the Progressive Era, New York has demonstrated a bureaucratic bias towards internalizing national priorities, resulting in reforms that are consistently at the vanguard of policing tactics.

To advance this institutional argument, this thesis will analyze three key NYPD decision-making nodes: the reformation of a dedicated Intelligence Division, a legal battle to increase the Department’s ability to gather intelligence, and the establishment of a controversial “Demographics Unit.” At all three junctures, the evidence indicates that policymaking was propelled by a bureaucratic tendency to align reforms with national priorities, effectively ‘localizing’ a federal agenda. As a city teeming with strong-willed personalities, this forward-leaning institutional norm was bolstered by a cohort of policy entrepreneurs, eager to buck traditional notions of the role of local policymaking in a federal system. These findings provide a novel understanding of the NYPD, contributing an analytic counterpart to the conventional, event-driven narrative. While September 11th was the initial catalyst for policing reforms, institutional history and organizational behavior are necessary to explain the forward-leaning character and federally inspired content of New York’s response to terrorism.
Acknowledgements

I am deeply indebted to my advisors, Professors Chip Blacker and Phillip Taubman. Dr. Blacker’s ability to find clarity in any puzzle was invaluable in helping me craft my argument. Professor Taubman’s insistence on lucid prose was instrumental in my growth as a writer. While it was not always easy to simultaneously please a political scientist and a journalist, their good humor, patience, and constant support made this project possible.

I am thankful to the Center for International Security and Cooperation (CISAC), which provided me with an environment that encourages interdisciplinary research and unconventional topics. CISAC has also been generous enough to supply me with various research assistantships, teaching assistantships, and travel stipends, which directly financed the coffee addiction this thesis required.

To my CISAC classmates, thank you for always working to support ‘small-unit cohesion,’ whether in the classroom or elsewhere. To my other friends and classmates, thank you for providing me with a healthy dose of distractions and reminding me that there is more to life than a senior thesis.

Finally, a thank you to two lifelong New Yorkers: my parents, Nan and Ron Honsa. I am eternally grateful to have you two as my biggest fans.
Table of Contents

Abstract ........................................................................................................................................ iii
Acknowledgements ......................................................................................................................... v
Table of Figures ................................................................................................................................. ix

Chapter I — Introduction .................................................................................................................. 1
  The Rise of National Security Federalism ...................................................................................... 3
  The Conventional Wisdom ............................................................................................................. 4
  The Method ..................................................................................................................................... 6
  “In a New York State of Mind” ...................................................................................................... 7

Chapter II — At the Vanguard: Historic Origins of Reformist Policing in New York ... 10
  The First Reformer: Theodore Roosevelt as Police Commissioner .............................................. 11
  Bolshevists in Brooklyn: New York’s Red Scares ......................................................................... 15
  Building the Wall: Battle with the Black Panthers and Intelligence Reform ................................. 21
  A New Threat: New York and Islamic Terrorism ........................................................................... 25
  Past to Present: The Legacy of 20th Century Policing ................................................................ 28

Chapter III — From the Ashes: Policy Entrepreneurs and the Revival of the Intelligence
Division ............................................................................................................................................. 31
  The Intelligence Division: An Overview ....................................................................................... 32
  Interests ......................................................................................................................................... 37
  Individuals ................................................................................................................................. 43
  Institutions ................................................................................................................................... 54
  Conclusion ................................................................................................................................. 64

Chapter IV — The Lawsuit That Never Died: Institutional Design and the Handschu
Agreement ........................................................................................................................................ 66
  The Handschu Agreement: An Overview ..................................................................................... 67
  Interests ......................................................................................................................................... 70
  Individuals ..................................................................................................................................... 71
  Institutions ..................................................................................................................................... 72
  Conclusion ..................................................................................................................................... 76

Chapter V — ‘Raking Coals’: Organizational Explanations of the Demographics Unit .77
  The Demographics Unit: An Overview ......................................................................................... 79
  Interests ......................................................................................................................................... 86
  Individuals ..................................................................................................................................... 95
  Institutions ................................................................................................................................... 101
  Conclusion ................................................................................................................................... 110

Chapter VI — Conclusions ............................................................................................................... 112
References ......................................................................................................................................... 117
NYPD Documents ........................................................................................................................... 122
# Table of Figures

<table>
<thead>
<tr>
<th>Figure</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Figure 2.1</td>
<td>30</td>
</tr>
<tr>
<td>Figure 3.1</td>
<td>36</td>
</tr>
<tr>
<td>Figure 3.2</td>
<td>62</td>
</tr>
<tr>
<td>Figure 3.3</td>
<td>62</td>
</tr>
<tr>
<td>Figure 5.1</td>
<td>84</td>
</tr>
<tr>
<td>Figure 5.2</td>
<td>94</td>
</tr>
<tr>
<td>Figure 5.3</td>
<td>103</td>
</tr>
<tr>
<td>Figure 5.4</td>
<td>103</td>
</tr>
<tr>
<td>Figure 5.5</td>
<td>108</td>
</tr>
</tbody>
</table>
The subtlest change in New York is something people don’t speak much about but that is in everyone’s mind. The city, for the first time in its long history, is destructible. A single flight of planes no bigger than a wedge of geese can quickly end this island fantasy, burn the towers, crumble the bridges, turn the underground passages into lethal chambers, cremate the millions. The intimation of mortality is part of New York now: in the sound of jets overhead, in the black headlines of the latest edition.

All dwellers in cities must live with the stubborn fact of annihilation; in New York the fact is somewhat more concentrated because of the concentration of the city itself, and because, of all targets, New York has a certain clear priority. In the mind of whatever perverted dreamer might lose the lightning, New York must hold a steady, irresistible charm.

—E.B. White, *Here is New York*, 1949
Chapter I — Introduction

Salil Sheth, the building supervisor for an apartment complex near Rutgers University, opened the door to Unit 1076 to conduct a routine, state-mandated inspection. The note he had left on the door weeks earlier to inform the tenant of the inspection remained taped up outside. Within moments of entering the door, Sheth instructed a colleague to call 911.

The apartment he entered was bare, with no clothing, furniture, or other signs of occupancy. Strewn across the floor of the apartment, Sheth found high-resolution pictures of young Arab men, photographs of New Brunswick’s Matrix Office Complex, and literature on the Muslim religion. Transcripts of Islamic sermons were scattered throughout the unit. Speaking to the 911 dispatcher, Salil’s colleague hurriedly stated, “There’s computer hardware, software, you know, just laying around. There’s pictures of terrorists. There’s pictures of our neighboring buildings.”

“In New Brunswick?” the dispatcher questioned, her voice inflecting with disbelief. Perhaps most concerning, Sheth and his coworkers observed two portable radios, emblazoned with the New York City Police Department (NYPD) Seal. With concern rising that this uninhabited unit was the base for a clandestine terrorist cell, perhaps one that had penetrated law enforcement, New Brunswick police officers and FBI field agents from the Newark office rushed to the apartment complex. Within minutes of arriving on scene, the officers and agents found their feeling of concern replaced with a mixture of bitterness and amusement. The New Brunswick officers closed their report on the incident with one line: “Through Police investigation, it was determined there was no evidence of criminal activity found at that location.”

Salil Sheth had not stumbled on an al-Qaeda sleeper cell; he had found an out-of-jurisdiction safe house operated by the NYPD. The FBI seized everything in the apartment, forcing David Cohen, New York City’s Deputy Commissioner of Intelligence, to humble himself and ask his law
enforcement counterparts for his equipment and evidence back. Of course, the FBI was infuriated that Cohen had been carrying out terrorism investigations beyond New York City’s borders without notifying them, but there was also mockery of the amateurish nature of the operation. What kind of intelligence organization leaves radio equipment and surveillance photos sitting around in an empty safe house? Perhaps due to his unorthodox career through the intelligence community, Cohen had grown accustomed to being a relative outsider and had become something of a magnet for bureaucratic discord. As indicated by his frequent shouting matches with FBI agents in New York City’s Joint Terrorist Task Force office, located in Manhattan’s Chelsea neighborhood, Cohen had a penchant for ruffling federal feathers. However, this interagency ridicule was new for Cohen, as he sent an officer to retrieve his NYPD radios in New Brunswick.¹

¹ This section is heavily adapted from the work of Associated Press journalists Matt Apuzzo and Adam Goldman, as well as released recordings of the referenced 911 phone call; Matt Apuzzo and Adam Goldman, Enemies Within: Inside the NYPD’s Secret Spying Unit and Bin Laden’s Final Plot Against America (New York, NY: Simon & Schuster, 2013).
The Rise of National Security Federalism

In the aftermath of September 11th, 2001, America’s national security apparatus underwent a dramatic overhaul, including a restructuring of the intelligence community, the expansion of military special operations forces, and the creation of an entirely new federal agency, the Department of Homeland Security (DHS). While these nationwide institutional developments faced significant scrutiny, a concurrent structural change to local institutions quietly rippled across our nation’s post-9/11 landscape. Municipal police departments across the country began to delve into counterterrorism and intelligence work with the goal of thwarting and deterring plots against America at the local level, dawning a new era of national security federalism.

This devolution of the national security enterprise presents several fundamental questions that scholars, policymakers, and journalists are just beginning to probe. The vast majority of post-9/11 scholarship has focused on the balancing of priorities at the federal level, examining horizontal relationships among and within national institutions. Comparatively, there has been a lack of analysis on the vertical axis of these relationships, exploring the interactions between tiered governments in a federal system. Intuitively, the very term ‘national security’ seems to be at odds with a police system built upon strong traditions of localism. At the vanguard of this rising tide of national security federalism lies the New York Police Department.

In January 2002, just months after the attacks of September 11th, the NYPD became the first police department in the country to develop its own Counterterrorism Bureau and roused its Intelligence Division from a multi-decade period of hibernation. From inception, it was evident that these reforms were not going to be a simple bureaucratic reshuffling, but the genesis of an entirely new form of police work, drawing heavily from federal counterterror strategies. David Cohen, a 35-year veteran of the Central Intelligence Agency (CIA) who had led both the operational

---

and analytical branches of the Agency, was recruited to revitalize the NYPD’s dormant Intelligence Division. Heavily restricted by a 1971 class action suit on civil liberties, the Intelligence Division had devolved into a bureaucratic backwater principally focused on organizing security details for foreign dignitaries. Under Cohen and his superiors, the NYPD Intelligence Division was reimagined, largely unfettered by the legal restraints and oversight processes that limited the federal government’s domestic intelligence gathering. Led by the strong-willed troika of Mayor Michael Bloomberg, Police Commissioner Ray Kelly, and Deputy Commissioner of Intelligence David Cohen, New York pushed into an uncharted frontier in local counterterrorism investigations, eroding bureaucratic barriers that had historically divided domestic intelligence and law enforcement.

By all conventional metrics—dollars allocated, officers hired, languages spoken, plots foiled, headlines garnered—the NYPD stands at the forefront of local counterterrorism reforms. Beyond scale, New York City has been distinctively forward-leaning in its tactics, including stationing officers in U.S. embassies overseas, cross training with federal intelligence community counterparts, and hiring dozens of native Urdu, Pashto, and Arabic speakers. Operating on the premise that New York stands at the leading edge of national security federalism, how do we explain its trajectory? Specifically, this thesis aims to answer the overarching research question: what factors explain the New York City Police Department’s unprecedented counterterrorism reforms in the aftermath of 9/11?

The Conventional Wisdom

In advancing this question, a seemingly obvious answer rises to the surface – the NYPD stands at the forefront of counterterrorism reform because the World Trade Center’s (WTC) towers collapsed at the southern tip of Manhattan on September 11, 2001. Echoing Newtonian physics,
conventional wisdom suggests that the NYPD’s reforms constituted an equal and opposite reaction to the traumatic shock of 9/11.

In sheer magnitude, this reactionary explanation warrants consideration. 2,753 people were killed in the attacks on New York, including 403 firefighters, police officers, and paramedics. Cantor Fitzgerald, L.P., an investment bank headquartered two floors above the impact zone in Tower One lost 658 employees, constituting two-thirds of its workforce. 3,051 children lost a parent, with 1,717 families unable to retrieve remains from the wreckage. Fires continued to burn at Ground Zero for 99 days after the attack. New Yorkers donated 36,000 units of blood to the New York Blood Center, of which only 258 units were actually used, as emergency room doctors waited for patients that never arrived. With the financial capital of the nation brought to its knees, the Dow Jones industrial average plummeted 684 points when the New York Stock Exchange reopened six days after the attack.

However, no metric can encapsulate the raw emotion that was seared into the consciousness of New Yorkers and the nation at large, as they watched the second plane, United Airlines Flight 175, explode into the South Tower at 9:03AM, confirming that an attack on America’s cultural, communications, and financial capital was underway. The very absence of the towers in New York’s iconic skyline would become a symbol for the profound loss the city had endured.

Given this understanding of the horrors of September 11th, the mainstream account suggests that New York enacted aggressive counterterrorism reforms as an act of self-defense, changing policies to protect the city from any future attack. Accepting this conventional narrative as a foregone conclusion, policymakers, and scholars quickly jump to questions of civil liberties, challenges to federalism, and oversight concerns, glossing over the questions of origins. However,

---

5 Ibid.
this thesis aims to probe this tacitly accepted explanation, examining the dynamics that shaped New York’s strategic response to 9/11. Just as generations of historians have explored America’s entrance into World War II, going beyond the simple event-driven narrative of the Japanese attack on Pearl Harbor and providing a deeper institutional and ideological context, this thesis will seek to place the policing reforms following September 11th in a broader analytic frame. Returning to the question stated earlier: what factors explain the New York City Police Department’s unprecedented counterterrorism reforms in the aftermath of 9/11?

The Method

To tackle this question, this thesis will focus on three NYPD decision-making nodes, identifying junctures where the city embarked on a trajectory that diverged from the actions of its law enforcement peers, thereby enhancing its unique position. For each of these decisions, three distinct analytic themes will be applied, with the goal of identifying the most significant factor in propelling each decision. The first theme will be interests, applying the aforementioned rational, self-defense argument to the decisions. In the parlance of international relations theory, this interests-based approach is analogous to realism, questioning whether policies were designed out of pure self-interest. The second analytic theme will be focused on individuals, exploring whether there is something unique in the ideology and experiences of the city’s leadership that explains its counterterrorism posture. To gain traction on the often-intangible world of ideas, this lens will focus on key policy entrepreneurs, assessing whether the attitudes and biases of major players can be used to trace the path of a decision. The third and final theme will be institutions, evaluating the bureaucratic structure of municipal policymaking and exploring whether the unique biases and norms of New York policing guided reforms. Rooted in organizational behavior, this institutional lens will consider the role of path dependence and how New York’s colorful history has left an indelible imprint on the city’s decision-making.
Of course, these three analytic lenses often have overlapping borders, as they do not exist in a theoretical realm of mutual exclusivity. Furthermore, examination will often attribute themes as ‘necessary, but insufficient’ in explaining a specific decision, placing the three analytic tracks in conversation with each other to gauge their relative explanatory power. Employing this typology of the ‘three I’s’—interests, individuals, and institutions—this thesis will advance an argument that identifies a single theme as most critical in explaining the NYPD’s nonconventional decision-making.

At this point, it is necessary to address the scope and aims of this thesis. The primary objective of this research is to provide an analytic explanation of New York’s counterterrorism policies in the decade following 9/11. This in-depth analysis of the actions of one police department at one specific point in time constitutes a case study. The New York case encompasses a major historic event, powerful and ideologically motivated individuals, and a network of influential institutions at a critical juncture in America’s history. The goal of any case study is to explore causation at the micro-level, applying intense scrutiny to one particular example in an effort to explain broader underlying principles. Any attempt to understand domestic counterterrorism must direct at least as much attention to its local manifestations as its universal character. Given New York’s unprecedented policies in this area, it serves as a particularly salient example of how domestic counterterrorism can be interpreted at the local level.

“In a New York State of Mind”

However, posing a methodological challenge to this approach, a case study focused on an outlier is at risk of not being easily comparable to other cases. To counter this, this thesis will maintain an approach that views New York in the context of broader concepts (i.e. the rise of homegrown extremism, municipal autonomy in modern politics, federal agenda-setting through categorical grants, etc.). Therefore, this case study approach, while admittedly narrow, will provide
insight on broader trends in national security federalism. While New York’s experience may not be readily generalizable, it can serve as an illuminating contrast to other major cities that have pursued different bearings. Furthermore, beyond the realm of national security, answering this research question will contribute to a broader understanding of how and why local institutions operationalize national priorities.

Above all, the NYPD is an organization of 50,000 people, patrolling a municipality so recognizable that it is referenced globally as “the City”. When asked if New York was generalizable to other cities, a senior federal intelligence official offered, “Of course the New York model is unique. Nobody else thought to invite the CIA to be their architect.” It is this very unique status, this irreplaceable New York quality that makes it a case study that can stand-alone.

To advance this inquiry, this thesis will begin with a survey of the existing literature on New York policing reform, followed by three analytic chapters on selected decision points. Chapter II will provide a historical review of the NYPD, arguing that the Department has an extended history of implementing sweeping local reforms to address national level priorities. To advance this institutional argument, this chapter will examine four eras of New York policing: Progressive Era reforms under Commissioner Theodore Roosevelt at the dawn of the twentieth century, the Red Scares of the 1920s and 50s, investigation of civil rights and Islamic groups in the 1960s and 70s, and the dawn age of terrorism before the turn of the 21st century. The following three chapters will employ the trio of analytic lenses—interest, individuals, and institutions—to explain which factor was most influential during key decision nodes. Chapter III will examine the initial 2002 decision to revitalize the Intelligence Division and appoint David Cohen as its Deputy Commissioner. Chapter IV will detail the Department’s ongoing legal battle over the Handschu Guidelines, which imposed restrictions on the NYPD’s ability to conduct investigations on religious and political groups. Chapter V will trace these analytic lenses through the strategy of the city’s Demographic Unit, which
used controversial undercover tactics to survey the activities and patterns of ethnic groups, up until its dismantling in April 2014. The final chapter, Chapter VI, will conclude with an exploration of what the future of NYPD counterterrorism strategy might look like under the direction of Mayor Bill de Blasio.

Using this structure, this thesis will advance an institutional argument for understanding the NYPD’s unique trajectory in the world of municipal counterterrorism. The extant explanations of the NYPD’s forward-leaning counterterrorism posture often point to the fact that New York City suffered the bulk of 9/11’s trauma, explaining the city’s response as a reciprocal act of self-defense. While an intrinsic interest in protecting New York from future attacks contributed to the city’s expansive counterterrorism reforms, analysis of key decision-making processes reveals that a deep-rooted institutional norm of structuring reforms to align with national priorities ultimately propelled the Department’s strategy. This norm was reinforced by path dependence, imposing a historic legacy on NYPD decision-making. As a city teeming with strong personalities, these institutional norms were bolstered by a trio of iron-willed men, eager to buck traditional notions of the role of local policymaking in a federal system: Mayor Michael Bloomberg, Police Commissioner Ray Kelly, and Deputy Commissioner of Intelligence David Cohen. Dating back to Theodore Roosevelt’s tenure as Police Commissioner at the dawn of the Progressive Era, New York City has maintained a bureaucratic bias towards responding to external threats by searching for enemies within, resulting in reforms that are consistently at the vanguard of policing tactics.
Chapter II — At the Vanguard: Historic Origins of Reformist Policing in New York

_The past is never dead. It's not even past._

—William Faulkner

While the events of 9/11 were a categorically new threat for the American nation, the city of New York had more than a century of experience devising reforms to counter national vulnerabilities. Viewed through the lens of modern terrorism, it might seem that an internationally rooted threat proliferating through New York’s neighborhoods was an unprecedented challenge to the American system, requiring novel tactics at both the federal and municipal level. However, as this chapter will argue, the fear of violence-prone ideologies radicalizing domestic communities has been a recurring challenge for New York and its law enforcement community for much of the city’s history. Historical insight can be drawn from New York’s response to immigration challenges during the Progressive Era, Red Scares of the early twentieth century, monitoring and repression of activist groups during the Civil Rights Movement, and, finally, the age of terrorism.

In all of these cases, New York’s local institutions took cues from the federal government in how to address a presumed national threat. Whether targeting Bolshevists, Black Panthers, or Hezbollah, New York has a lengthy record of merging federal and local priorities to address perceived security threats. Dating back to Theodore Roosevelt’s tenure as Police Commissioner, New York’s police bureaucracy has a predilection for ‘localizing’ policy priorities that have traditionally fallen under a federal umbrella. With its options bounded by path dependence, New York had a century-old playbook to dust off in the weeks, months, and years following September 11th.
The First Reformer: Theodore Roosevelt as Police Commissioner

The final decade of the 19th century was a portmanteau of two diverging ages of American attitude, as the thin veneer of the Gilded Age began to fade away to reveal a rising Progressive Era. Nowhere in the nation was this juxtaposition more apparent than New York, where the Fifth Avenue brownstones of the industrialist Rockefellers and Carnegies were just forty blocks north of the squalid tenement housing of Hell’s Kitchen. As the nouveau riche were drawn to New York’s theatres, restaurants, and dancehalls, waves of immigrants flooded the city’s southern neighborhoods, populating them with brothels, gambling houses, and illicit taprooms. Sitting at the nexus of this tale of two cities was Tammany Hall, the political machine that functioned as both a secret fraternal society and the dominant Democratic Party organization of New York. By 1890, Tammany Hall was firmly controlled by Irish immigrants, operating as a provider for the poor and, in turn, the beneficiary of their ballots. Richard Croker, the boss of Tammany at the time readily identified the nature of the city’s patronage system:

We have thousands of men who are alien born. They are alone, ignorant strangers, a prey to all manner of anarchical and wild notions. Tammany looks after them for the sake of their vote, grafts them upon the Republic. What agency is there by which so long a row could have been hoed so quickly or so well?

A key driver of Tammany Hall’s vice grip on New York was its de facto control of the city’s police force, which it used as a conduit for election fraud and extorting local business owners. Writing on January 31, 1894, the New York Times editorial board offered the following indictment of the city’s police:

The interests of the people of this city are decidedly on the side of a thorough and searching investigation of the Police Department or of any other department of the municipal

---

8 Ibid.
9 Qtd. in Connable and Silberfarb, Tigers of Tammany, p. 207.
10 Berman, Police Administration and Progressive Reform, p. 28.
administration against which serious charges are made. These charges of inefficiency, of extortion, and blackmail, of all manner of evils and abuses, have been rife for years and they are generally believed. The people would be glad to have the truth revealed and to have the revelations effect a thoroughgoing reform of the Police Department.¹¹

Amidst these calls for public reform, in 1894 the New York State Senate established the Lexow Committee, taking its name from the Committee’s chairman, State Senator Clarence Lexow, to probe the city’s police bureaucracy. After two years of investigation, the committee produced a 10,000-page volume, documenting instances of electoral fraud, police brutality, rampant corruption, bribery, and counterfeiting.¹² The report lambasted the city’s police force, asserting that the police were at the center of a “huge conspiracy against the purity of the elective franchise.”¹³ One interviewee, a recently immigrated Siberian exile, told the committee he “had been safer in the hands of the czarist Cossacks than in the custody of the New York Police.”¹⁴

In this milieu of corruption and abuse, the city’s newly elected Republican leader, Mayor William L. Strong, was pressured to bring in a fresh face to restructure the city’s maligned police force. Given the climate of reform, Mayor Strong needed a man who knew the intricate workings of New York’s political machinery, yet was able to bring a pragmatic, outsider’s perspective. Furthermore, he needed someone who did not shy away from the rough and tumble work of policing Manhattan’s raucous immigrant streets, nor the cutthroat competition of the city’s bureaucratic rivalries. Most importantly, Strong required someone who recognized that the police force could not be divorced from the city’s politics; in New York, police officers were the most visible moral agents of the city’s leadership.

¹³ Ibid., p. 17.
¹⁴ Ibid., p. 44.
Rising to the top of the list of potential appointees was an emerging political prodigy from a prestigious New York family—Theodore Roosevelt. At the time, Roosevelt was employed in Washington D.C. in the U.S. Civil Service Commission. Writing a personal letter about the possibility of taking the position as Commissioner, the ever-prideful Roosevelt offered that “the average New Yorker, of course, wishes me to take it very much” and that the prominent public position was one he could “afford to be identified with.” Given this confidence in his anticipated reception, Roosevelt entered his tenure as Commissioner with two unwavering principles to guide his reforms: applied efficiency and enforced morality.

The first of these aims—applied efficiency—required a top-to-bottom professionalization of the city’s police force. Roosevelt often spoke of a military model for the police, stating, “Many of the principles upon which it is governed are analogous to those which obtain in the army or navy.” Adopting soldierly trappings, Roosevelt emphasized the awarding of medals and honors and created promotion policies “to encourage the military virtues.” Structurally, Roosevelt imposed a rigid hierarchy on the police force, expanding the role of central headquarters while limiting the autonomy of the precincts. Importantly, Roosevelt emphasized hiring of non-uniformed personnel, proposing that officers walking the streets needed to be supported by a business-like bureaucracy of clerks, secretaries, research assistants, and stenographers. Outside of headquarters, Roosevelt established the Police Department’s Bicycle Squad, which consisted of a selective corps of one hundred officers, given their own station house and special uniforms. These elite officers were sent to the city’s least friendly immigrant neighborhoods, in an effort to establish a presence in areas that had been otherwise ignored or abandoned by law enforcement.

---

15 Berman, Police Administration and Progressive Reform, p. 41.
18 Qtd. in Berman, Police Administration and Progressive Reform, p. 61.
19 Ibid., p. 63.
20 Berman, Police Administration and Progressive Reform, p. 63.
21 Ibid., p. 88.
Supplementing these reforms, Roosevelt invested considerable time and resources in ensuring that the city’s police force would be at the forefront of technology-driven policing, a trend that New York would lead once again in the 1990s with the implementation of the Compstat system. To better track repeat criminal offenders, Roosevelt implemented a French forensics technique, known as the Bertillion method, which used precise body measurements to create a database of individuals of interest to the police. Writing in the Department’s annual report in 1896, Roosevelt explained:

The great merit of the Bertillion system is that it affords a simple and inexpensive method of identification, the record of which can be sent at trifling expense to any party of the world. The record of a person who has been convicted of a criminal act would then be known throughout the world, and upon subsequent arrest or conviction, could receive the increased punishment which he deserves. In a word, it affords a full public and complete record of the criminal classes.22

While a far cry from today’s facial recognition software and license plate scanners, Roosevelt’s insights on information collection would prove to be core tenets of the city’s counterterrorism strategy in the 21st century. Regardless of the problem at hand, New York’s police force demanded a system to track individuals deemed suspicious. Furthermore, a precursor to today’s focus on interagency intelligence sharing, Roosevelt emphasized the value of a database that could be easily shared with “any party of the world”, providing an early indicator of how law enforcement would integrate into a federal system. Also of note is Roosevelt’s broad-stroke approach to the era’s crime problems, readily identifying “criminal classes”. Imprinted on the NYPD’s organizational fabric, these norms would become recurring staples of the city’s policing.

More than a century after the ‘Rough Rider’s tenure, the NYPD would bring in David Cohen, another law enforcement outsider from Washington D.C., to address similar challenges of how to integrate the force with a burgeoning immigrant population, adopt new tactics and

22 Qtd. in Berman, Police Administration and Progressive Reform, p. 86; Theodore Roosevelt, “Report to the Mayor by the President of the Police Board,” 1896, Municipal Archives, City of New York, Police Department File, p. 14.
technologies, and realign the tactics of New York policing with the challenges of a new American era. Both Roosevelt and Cohen borrowed heavily from contemporaneous federal strategies to address New York’s policing challenges, implementing reforms focused on personnel, strategy, and technology. Both men knew that a city’s police force required both trained officers walking neighborhood beats and an expansive, educated support staff at headquarters. Ultimately, the desk-bound secretaries of the Progressive Era would evolve into the Urdu and Arabic analysts of today’s Intelligence Division, relying on a centralized access to communications and information to inform the city’s uniformed force.

Similar to Ray Kelly’s post-9/11 exercises to use special ‘Hercules units’ to create a sense of police omnipresence, Roosevelt’s elite Bicycle Squad expanded the NYPD’s ability to project its presence throughout the city’s diverse immigrant neighborhoods. Furthermore, Roosevelt set the precedent that managing New York’s police force was not a sidestep for men with national ambitions, but instead a valuable addendum to a federally-minded résumé. As famously stated by Mark Twain and exemplified by these men, “Make your mark in New York and you are a made man.” Theodore Roosevelt’s tenure as Police Commissioner set the tone for more than a century of reforms to follow, indicating that New York’s policing would never shy far from national attention and would continue to be one of the most important expressions of the city’s municipal authority.

**Bolshevists in Brooklyn: New York’s Red Scares**

After Roosevelt’s professionalization of New York’s police, its officers were now equipped to operate as a unified force in the city’s immigrant neighborhoods. In the early decades of the twentieth century, these new law enforcement capabilities were directed towards enforcing morality,

---


15
with the police rounding up prostitutes and shuttering illegal public houses. However, taking cues from federal law enforcement efforts, these moralistic policing tactics would soon face a new, existential threat: the Red Scare following the Bolshevik Revolution of 1917. Initially catalyzed by counterintelligence efforts during World War I, New York’s response to the Red Scare demonstrated an unprecedented level of coordination along the vertical axis of national security, with federal law enforcement agencies actively guiding local policy. Furthermore, the era provides a cautionary tale of New York’s early police abuses, highlighting a period when local institutions were empowered to address an overhyped national threat.

Occurring contemporaneously to the Bolshevik Revolution, the U.S. was in the final throes of World War I. Within the War Department, the predecessor to today’s Department of Defense, a Harvard graduate and medical doctor, Colonel Ralph Van Deman, was in charge of the Military Intelligence Division (MID). Before the war, MID had principally been responsible for creating military maps, operating with a staff of two officers; following the outbreak of World War I, Van Deman expanded the staff to 427 officers. During the war, MID’s largest field office was located in New York. The New York office was tasked with supporting wartime intelligence collection, as well as counterintelligence efforts to thwart acts of sabotage and subversion by foreign agents on U.S. soil.

Within MID’s New York office, Deputy Commissioner Nicholas Biddle, a uniformed police officer, was hired to manage a staff of twenty-five military officers, focusing on counterintelligence within the city’s borders. In his dual-hatted role, Biddle also managed fifty “intelligence police”—New York police officers who were given the wartime rank of sergeant—operating out of police

26 Reppetto, Battleground New York City, p. 68.
27 Ibid.
headquarters on Centre Street. This coterie of officers, operating as both military and police officers, consisted of Ivy League graduates with “impeccable social credentials.” As will be explained in subsequent chapters, personnel sharing between the federal intelligence community and the NYPD would become a hallmark of post-9/11 policing.

While the initial threat of German agents in New York may have seemed overstated, the NYPD’s expansive counterintelligence efforts were validated by the July 1916 Black Tom explosion at a military munitions depot in Jersey City, New Jersey. The explosion was deemed an act of sabotage carried out by German-American sympathizers. Estimated at over one kiloton, approximately one-sixteenth the destructive force of the nuclear weapon dropped on Hiroshima in World War II, the blast shattered windows throughout Manhattan and structurally damaged the Statue of Liberty. Similar to 9/11, this act prompted an unprecedented merging of federal and local priorities in New York, thereby justifying the novel practices being employed jointly by the military and the city’s police. While the ideological fear of German saboteurs had been present throughout the nation, this alarmist attitude became palpable for New Yorkers, as they were the victims of the era’s only attack on U.S. soil. Constituting New York’s first major attack, the Black Tom explosion brought a new sense of vulnerability to the burgeoning city; for the first time, New York had evidence of foreign enemies within.

While the November 1918 armistice ending World War I assuaged concerns about German conspirators, America was just entering the phase of anticommunist alarm known as the Great Red Scare, a period of anti-radical activity comparable to the McCarthy era in the 1950s. In August 1919, based on largely unfounded assumptions about communist sedition within the U.S., Attorney

---

28 Ibid., p. 69.
29 Ibid., p. 70.
31 Ibid.
General A. Mitchell Palmer established the General Intelligence Division within the Bureau of Investigation and appointed J. Edgar Hoover to gather information on potential Communists and infiltrate leftist organizations. Hoover recruited local police forces to assist anti-communist raids (‘Palmer Raids’), as the nation was overwhelmed with a fear of a rising, subversive Bolshevist tide.\(^{32}\)

Following the federal government’s lead, thirty-two states enacted laws prohibiting any form of opposition to organized government.\(^ {33}\) In 1919-20, at least 1,400 individuals were arrested as a result of the Palmer Raids, of which at least 300 were convicted.\(^ {34}\) Caught up in the Red Scare fever, the *Washington Post* expressed the overwhelming public sentiment in regards to the Palmer Raids, “There is no time to waste on hairsplitting over infringement of liberty.”\(^ {35}\)

While New York had been caught up in the nationwide hysteria of rounding up anarchists and raiding college campuses, the threat of leftists was made palpable for the city on September 16\(^{th}\), 1920. At the strike of noon, a horse-drawn carriage parked at the corner of Broadway and Wall Street, the epicenter of New York’s financial district, exploded and released over five hundred pounds of shrapnel.\(^ {36}\) With thirty-eight people left dead, the New York Stock Exchange was closed for the remainder of the day. Today, the southern section of Wall Street is closed to traffic as a post-9/11 security measure, but the House of Morgan, located at 23 Wall Street, still bears cavities from the blast’s shrapnel.\(^ {37}\) Confirming suspicions about leftist perpetrators, a note left at the scene was signed “American anarchist fighters.”\(^ {38}\) Ultimately, no individuals were indicted in connection to the bombing.


\(^ {34}\) Ibid., p. 225.

\(^ {35}\) Ibid., p. 225.

\(^ {36}\) Reppetto, *Battleground New York City*, p. 102.

\(^ {37}\) Ibid.

Perhaps due to the conflation of socialists, communists, anarchists, and labor activists, it was difficult for New York’s police to maintain a unified effort against left wing groups. Furthermore, other than the isolated Wall Street incident, there was minimal evidence that any of these radical groups posed a threat to the city, making it hard to justify Hoover and Palmer’s disruptive mass raids. Ultimately, the first Red Scare slipped away from the forefront of the city’s consciousness, as New York drifted into the era of the Roaring Twenties.

Nationally, the fear of communism was revitalized in the aftermath of the Second World War, often referred to as the era of McCarthyism. However, in New York, Senator McCarthy’s fiery rhetoric did not translate into the mass raids and deportations exhibited during J. Edgar Hoover’s Bureau of Investigation tenure in the 1920s. Largely an institutional holdover from the first Red Scare, New York’s ‘Red Squad’ was formally designated as the Bureau of Special Services (BOSS), with offices housed outside of NYPD headquarters and relative autonomy within the department.39 In the early days of the Cold War, BOSS was active in disturbing public protests and monitoring leftist targets.

However, as Anthony Bouza, a historian of BOSS and retired Bronx police commander, observes:

The fifties were a quiescent time, even though former undercover agents were testifying before government committees and exposing communists well into the sixties. There was little real activity in New York of a threatening nature and the Bureau of Special Services settled into a kind of rut of inactivity and disuse. The increasing interest and involvement of the Federal Bureau of Investigation in the espionage area and in the communist field served to restrict the operations of the Bureau of Special Services.40

Ultimately, BOSS remained a box on the NYPD organizational chart, but devolved into a bureaucratic backwater within the force. This approach of scaling back a special division without

---

40 Ibid., p. 49.
fully dismantling it would come into play in the following decades, as New York began to retool BOSS for a new ideological challenge to the city.

New York’s Red Scares and involvement in World War I counterintelligence efforts provide a cautionary tale about the role of the NYPD in policing tactics targeted at subversive ideologies. However, beyond the cautionary tale, the era also advances a compelling narrative about why New York has consistently been a key player in localizing national priorities, as the city has historically been the victim of attacks from perceived ideological threats. Of course, in hindsight, it is absurd to think that German saboteurs or Bolshevik sympathizers could have actually toppled New York and the nation at large. However, considering the impact of the Black Tom explosion and Wall Street carriage bombing, New York’s policing actions can be viewed as an interests-based response to actual events, instead of being driven by purely irrational fears. Furthermore, the story of Colonel Van Deman’s Military Intelligence Division’s wartime merger with the police department is an important reminder of historical linkages between New York’s municipal institutions and their federal counterparts; the idea of dual-hatted NYPD personnel was established more than eight decades before September 11th, 2001.

Most importantly, the cyclical nature of intelligence gathering during the first half of the twentieth century demonstrates an essential institutional feature of New York policing: the Department’s steadfast commitment to maintaining a ‘special services’ division, even through periods of dormancy. In times of national alarm, this organizational design has enabled New York to ramp up intelligence gathering and special operations; these operations are generally relaxed as national concerns dissipate, with the ‘special services’ division of the era being reduced in terms of personnel, appropriations, and organizational clout. However, as demonstrated throughout the twentieth century and into the age of terror, the Department’s ‘special services’ machinery is never fully dismantled, always remaining an omnipresent subdivision of the New York Police Department.
In practice, New York has always retained the ability to rouse its ‘special services’ division from periods of intermittent hibernation, providing the city with an institutional playbook for episodes of national alarm. Time will tell if this pattern will continue, following the April 2014 dismantling of the NYPD’s Demographic Unit.

**Building the Wall: Battle with the Black Panthers and Intelligence Reform**

Two decades after McCarthy’s fear campaign, the mission of BOSS evolved to address the homegrown threat du jour: Civil Rights Movement organizers and racially affiliated groups. Of historical note, BOSS purportedly also monitored decidedly non-radical groups during this period, such as Mensa International, “the largest and oldest high IQ society in the world.”\(^{41}\) As exhibited during the Red Scares, New York’s police officers interfaced with federal institutions to address the perceived national security challenge of civil rights activists. For example, in September 1972 twelve New York policemen received four days of training in data handling from the CIA at its Langley, Virginia headquarters, as part of a CIA-initiated program offered to many police units.\(^{42}\) Furthermore, J. Edgar Hoover’s FBI actively requested the assistance of BOSS and other local police units in its notorious Counter-Intelligence Program (COINTELPRO), which undertook efforts to monitor allegedly subversive groups, including Dr. Martin Luther King Jr. and other prominent members of the Civil Rights Movement.\(^{43}\) Ultimately, these efforts would catalyze the

---


first major intelligence reforms in the U.S., erecting a bureaucratic wall between intelligence and law enforcement activities and directly limiting coordination along the vertical axis of national security.  

In New York, the most visible manifestation of the federal initiative against civil rights groups was the infiltration of New York’s chapter of the Black Panther Party, by both paid BOSS informants and NYPD undercover officers. Importantly, infiltration efforts were not unique to New York, as police forces across the country, particularly in the South, were adapting existing anticommunist practices to address civil rights groups. Speaking in 1969, J. Edgar Hoover, director of the Federal Bureau of Investigations and the former architect of Red Scare policing, labeled the Black Panther Party “the greatest threat to the internal security of the country.” In this climate of national hysteria, New York once again directed the efforts of its ‘special services’ division towards addressing this national priority.

Frank Donner, former director the American Civil Liberties Union’s (ACLU) Project on Political Surveillance, sardonically explains the errant nature of the NYPD’s efforts to dismantle the Black Panther Party through its infiltration tactics, which culminated in the infamous 1969-70 ‘Panther 21’ trial:

The decimation of the Panther Party in New York was accomplished without the almost obligatory raid and shootout. The lethal instrument was a mass trial—the longest, most expensive, and most publicized trial in the history of New York State. It was a trial overflowing with melodrama: BOSS infiltrators, FBI agents, double agents, wiretaps, wireless transmitters, over $1 million in bail, interrogations and confessions, pistols, rifles, dynamite, bombs, reams of “guerilla literature,” feature-length movies, terrorist plots to kill police and bomb women and children, heroic agents who escaped with their lives by inches, and last-minute arrest that saved the city from wide-scale death and destruction.

After a two-year trial and 13,000 pages of trial record, the jury concluded that the indicted Panthers were not guilty, citing a lack of evidence and an extensive record of police misconduct.\(^48\) This legal decision was the first of many judicial opinions and jury verdicts to deliver monumental blows to Hoover’s COINTELPRO program and, by extension, the NYPD’s BOSS unit.\(^49\) However, it would prove to be the legislative branch, not judicial, that would ultimately impose reforms to limit the merging of intelligence gathering and law enforcement. 

In 1975, disclosures of intelligence abuses, ranging from domestic programs like COINTELPRO to comically botched foreign assassination attempts, prompted national intelligence reform. A comprehensive investigation into the nation’s intelligence apparatus was conducted as the United States Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities, better known as the Church Committee.\(^50\) While the Church Committee primarily focused on abuses within the CIA and FBI, it also examined the impact of federal efforts on local institutions.\(^51\) In this regard, the Committee came to several key conclusions:

> [i]n contrast to previous policies for centralizing domestic intelligence investigations, the Federal Government encouraged local police to establish intelligence programs both for their own use and to feed into the Federal intelligence-gathering process. This greatly expanded the domestic intelligence apparatus, making it harder to control.\(^52\)

As will be discussed at length in Chapter V, this diffusion of the national security enterprise continues to present oversight challenges. Additionally, particularly salient to contemporary concerns, the Committee found:

> Local police intelligence provided a convenient manner for the FBI to acquire information it wanted while avoiding criticism for using covert techniques such as developing campus informants. . . . Instead of recruiting student informants itself, the FBI would rely on local police to do so….These federal policies contributed to the proliferation of local police

---

\(^{48}\) Ibid., p. 191.
\(^{49}\) Ibid., p. 195.
\(^{50}\) Waxman, “National Security Federalism in the Age of Terror,” p. 298.
\(^{52}\) Qtd. in Waxman, “National Security Federalism in the Age of Terror,” p. 299.
intelligence activities, often without adequate controls. One result was that still more persons were subjected to investigation who neither engaged in unlawful activity, nor belonged to groups which might be violent.\textsuperscript{53}

Similar to complaints levied against David’s Cohen’s Intelligence Division, which will be explored in Chapter IV on the Handschu Guidelines, the Church Committee found that local intelligence activities often lacked the same investigational standards as federal actions, resulting in surveillance that would otherwise not be permitted under the auspices of the FBI.

In response to the Church Committee Report, and the subsequent Pike Committee findings, bureaucratic walls were constructed between foreign intelligence gathering and domestic law enforcement agencies, at both the federal and local levels, significantly curtailing developments within the vertical axis of national security for the remainder of the twentieth century.\textsuperscript{54}

Furthermore, the report effectively ended local intelligence gathering, as federal agenda-setting efforts were snuffed by the Committee’s expansive reforms to the intelligence community. For the next two decades, policing doctrine would move away from intelligence gathering and anti-radical activities, instead moving into the era of community policing. Ultimately, many of New York’s leading counterterrorism reformers would establish their careers during this ‘broken windows theory’ period, including Police Commissioners Ray Kelly and William Bratton.

Unique from the Red Scare era, the Bureau of Special Services’ efforts against the Black Panther Party and other racially affiliated groups were not motivated by an external threat to the United States. Instead, as directly stated by J. Edgar Hoover, the Black Panthers were principally an “internal security” issue. Ultimately, this period of New York policing reinforces several key takeaways of earlier eras, while adding a novel perspective on the oversight of local institutions.

Clearly, BOSS’ activities in the 1960s and 70s were largely analogous to the force’s earlier actions against communism—infilitrating underground groups, conflating violent and nonviolent ideologies

\textsuperscript{53} Qtd. in Ibid.
under broad definitions, directly integrating with federal efforts, and relying on a large network of undercover officers and informants. However, unlike the Red Scare era, these actions were nationally condemned, eventually leading to their reform and dismantling. Judicial decisions proved to be a key driver of reform, as protracted trials demonstrated the excesses of the NYPD. As will be argued in Chapter IV concerning the Handschu Guidelines, judicial guidance proved to be a key driver of NYPD policy in the aftermath of 9/11 as well. Furthermore, the Church Committee demonstrated that national-level debate would be necessary to catalyze oversight reform at the local level. As will be discussed in Chapter V, concerning the NYPD Demographics Unit, the relative weakness of New York’s City Council and other local bodies created an imbalance where only federal oversight could enact local intelligence reform.

**A New Threat: New York and Islamic Terrorism**

On February 26, 1993, a truck bomb went off in Level B-2 of the underground parking garage beneath the towers of the World Trade Center. The explosion rippled through the first seven floors of the structure, leaving six people dead. An FBI officer described it as ‘a miracle’ that the casualties did not number in the hundreds. The response to this incident presented four key indicators about the role of law enforcement in counterterrorism, all of which highlight the NYPD’s lack of capabilities in the immediate aftermath of the first World Trade Center attack.

First, the bombing signaled a fundamental change in the terrorist threat. The Cold War era demonstrated shifts in the nature of Islamic terrorism, towards more international plots and the notion of targeting the ‘far enemy,’ instead of enacting regional plots. Bruce Hoffman identifies the actions of the Palestine Liberation Organization (PLO) as the catalyst for this new wave of terror,

---


56 Ibid.

attributing their tactics as the leading force for bringing terrorism beyond nationalist conflicts and to the international stage. Specifically, Hoffman identifies the PLO’s kidnapping and murder of Israeli athletes at the 1972 Munich Olympics as a watershed moment in international terrorism, explaining “The purpose of the operation…was to capture the world’s attention by striking a target of inestimable value (a country’s star athletes), in a setting calculated to provide the terrorists with unparalleled exposure and publicity (the top global sporting event).”

In this sense, the 1993 bombing clearly fits this template of “striking a target of inestimable value,” as it was a symbolic attack on America’s financial and communications capital. Beyond the symbolic nature, the attack indicated an increased potential lethality of terrorism, as Ramzi Yousef, the Sunni extremist who organized the attack, said later that he had hoped to kill 250,000 people. However, partially because the death toll did not reach this staggering (and unreasonable) approximation, New York’s response was of a different caliber than the reaction exhibited after September 11th, 2001.

Second, the FBI and Justice Department’s law enforcement response to the bombing was demonstrably effective, leaving little room for the NYPD to ‘fill in the gaps.’ Within days of the bombing, the FBI had identified a truck remnant as part of a rental van reported stolen in Jersey City. Mohammed Salameh, the conspirator who had rented the truck and reported it stolen, called the rental office numerous times to get his $400 deposit back in the days following the bombing. The FBI arrested him within a week of the attack, quickly nabbing two of his coconspirators as well. These arrests led the FBI to the Farouq Mosque in Brooklyn, where Sheikh Omar Abdel Rahman, commonly known as the “Blind Sheikh”, was a prominent figure. Alarmed by Rahman’s extremist rhetoric, the FBI planted an informant within the mosque, which unearthed a plan to bomb New

59 Ibid., p. 67.
60 The 9/11 Commission Report, p. 72.
61 Ibid.
York landmarks, including the Lincoln and Holland tunnels. Following the disruption of this plot, the FBI arrested Rahman and several of his collaborators.

Ultimately, all of the individuals connected to both plots were prosecuted and convicted, creating an impression that federal law enforcement was well equipped to respond to terrorism. The 9/11 Commission Report explains, “Neither President Clinton, his principal advisers, the Congress, nor the news media felt prompted, until later, to press the question of whether the procedure that put the Blind Sheikh and Ramzi Yousef behind bars would really protect Americans against the new virus of which these individuals were just the first symptoms.” Given this general impression of the law enforcement system working as intended, there seemed to be no reason to call for reforms within the NYPD.

Third, these early incidents demonstrated the inherent tension between law enforcement and intelligence gathering. In many cases, this tension was an intended function of the 1970s Church Committee reforms, which dug an organizational moat between the domestic activities of the intelligence and law enforcement communities. As a result, there was minimal coordination between the efforts of the CIA and FBI, which directly led to adverse outcomes. For example, in 1995, the FBI filed a court document listing Osama Bin Laden and dozens of other individuals as possible co-conspirators in the plot against New York landmarks. Ali Mohamed, who was named on the list, obtained a copy and faxed it to a close Bin Laden aide for distribution and warning. Events of this nature can be explained by the dominant bureaucratic incentives of the FBI at the time, which prioritized criminal prosecutions as the fast track to success. Furthermore, the Bureau, with a prevailing mantra of “Real men don’t type”, often denigrated intelligence work. The analytic, research-intensive work of counterterrorism intelligence was not a priority of the law enforcement

---

community. Given this lack of initiative at the federal level, there was little incentive for the NYPD to bolster their own intelligence capabilities.

Fourth, and finally, the prosecutorial success of the FBI and Justice Department led to an underestimation of the threat. Instead of focusing on how potentially catastrophic the 1993 WTC attack could have been, the public perception focused on the idiocy of Mohammed Salameh repeatedly trying to collect his $400 deposit on the rental truck.\(^6\) While the 1990s would bear witness to multiple acts of terrorism, including the nerve gas attack on the Tokyo subway system by the Aum Shinrikyo cult and the 1995 Oklahoma City bombing, the intelligence and law enforcement communities failed to adapt to the rising challenge of terrorism. As the previous historical eras suggest, reform within New York policing has historically been catalyzed by agenda setting at the federal level; with minimal changes occurring in the national domain, there was no impetus for the NYPD to enact counterterrorism reforms. During the Progressive Era, Red Scares, and Civil Rights Movement, and the beginning of the age of terror, New York followed the example of the federal government; in the 1990s, this example was one of adaptation failure, leading to few federal priorities for New York to localize.\(^7\)

**Past to Present: The Legacy of 20th Century Policing**

Beginning in the 19\(^{th}\) century, the New York Police Department has been defined by its reforms; historically, these reforms have been the result of New York institutions localizing national level priorities. As shown in Figure 2.1, there has been a visible evolution of New York’s intelligence units over the past century. While the names and targets have changed, the core tactics and institutional norms have remained largely unchanged. Starting in the Progressive Era, Theodore Roosevelt professionalized the New York force, turning a ragtag group of thugs operating at the

---

\(^6\) The 9/11 Commission Report, p. 73.
\(^7\) Zegart, *Spying Blind*, pps. 16-42.
service of Tammany Hall into a disciplined, moralistic organization. Roosevelt emphasized the utility of support personnel, akin to today’s non-uniformed intelligence analysts, and set the precedent of the New York Police Department being a valuable staging area for individuals with national aspirations. World War I demonstrated a first-time linkage between federal intelligence gathering and local policing, as New York police officers were actively recruited by the War Department to counter German saboteurs. These counterintelligence efforts transitioned into the Red Scare of the 1920s, which utilized this institutional structure to target the threat of communism proliferating in American cities. Importantly, these eras were motivated by more than an ideological aversion, as New York was the victim of the 1916 Black Tom explosion and the 1920 horse-carriage bombing on Wall Street. Following the second Red Scare in the 1950s, the city turned its attention to civil rights groups, taking cues from J. Edgar Hoover’s priorities at the FBI. This pattern continued into the early stages of the age of terror, as New York followed the federal government’s example and neglected to implement reforms in the aftermath of the first World Trade Center bombing.

Building off of this historical narrative, the next three chapters will explore New York’s response to 9/11, beginning with an explanation of the factors that drove the rebirth of the Intelligence Division. Through these chapters, the historical context will propel an institutional argument for understanding New York’s response to 9/11. As this chapter has argued, New York has a bureaucratic bias towards internalizing federal priorities; this institutional norm has driven the localizing of security priorities from the tenure of Theodore Roosevelt to Ray Kelly. As will be argued in the following chapter, the reincarnation of the NYPD Intelligence Division under the guidance of David Cohen was the first indicator of New York enacting this norm as a response to 9/11, under the guidance of a bold policy entrepreneur.
Figure 2.1: The Genealogy of New York’s Intelligence Units

- Teddy Roosevelt's Bicycle Squad (European Immigrants)
- World War I Military Intelligence Division (German Saboteurs)
- 1920s Red Squads (Communists/Anarchists)
- 1950s Bureau of Special Services (Leftists/Communists)
- 1960s Special Services Division (Activists and Civil Rights Groups)
- 2000s Intelligence Division (Islamic Terrorism)
Manila ferryboat explosion, hundred dead. Reported as an industrial accident. Then they picked up a guy who said it was an Abu Sayyaf job. We dispatched someone within the day. Any ferryboat incident anywhere, we want to know about it. It’s not the FBI or the CIA or the Homeland Security Department down in the subway tunnels. It’s the NYPD.

—David Cohen, New York Deputy Commissioner of Intelligence

In 1988, David Cohen, a senior analyst at the Central Intelligence Agency (CIA) pioneered the Agency’s first analytic effort on terrorism, during a time when the CIA’s primary focus was counting Soviet nuclear missile siloes and running spies behind the Berlin Wall. In 1991, Cohen was deeply involved in the creation of the Agency’s National Resources Division, the only component of the CIA that is expressly directed to gather intelligence from American citizens. In 1995, Cohen was appointed Deputy Director of Operations, the first ever analyst to serve as the CIA’s chief spymaster. In 1996, Cohen created Alec Station, the first CIA station to be dedicated to analyzing and tracking a single individual: Osama bin Laden. In 2002, Cohen was hired as the New York City Police Department’s (NYPD) first ever Deputy Commissioner of Intelligence.

David Cohen’s career through the intelligence community has been defined by its contrarian character. Beginning in early 2002, Cohen would revitalize the NYPD’s decrepit Intelligence Division, turning a bureaucratic wasteland into a massive intelligence operation. Bringing his federal mindset and over three decades of expertise in institutional design, David Cohen, accompanied by New York Police Commissioner Ray Kelly and Mayor Michael Bloomberg, would recreate the Intelligence Division to be the most expansive local counterterrorism operation in the world.

Of course, there is more to this story than the actions of one intrepid policy entrepreneur. In the aftermath of 9/11, the NYPD realized how little interaction the city had with its North
African, Middle Eastern, and South Asian neighborhoods. To establish relationships with these communities, the Intelligence Division would take the lead on learning more about New York’s predominantly Muslim ethnic enclaves. However, while Cohen may have been starting with a new title, the NYPD had a long, often troubled history with intelligence gathering. This institutional history was deeply imprinted into New York’s policing apparatus, molding the trajectory and priorities of the Intelligence Division from the outset. In explaining the reformation and strategy of the NYPD Intelligence Division, the evidence indicates that individual personalities and institutional biases were the key determining factors. While the city had an intrinsic interest in enhancing its ability to prevent terrorist attacks, a rationalist explanation alone is not sufficient in understanding the rise of the Intelligence Division.

The Intelligence Division: An Overview

In January 2002, just months after 9/11, the NYPD became the first police department in the country to develop its own Counterterrorism Bureau. From its inception, it was evident that this was not going to be a simple bureaucratic reshuffling, but the genesis of an entirely new form of police work, drawing heavily from federal counterterror strategies. Frank Libutti, a former Marine Corps General, was appointed to head the Counterterrorism Bureau. David Cohen, a 35-year veteran of the Central Intelligence Agency who had held senior positions in both the operational and analytical branches of the agency, was recruited to revitalize the NYPD’s dormant Intelligence Division. From these first hires, it was evident that the NYPD would actively seek to integrate with federal efforts, adopting their techniques and tactics, while operating outside the realm of federal accountability measures.

The post-9/11 counterterror strategy of the NYPD can largely be divided into three prongs: catch would-be terrorists before they radicalize, stop plots before they happen, and create an
environment where terrorists do not feel comfortable. The Intelligence Division was tasked with the first two prongs, which required intelligence gathering, foreign language abilities, and academic analysis of international threats. The third prong, creating an environment unfit for terrorism, was largely drawn from the “broken window” theory of policing that has been linked to the city’s drop in violent crime in the 1990s. The NYPD’s newly created Counterterrorism Bureau would handle this component of the city’s strategy.

While the Intelligence Division’s goal was to operate quietly, the Counterterrorism Bureau went out of its way to be publicly visible, carrying out large-scale training exercises and maintaining a visible presence near city landmarks and transit hubs. The work of the Counterterrorism Bureau was largely tactical in nature: installing license plate scanners, training officers on how to respond to a chemical or biological weapons attack, checking cars with bomb dogs before entering tunnels, speaking to hardware store owners about potential suspicious purchases, and stationing officers with military-grade equipment in subway stations. George Kelling, a Harvard criminologist, and William Bratton, two-time New York Police Commissioner, explain the utility of these tactics:

The NYPD, under the leadership of Ray Kelly, has created perhaps the least friendly environment for terrorists in the country. Operation Atlas increases police presence at major NYC entry points and landmarks. Hercules units—heavily armed officers in unannounced locations—create a sense of omnipresence by conducting drills and staging scenes that leave a dramatic impression. Police can also create a terrorist-unfriendly environment using cameras, random screenings, and sophisticated sensors.

While Bratton and Kelling praise these measures, a strong counterargument exists to label them as draconian and borderline Orwellian. At the core of the civil liberties and security tradeoff lies a fundamental question about these public tactics: at what point does creating a city that is “unfit for

---


terrorists” transcend into creating a city that is unfit for everyday New Yorkers, particularly ethnic minorities? While vital, that question will not be the subject of this chapter. Instead, this chapter will focus on the Intelligence Division, which was tasked with preventing terrorist attacks by disrupting plots and detecting radicalization.

As mentioned at the outset of this chapter, David Cohen did not create the Intelligence Division upon his arrival in 2002—he brought a decaying organization back to life. On the morning of September 11th, 2001, the detectives in the Intelligence Division gathered at the Police Academy, where Deputy Chief John Cutter, the head of the Intelligence Division, assigned them to twelve-hour duty shifts.70 Unsure of what to do, the detectives began calling their informants, most of whom were low-level drug dealers and henchmen for organized crime syndicates.71 To be expected, none of these sources knew anything about the attack that had just devastated the city. As will be discussed in Chapter III, this was largely due to a 1985 court order that had severely restricted the investigative capabilities of the Intelligence Division. Without the capability to carry out investigations, the Division’s primary priority had evolved to providing security details for visiting foreign dignitaries. Drawing on the experience of the first World Trade Center bombing in 1993, the NYPD was under the impression that terrorism was a problem best left to the federal government. Under staffed, under-resourced, legally restrained, disconnected from federal information stream, and without a clear mission, the NYPD Intelligence Division was left to aimlessly fumble in the days and months immediately following September 11th.

Upon Cohen’s arrival, he got to work rebuilding the Division, beginning with a top-to-bottom overhaul of the organizational chart. In many cases, these crisis-induced bureaucratic reshufflings are more indicative of style than substance, as they often do little to change

70 Apuzzo and Goldman, Enemies Within, p. 49.
71 Ibid.
organizational priorities and redefine internal power dynamics.\textsuperscript{72} However, in the case of the Intelligence Division, this reorganization was accompanied by an influx of personnel and a realignment of the organization’s mission, adding substance to the new structure. Furthermore, as will be explained in the next section, Cohen’s career had largely been defined by his expertise in leveraging organizational charts to advance his bureaucratic priorities; under Cohen’s leadership, this was not a cosmetic maneuver, but a strategic play to redefine New York policing.

As shown in Figure 3.1, the restructured Intelligence Division was comprised of three major sections: Intelligence Operations and Analysis, Municipal Security, and Public Security. The Municipal Security Section would continue to carry out the Division’s personnel protection services, providing security details for the city’s executive leadership and visiting foreign dignitaries.\textsuperscript{73} The Public Security Section would handle the more mundane tasks of the Division, such as data management, managing a twenty-four hotline for terrorism tips, and sharing information with the Federal Bureau of Investigation’s (FBI) Joint Terrorism Task Force (JTTF). Finally, and most importantly, the Intelligence Operations and Analysis Section would be the hub of innovation and novel practices for the born-again Intelligence Division. It was this third section, Intelligence Operations and Analysis, which would differentiate the NYPD from all other police forces.


Figure 3.1: NYPD Intelligence Division Organization Guide
Interests

Describing the city’s post-9/11 counterterrorism reforms in 2003, Police Commissioner Raymond Kelly explained,

I knew we couldn't rely on the federal government. I know it from my own experience. We're doing all the things we're doing because the federal government isn't doing them. It's not enough to say it's their job if the job isn't being done. Since 9/11, the federal government hasn't taken any additional resources and put them here.  

This rationalist explanation for the Intelligence Division warrants further attention, as there were clear deficiencies in how the federal system was able to address the unique challenge of terrorism. Prior to 9/11, national security had been an issue largely dominated at the national level, with most developments occurring along the horizontal axis of policy making. In practice, this meant that the fault lines in national security policy debates would lie between the FBI and the CIA or the White House and the Congress.

In the post-9/11 era, propelled by a newfound interest in counterterrorism, new fault lines would emerge along the vertical axis of national security. In many cases, relationships between federal agencies and local law enforcement have consisted of national agencies ‘federalizing’ spheres of activity that are controlled by local governments (e.g. FBI incentives programs for cities to reduce rates of violent crime.) However, in the post-9/11 era, New York demonstrated an interest in ‘localizing’ national security responsibilities that previously fell to the federal government. This section will explore two potential hypotheses for why New York had a rational self-interest in localizing national security priorities. The first hypothesis will be one of self-defense: the city’s leaders built up expansive counterterrorism programs because they were necessary to protect a

vulnerable New York. The second hypothesis will explore whether New York’s strategy was motivated by the presence of federal grant funding for local homeland security programs.

*An Act of Self-Defense*

Released in 2004, *The 9/11 Commission Report* provides a detailed account of the attack, dedicating significant attention to adaptation failure within the law enforcement and intelligence communities. However, beyond the report’s meticulous analysis of federal bureaucracies and policy failures, it provides a chilling thirty-page, minute-by-minute account of the experience of first responders at the World Trade Center.\(^\text{77}\) The pages lay out in clear detail how unprepared the NYPD and New York Fire Department were for an event of this magnitude. Issues such as incompatible radios, confusion over chain of command, and an overwhelmed 911-dispatch system directly contributed to dozens, if not hundreds, of deaths.\(^\text{78}\) In its recommendations, the report provides a lengthy list of reforms for the intelligence community, FBI, Federal Aviation Administration, Congress, State Department, and U.S. Military.

Its recommendations range from “Support the Cooperative Threat Reduction Program”, a post-Cold War program to secure Russian nuclear materials, to introducing a biometric screening program for U.S. airports. Most relevant to the NYPD, the *Report* makes numerous recommendations about improving incident response at the local level and increasing information sharing about potential threats. However, nowhere in this five hundred-page document does it call for local law enforcement to expand their involvement in intelligence work.

How then, can we explain the NYPD’s stated interest in becoming involved in intelligence work? If the nation’s most extensive list of post-9/11 recommendations did not mention this priority, why did New York deem it so important? The evidence suggests that New York

---


\(^\text{78}\) Ibid.
policymakers felt compelled to localize the federal responsibility of intelligence gathering and analysis because they were concerned that the federal government would not be able to adapt and implement the necessary reforms on their own. In this sense, New York’s interest in intelligence work was not just an act of self-defense, but also an act of compensation for a perceived inadequacy of federal efforts.

This interest in not just supplementing, but replacing federal responsibilities is best demonstrated by the rhetoric employed by the NYPD in describing their mission. In a 2006 testimony to the Senate Committee on Homeland Security and Intergovernmental Affairs, Richard Falkenrath, who was Deputy Commissioner for Counterterrorism at the time, offers the following explanation of the expansive nature of the NYPD’s counterterrorism posture:

In the view of the New York Police Department, the threat of terrorism is a global phenomenon that continually presents the possibility of manifesting, at any time, and with catastrophic consequences, in our city. Thus, while the NYPD has a great deal of knowledge of local extremist, radical, and militant individuals and groups, we are equally interested in indicators of terrorist activity elsewhere in the country and around the world…. The NYPD does not have the luxury of concerning itself only with our five boroughs, though we wish we did.79

As this excerpt indicates, the NYPD’s strategy was not limited to detecting and deterring plots that originated within New York’s borders. Instead, the NYPD, a local law enforcement agency, positioned itself to have a global intelligence presence. While much of what the Intelligence Division did was local to the New York metropolitan area, the international character of the strategy demonstrated a deeper underlying interest. Understanding this orientation strengthens the rationalist explanation for the Intelligence Division.

Later in his testimony, Falkenrath explicitly makes this rationalist argument about federal shortcomings:

The implications are obvious: the country is under-investing in the sort of capabilities most needed to combat the most dynamic element in the spectrum of terrorist threats – the “homegrown” element – to the homeland. In combating “homegrown” threats, the burden shifts instead almost entirely to local law enforcement…. This is one of the reasons why the NYPD has decided to augment its joint counterterrorism investigative work with the FBI with an organizationally distinct intelligence program operating under separate legal authorities. Put differently, in the NYPD’s view, a reformed FBI and an aggressive, genuinely joint Joint Terrorism Task Force are necessary – indeed, are vital – but are not sufficient to combat the threat we face. So far as I am aware, the only such domestic intelligence program in the United States today is the New York Police Department’s.  

To reiterate Falkenrath, the federal government’s efforts were viewed as necessary, but insufficient in addressing the new homegrown threat. The NYPD’s decision to revitalize the Intelligence Division was not self-defense purely through fortifying New York; this was self-defense through localizing conventionally federal responsibilities. Given this lack of faith in the federal government, New York had a legitimate interest in establishing an unprecedented global intelligence operation.

**Throwing Money at the Problem**

The second rationalist hypothesis for explaining New York’s interest in restoring the Intelligence Division is that it was a calculated move to chase federal grant money allocated for homeland security. Associated Press journalist Eileen Sullivan, a member of the team of reporters that received a Pulitzer Prize for their 2011 coverage of the NYPD Intelligence Division, expresses this sentiment with the following alarmist lede:

The Obama administration said Monday it has no control over how the New York Police Department spends millions of dollars in White House grants that helped pay for NYPD programs that put entire American Muslim neighborhoods under surveillance. In New York, the police commissioner said he wouldn’t apologize.

---


40
Ultimately, there is minimal evidence for this argument, which posits that there was a direct relationship between federal funding and the NYPD’s controversial programs. Instead, the bulk of the evidence suggests that New York was under-served by the Department of Homeland Security’s (DHS) grant programs and formed its innovative programs independent of this federal funding.

Created by the Homeland Security Act of 2002, the formation of DHS constituted the largest federal government restructuring since the National Security Act of 1947 created the Department of Defense. Comprised of more than twenty disparate, preexisting federal agencies, the 2002 legislation placed nearly a quarter million federal employees under the control of the newly created position of Secretary of Homeland Security. Within this massive new bureaucracy, the federal government gained regulatory authority over “matters as disparate as marine ecosystems, transportation security, and refugee admissions.”

Furthermore, the Homeland Security Act of 2002 went beyond establishing new horizontal mergers and acquisitions within the federal government, as the Act dedicated significant attention to the vertical linkages within homeland security. One key responsibility of DHS along this vertical axis would be grant making, with the largest grant program being the Urban Area Security Initiative (UASI). Much of the coverage surrounding the UASI program and similar DHS grants focused on outlier examples of egregious waste and misappropriation of funds. In one particularly heinous example, a district in suburban Michigan received over $11,000 to purchase Snow-Cone machines for “homeland security training purposes.” Beyond these anecdotal examples of waste, the overall trends in DHS grant appropriations suggest that the programs were of minimal benefit to the NYPD.

Demonstrating the pitfalls of pork barrel politics in Congress, New York was consistently at the bottom of the list of urban areas receiving funding through the UASI program. Testifying before the 9/11 Commission, Mayor Michael Bloomberg criticized the DHS programs, explaining:

New York City has already been targeted by terrorists six times since 1993. Yet inexplicably, today New York State ranks 49th among the 50 states in per capita Homeland Security funding. During Fiscal Year 2004, New York State received $5.47 per capita in Homeland Security grants. Nebraska got $14.33 per capita; North Dakota $30.42; Wyoming $38.31; and American Samoa $101.43.85

Bloomberg continued his critique, concluding, “This is pork barrel politics at its worse. It’s the kind of shortsighted ‘me first’ nonsense that gives Washington a bad name. It also, unfortunately, has the effect of aiding and abetting those who hate us and plot against us.”86 Given this imbalance in appropriations, the evidence indicates that New York was not motivated to conduct intelligence operations in an effort to chase federal dollars that would fund these programs.

Richard Falkenrath echoed Bloomberg’s comments, adding more specific criticisms of why DHS’ allocation failed to reflect counterterrorism realities. Testifying before the Senate, Falkenrath identified a DHS appropriations formula, which claimed that New York City was only home to four financial institutions and had no “national monuments and icons.”87 Furthermore, Falkenrath identified a major divide between the DHS guidelines and the NYPD’s practices, explaining “DHS grant programs are biased toward the expenditure of funds for equipment, external consulting, and consequence management at the expense of manpower, current operations, and counterterrorism and intelligence activities designed to prevent attacks before they occur.”88 In short, DHS grants were geared towards buying expensive equipment and hiring Beltway consultants; the NYPD Intelligence Division was spending money hiring Ivy League credentialed analysts and placing

86 Ibid.
88 Ibid.
officers in foreign cities. While DHS appropriations did cover some of the startup costs of the city’s counterterrorism offensive, such as radiation detectors and improved radio equipment, there was not a connection between the Intelligence Division’s daily analytic efforts and DHS grants. Counter to some media narratives, there is minimal evidence that the NYPD established its Intelligence Division out of an interest to chase federal dollars. Instead, it seems that the NYPD was underserved by these federal grant programs.

**Individuals**

Dating back to Theodore Roosevelt’s tenure as Police Commissioner at the turn of the twentieth century, New York has been known for having iron-willed, unreserved personalities filling the ranks of its leadership. In the aftermath of 9/11, the three key leaders shaping the future of how New York would police terror were Deputy Commissioner of Intelligence David Cohen, Police Commissioner Ray Kelly, and Mayor Michael Bloomberg. Cohen was a Boston native who had spent his career in the shadowy corridors of the CIA’s Langley, Virginia headquarters. Kelly was a tough-talking New Yorker and ex-Marine who had served at virtually every rank within the NYPD. Bloomberg was a billionaire finance titan with a Harvard MBA who entered the public sector in the months following September 11th. If the three men shared anything, it was their ability and willingness to be ruthlessly pragmatic, regardless of who they angered along the way.

*David Cohen*

David Cohen joined the NYPD after a thirty-five year career in the CIA. Often described as an outsider, Cohen’s career through the intelligence community was defined by lateral promotions and periods of prescient, but controversial leadership. Cohen’s unique path instilled in him a penchant for institutional design, a Machiavellian leadership style, a strong disdain for oversight, and an intense commitment to protecting American lives. At the helm of a department with vast
resources and extensive political latitude, Cohen positioned himself as the bold architect of New York City’s novel security establishment.

Cohen joined the CIA in 1966 as a twenty-six year old economic analyst in the East Asia division, within the Directorate of Intelligence (DI). By the 1980s, he had risen through the analytic ranks and been promoted to run the Office of Global Affairs. While in this position, he established the agency’s first analytic effort on terrorism, constituting a fundamental break from the agency’s existing commitment to geographically focused analysis. As a leader, Cohen was known for colorful language and, in the words of a longtime colleague, “If he thought you were an idiot, he’d say so.”

While his leadership style was often brutal for subordinates, he was also known for analytical insights bordering on clairvoyance. He was one of the first analysts within the intelligence community to focus on globalization, economic interdependence, and non-state actors, years before the collapse of the Soviet Union and dissolution of Cold War tensions. However, despite his forward thinking analysis, his trenchant personality continued to be the trait that garnered attention in intelligence circles. Speaking in an interview with journalists, Melvin Goodman, former division chief of the CIA’s Office of Soviet Affairs, described Cohen as “the kind of guy who, after you deal with him, you feel like you should wash your hands.”

Following his stint at Global Affairs, Cohen was tapped to head the agency’s National Collection Division, which was in charge of collecting intelligence from American citizens who had traveled abroad. After two decades of analytic experience, this was Cohen’s first taste of spying, in one of the few components of the CIA that was statutorily enabled to operate within U.S. borders.

---

90 Qtd. in Apuzzo & Goldman, *Enemies Within*, p. 35.
91 Ibid.
92 Qtd. in Ibid., p. 36.
In practice, the National Collection Division’s work consisted of asking American professors for tips from their foreign travels and interviewing businessmen about international contacts. Among the CIA’s intelligence collectors, National Collection was viewed as a something of a bureaucratic backwater.

Concurrently, the CIA was operating a Foreign Resources Division, which also carried out domestic collections. Unlike Cohen’s National Collections, Foreign Resources officers were actively recruiting foreign assets within U.S. borders, targeting international graduate students, visiting scientists, and U.N. envoys. While both divisions were domestic, Foreign Resources officers looked down upon Cohen’s National Collection division as amateurish and inconsequential. 93

Upon observing this intra-agency dynamic, Cohen set out to restructure the CIA’s domestic asset recruiting efforts. Through force of will, Cohen embarked on a bureaucratic struggle to merge the separate divisions. By 1991, the Agency had one domestic collections division, with Cohen holding the reins: the National Resources Division. However, this new Division would go on to cause further controversy within the CIA’s ranks, with many CIA collectors viewing the National Resources Division as a kind of CIA-light. Speaking anonymously, one CIA case officer condemned the organization, stating, “We look down on National Resources: You’re a slacker, you’re going home every night and watching TV, while I’m here in Moscow with the Russians looking up my ass with a microscope. We’re not working for the same organization.” 94

Regardless of the bureaucratic condescension, from this point forward, Cohen had left the stodgy, academic community of analysts and ventured into the intelligence community’s shadowy world of human collections. In doing so, he demonstrated an enthusiasm and gift for institutional design, deftly leveraging the structure of organizational charts to advance his goals. Importantly,

93 Ibid.
Cohen had also exhibited a commitment to using domestic resources and collections to counter foreign threats, providing an early indicator of the logic that would define much of the NYPD’s post-9/11 posture. Both of these traits would define his early days at the NYPD, as he consolidated authority through bureaucratic reorganization and planned to leverage domestic assets.

However, while Cohen was starting to make a name for himself within the Directorate of Operations (DO), he still remained an outsider among his collections colleagues. With the USSR relegated to history books, hardened U.S. case officers were returning to Langley after decades of recruiting spies behind the Iron Curtain, channeling weapons to the Afghan mujahedeen, and toppling regimes in Central America. Meanwhile, after more than two decades with the Agency, Cohen was just starting to run his first operations and they were confined to within U.S. borders. The Agency had just fought the world’s greatest spy war and Cohen had been on the sidelines.

Just as Cohen was starting to gain clout in the upper floors of the CIA’s Langley’s headquarters, the Agency found itself in a political nosedive. Bill Clinton entered office in 1993 pledging to cut the intelligence community’s $30 billion annual budget. New York Senator Daniel Patrick Moynihan introduced a bill to abolish the CIA.95 On February 21, 1994, FBI agents arrested Aldrich Ames, a veteran CIA officer, on charges of espionage. Despite failing numerous polygraphs, visible financial and drinking problems, and walking out of Langley with shopping bags of classified documents, the Agency failed to notice that Ames had been supplying America’s most sensitive intelligence information to the Soviets.96 After Congressional castigation, CIA Director James Woolsey resigned in December 1994. President Clinton replaced him with John Deutch, a

former Massachusetts Institute of Technology provost and Langley outsider, with an order to clean house at the troubled Agency.  

Within this political morass, Deutch formed a committee to select a new deputy director of operations, the country’s chief spymaster. To restore the CIA’s tarnished image, the DO needed someone who represented a break from the perception of a spy agency run amok, yet was strong enough to resist executive and legislative efforts to neuter the Agency’s collections apparatus. David Cohen, to the chagrin and shock of many seasoned case officers, was announced as the new Deputy Director of Operations (DDO) on July 31, 1995. Despite building his career during the greatest spy war the world had ever known, Cohen had never been a spy. He had never orchestrated a coup, never used a fake passport, never stood at the high water mark of the tide of Communist containment. Now, this career analyst found himself leading the world’s largest spy operation, armed with a directive to purge the bloated Central Intelligence Agency of its Cold War hangover.  

One of Cohen’s most controversial decisions as DDO was to oversee a directorate wide “asset scrub.” The goal of the effort was to make sure there were not any informants on the CIA payroll that had particularly distasteful histories. In the view of case officers in the field, this scrub made Cohen seem out of touch; not only was a career analyst now running the spy operations, but he was also trying to make sure that the CIA did not do business with questionable characters. As one of Cohen’s first moves as DDO, the asset scrub did not win him many friends in Langley. Summarizing his actions in a declassified interview, Cohen concluded, “No DDO should want to be loved.”

---

97 Ibid.
98 MFR of the Interview of David Cohen.
99 Ibid.
100 Apuzzo and Goldman, Enemies Within, p. 37.
101 MFR of the Interview of David Cohen, p. 6.
Two years into Cohen’s tenure as DDO, George Tenet was appointed to replace Deutch and run the still battered agency. The change in leadership was accompanied by a reshuffling of deputies and Tenet sent Cohen to New York, as station chief for the CIA’s New York office. With the Agency’s New York office principally focused on recruiting foreign envoys to the United Nations and networking with corporate finance executives, the posting was generally viewed as an opportunity for career CIA officers to make a transition to the private sector.\(^{102}\)

Following this template, David Cohen was hired by AIG Global Trade & Political Risk Insurance Company (AIG Global) as a Vice President on November 20\(^{th}\), 2000.\(^{103}\) Cohen would spend less than a year in his lucrative pre-retirement position at AIG before the September 2001 attack on the World Trade Center. The CIA’s New York Station, which was located in WTC 7, one of the smaller office buildings adjoining the twin towers, was destroyed as the towers’ collapsed.\(^{104}\)

Like many career public servants, Cohen sought to reenter the intelligence workforce after the attack. With the CIA without an office in New York and an invitation from Police Commissioner Ray Kelly, David Cohen decided to join the new shop in town: the NYPD Intelligence Division.

David Cohen’s background through the intelligence community illustrates five key takeaways that are instrumental in understanding how his unique personality would influence his leadership at the NYPD. First, dating back to the Cold War era, Cohen was ahead of the curve on terrorism. Second, Cohen was one of the architects of the National Resources Division, one of the few components of the CIA that is legally allowed to conduct intelligence gathering within U.S. borders; it is reasonable to infer that from this experience Cohen learned that sometimes the best assets are living within U.S. cities. Third, Cohen had spent much of his career doing the work of a quasi-

---

\(^{102}\) Stein, “The Biggest Little CIA Shop You’ve Never Heard Of.”
management consultant; as demonstrated by his experience as DDO, he was the person called in to clean up an organization in crisis. This would be an invaluable skill in revitalizing the troubled Intelligence Division. Fourth, Cohen was not a stranger to New York, despite the fact that his entire career had been in the federal government; he entered his job as Deputy Commissioner of Intelligence with some understanding of New York’s political climate and power dynamics. Fifth, and most importantly, Cohen was a brutally pragmatic leader. Whether he was organizing an asset scrub in the DO or forcing Soviet-obsessed analysts to start thinking about transnational terrorism, Cohen’s CIA career had been defined by his willingness to reject the status quo.

Ray Kelly

Complementing David Cohen’s federal mindset, Police Commissioner Raymond Kelly integrated the Intelligence Division into the larger ecosystem of New York policing and policymaking at large. A forty three-year veteran of the NYPD, Kelly was the first officer to start as a cadet at the police academy and rise through every rank of the NYPD, all the way to Police Commissioner. 105 Serving in twenty-five different commands within the NYPD, Kelly identified his favorite posting as his days as a plainclothes officer in Manhattan’s Twenty-third Precinct:

“Following people, jumping in cabs, keeping radios in whiskey bags….We arrested a lot of people.” 106

Kelly’s first stint as Police Commissioner was from 1992–1994, under Mayor David Dinkins. During his two-year tenure, Kelly oversaw the implementation of quality of life reforms, including a crackdown on New York’s infamous “squeegee men”, directed the NYPD’s response to the 1993 WTC attack, and began to implement the community policing reforms that would be widely

---

attributed to New York’s meteoric drop in crime rates in the 1990s. However, in 1994, newly elected Mayor Rudy Giuliani replaced Kelly with Boston’s Police Commissioner William Bratton. It was Bratton’s tenure, not Kelly’s, which would witness the dramatic drop of New York’s crime rates, granting Bratton a level of unprecedented celebrity status among local government officials.\textsuperscript{107}

Following his first term as Police Commissioner, Kelly was appointed by President Clinton as an under-secretary of the Treasury, responsible for, among other agencies, the Customs Service, the Secret Service, and the Bureau of Alcohol, Tobacco, and Firearms. On September 11th, however, he was working, for the first time, in the private sector—as the Senior Managing Director for Corporate Security at Bear Stearns.\textsuperscript{108} Similar to Cohen, the attack would end his brief, late-career foray into the private sector.

With the election of Mayor Michael Bloomberg just months after 9/11, Kelly would be appointed again to serve as Police Commissioner, making him, at the time, the first to ever hold the position in two non-consecutive terms.\textsuperscript{109} Speaking to Kelly’s strengths, Bloomberg explained:

He had a unique combination. He knew how to run a police department day in, day out—putting a cop at that corner, with this kind of backup, and that kind of training, and this kind of equipment. But he also had international and Washington experience, which are very different, and both very important. We need Washington for information, for funding. But we also need to have relations with security services and police departments around the world directly, not going through Washington. By luck of the draw, I knew somebody who had all three.

Coupled with his tripartite experience in New York, D.C., and the international sphere, Kelly also shared David Cohen’s pragmatism and unapologetic approach to leadership. While unrelated to counterterrorism, this approach was most evident in Kelly’s vociferous defense of the NYPD’s controversial “stop-and-frisk” program. In a July 2013 editorial in the \textit{Wall Street Journal}, Kelly was unrepentant, saying that the NYPD was “guilty of saving 7,383 lives” and “accusations of racial

\textsuperscript{108} Finnegan, “The Terrorism Beat.”
\textsuperscript{109} “Administration: Police Commissioner: Raymond W. Kelly.”
profiling ignore the fact that violent crime overwhelmingly occurs in minority neighborhoods.”

Kelly did not shy away from voicing his convictions, even when they ran up against delicate civil rights issues.

Kelly’s background illustrates three key points about his personality and leadership style. First, there is evidence that Kelly felt slighted by being replaced by Bratton after only two years in the 1990s, with Bratton going on to receive much of the credit for the city’s dramatic reduction in crime. This sense of resentment likely left him eager to define a legacy entirely of his own in his second term. Second, while he had spent much of his life in an NYPD uniform, Kelly was not a stranger to Beltway politics and international cooperation. This experience would prove essential as the NYPD entered an unprecedented area of national security federalism after 9/11. Finally, similar to Cohen, Kelly’s leadership style valued results over praise. His intense focus on metrics—dropping crime rates, zero successful terrorist attacks—meshed well with the private sector acumen of his immediate boss, Mayor Michael Bloomberg.

**Michael Bloomberg**

Among this troika of New York policy entrepreneurs, Mayor Michael Bloomberg holds the unique distinction of also being an entrepreneur in the conventional sense. While Cohen and Kelly had just begun their respective stints in the private sector in the months leading up to 9/11, Bloomberg was on an inverse trajectory. After an immensely successful career in the financial industry, first as an executive at the securities brokerage firm Salomon Brothers and then as the founder of Bloomberg L.P., Bloomberg made a transition to the public sector by running for mayor.

---


in 2001. His business background, most notably through his metrics-driven approach to policymaking, would largely define Bloomberg’s performance as mayor. Enabled by a bold attitude, Bloomberg elevated the role of local government in U.S. policymaking, sharing Kelly and Cohen’s dedication to pragmatism in the face of dissent.

Bloomberg L.P.’s core product is its Terminal service, which supplies real-time financial data to firms around the globe. When Michael Bloomberg founded the company, his goal was to bring better metrics to financial markets, replacing the old-boys network of shared tips with reams of data, available to anyone who was willing to pay. Bloomberg brought this intensive commitment to data to city government, obsessing over crime rates, standardized test scores, and traffic flows. By one account, Bloomberg would count out loud how many pieces of trash he saw per block while driving the city’s streets. Commenting on this habit, he said, “It is fascinating. Today, you can go for blocks without seeing a piece of paper.”

This metrics driven approach contributed to many of Bloomberg’s controversial policy decisions. Bloomberg’s 2012 plan to limit the sale of large sodas managed to infuriate both ends of the political spectrum; conservatives viewed it as invasive liberal paternalism, while liberals thought the ban would have a disparate impact on the city’s low-income residents. Responding to critics on both sides, Bloomberg explained, “It’s not unreasonable and it’s not picking on anyone. The numbers are what they are.” In his eyes, the bottom line was all that mattered, everything else was just details.

---

Beyond his numbers-driven pragmatism, Bloomberg also had a decidedly new, globalized view of the role of local government. Governing the most iconic city in the world, Bloomberg sought to expand the profile of its government on both the national and international stage. For example, Bloomberg dedicated significant attention to global climate change, going so far as to travel to Bali in 2007 to deliver a speech that reflected on the shared environmental challenges faced by New Yorkers and Indonesians. He also founded the Mayors Against Guns Coalition, which created a lobby of local government leaders pushing for gun control reform in Washington. As demonstrated by these examples, and countless others, Bloomberg’s leadership strategy was not confined to New York’s geographic borders.

Perhaps most significantly, Bloomberg was not a micro-manager, but instead focused on hiring strong subordinates and empowering them to pursue their own initiatives. Describing their relationship, Ray Kelly offered, “Mike Bloomberg was the ideal boss for me. He holds you accountable but at the same time lets you do your job. He’s a bottom-line guy and always has been and always will be. But as long as you are delivering, he leaves you alone.” Echoing this sentiment, a senior national security official, in an off-the-record interview about the NYPD Intelligence Division identified Bloomberg as an enabling and instrumental player in the city’s counterterrorism strategy: “He kept those guys there. Bloomberg didn’t fire Kelly or Cohen at the first sign of trouble, like a lot of other mayors would have.”

Bloomberg’s experience offers four key insights for understanding how his leadership influenced the Intelligence Division. First, his obsession with metrics was reflected in the Division’s strategy, as demonstrated by its voluminous, structured reporting and data collection, which will be discussed at length in Chapter V. Of course, reliable metrics for counterterrorism are close to

116 Ibid.
nonexistent, but the desire to quantify the problem was still apparent. Second, Bloomberg did not believe that local government should be subservient to national interests. Whether addressing climate change, gun control, or counterterrorism, he was more than willing to have New York stand as an outlier, localizing policy areas that had traditionally fallen to the federal government. Third, once again shared with Kelly and Cohen, Bloomberg was hardheaded and stubborn. Negative media coverage, on both sides of the political aisle, did little to discourage him from pursuing controversial reforms. Finally, Bloomberg’s management style gave Ray Kelly, and by extension David Cohen, a large degree of latitude in which to operate.

At all levels of New York’s chain of command, key individuals were empowered to operate as policy entrepreneurs. While this management style created an environment ripe for innovation and rejection of the status quo, it also created an atmosphere where organizations were very much a function of the personalities that designed and ran them. Coupled with organizational theory, this story of policy entrepreneurship offers a compelling explanation of the factors that shaped New York’s decision-making in creating the Intelligence Division.

**Institutions**

As demonstrated by the previous sections, New York had a rational interest in enhancing its ability to prevent terrorism, which was emphasized by the city’s trio of policy entrepreneurs. However, in creating the Intelligence Division, while the threat may have been new, the actions of these men were bounded by New York’s historic legacy with intelligence gathering operations. An understanding of New York policing institutions and the often invisible forces that mold them is necessary to explain the forward-leaning character and federally inspired content of New York’s response to terrorism. Organizational theory provides an academic in-road in to the study of these complex institutions, advancing structured explanations of how organizations and individuals adapt.
A (Very) Brief Primer on Organizational Theory

The academic field of organizational theory is the formal study of organizations and their relationship with the environment in which they operate. Drawing from social psychology, political science, evolutionary biology, sociology, and behavioral economics, organizational theory offers several key contributions for understanding why a purely rationalist model is not sufficient in explaining the Intelligence Division and its actions. In short, it helps explain why organizations such as the NYPD are often guided by invisible forces beyond their control.

With the terms ‘bounded rationality’, ‘path dependence’, and ‘imprinting theory’ forming the vernacular of this section, and subsequent chapters, it is valuable to establish definitional clarity on the terms themselves. Originally coined by Herbert A. Simon in his landmark 1957 work *Models of Man: Social and Rational*, bounded rationality is the idea that the decision-making of individuals is limited by the information they have, the cognitive limitations of their minds, and the finite amount of time they have to make a decision.118

Perhaps deceptively simple, the key contribution of Simon’s work was that individuals are unlikely to make optimal decisions, largely due to situational constraints. In the context of the post-9/11 NYPD, these constraints included dealing with a qualitatively new policing challenge, the short time frame the city had to implement reforms, and the huge challenge of gathering useful information on a threat that is clandestine and foreign. Furthermore, bounded rationality is often coupled with a reliance on decision-making heuristics; often, these heuristic shortcuts are irrational, but facilitate fast decision-making.119 In New York, a common heuristic shortcut was taking cues from the federal government and localizing the broader national agenda on the New York stage.

---

Building off of Simon’s challenge to the conventional ‘rational actor’ model of decision-making, path dependence explains how decision-making is limited by decisions one had made in the past, even if the previous circumstances are no longer relevant. In its crudest form, path dependence is often summarized to the notion that “history matters.” However, this characterization oversimplifies the term. Instead, the key analytic value of path dependence is that it explains how “starting from similar conditions, a wide range of social outcomes may be possible; large consequences may result from relatively small or contingent events.”

In sharp contrast to conventional rationalist explanations of political, social, and organizational change, which attribute “large” outcomes to “large” causes, path dependence explains how small aberrations become reinforced over time, becoming disproportionate drivers of later circumstances.

A classic example of path dependence is the contemporary QWERTY keyboard layout, which was originally selected for its intentional inefficiency. Fast typists would jam typewriters, so the QWERTY layout was a temporary fix to slow them down and prevent mechanical failures, until the mechanics of typewriters could be improved. However, over months, years, and eventually decades, people grew accustomed to this layout, creating a self-reinforcing process that turned a historic anomaly into an unalterable path. This historical quirk defined the trajectory of keyboard development, even as its underlying circumstances have become entirely irrelevant in a world of laptops and touch screens. In the context of the NYPD, path dependence demonstrates the key value of exploring small, seemingly anomalous events in the city’s history to explain outsized outcomes, instead of only focusing on large events, such as 9/11.

---

122 Ibid.
Similarly explaining how the past molds the present, imprinting theory describes a process of how during sensitive periods of vulnerability or rapid change, organizations and individuals develop characteristics that reflect prominent features of their environment, with these traits continuing to persist despite changes in the larger environment.\textsuperscript{124} During these brief sensitive periods, organizations are significantly more malleable and susceptible to environmental conditions than in normal times. For example, many university fraternities were established between 1900 and 1920, when marginalized populations of Black, Catholic, and Jewish students established “anti-fraternity” fraternities, emphasizing anti-discrimination goals.\textsuperscript{125} Despite evolving environments on college campuses, these organizations still exhibit their unique founding traits today, with these traits becoming most salient during subsequent susceptible periods.\textsuperscript{126} In essence, organizations are shaped by the ecosystem in which they operate; during periods of change or challenge, organizations are apt to return to these imprinted roots, instead of adapting to a new operating environment.

Applied to the Intelligence Division, imprinting theory is valuable in explaining the adaptations and reforms in the intensely sensitive period following 9/11. The malleability of the NYPD during this period of vulnerability provides a key analytic frame for explaining the organization’s bias towards localizing federal priorities. Furthermore, it is necessary to look at New York’s previous sensitive periods, such as the Civil Rights Movement or the dawn of community policing doctrine, to understand the imprinted biases that are most apt to resurface. Employing these tools of organizational theory, this section will advance an institutional explanation for the early strategy of the Intelligence Division. While rationalist and individual-based explanations are necessary for understanding much of the Division, this institutions-based approach ultimately provides the most explanatory power for how the NYPD was able to reform the city’s police force.


\textsuperscript{126} Ibid.
to address the threat of terrorism. While many of the post-9/11 reforms seemed novel, they had deep historic roots that were maintained through these silent organizational processes.

**Structural Factors**

Before delving into organizational forces, it is worthwhile to reiterate the scope and scale of the NYPD, as its composition directly enabled many of the actions of the Intelligence Division. With a staff of over 52,000 people and an annual operating budget hovering around $5 billion, the New York Police Department is the country’s largest police force.\(^{127}\) For comparison, the NYPD is larger than the U.S. Coast Guard and more than twice the size of the FBI. Of its more than 52,000 personnel, approximately 1,000 are working on terrorism related issues.\(^{128}\) The Department has roughly 275 certified interpreters of 45 different foreign languages, including Urdu, Hindi, Pashtu, and Arabic.\(^{129}\)

These linguistic capabilities are largely enabled by the fact that approximately one out of every five New York police academy graduates is foreign-born. In an interview with the *Council on Foreign Relations*, Ray Kelly stated, “Out of the last seven police academy classes, each of them had at least 900 recruits in that class. We had graduates born in 50 or more countries, which is simply phenomenal. So this gives us, as I said, great diversity, great language capability, the ability to do some sensitive investigations.”\(^{130}\)

Throughout the city’s history, dating back to the Irish control of Tammany Hall in the late 1800s, joining the NYPD has been a sure-fire way for immigrants and their children to establish a respected, middle-class lifestyle in the city. Carrying over in the 21\(^{st}\) century, this hiring trend enabled the NYPD to pursue extensive plainclothes, foreign language, and undercover operations.


\(^{128}\) Ibid., p. 3.

\(^{129}\) Ibid.


58
Furthermore, the massive scale of the NYPD provided it with far more operational latitude than most cities, as it had a much larger budget and personnel pool to pull from to experiment with new tactics and programs.

A Historic Holdover

Viewed through an institutional lens, several key components of the Intelligence Division can be clearly linked to a historic holdover from bygone eras of New York policing. While Cohen, Kelly, and Bloomberg approached counterterrorism with novel tactics and a desire to set precedents for municipal counterterrorism, much of the groundwork for their efforts had already been paved by previous eras of New York policing. To start, the very fact that the NYPD already had an Intelligence Division, albeit a defunct one, directly enabled its early developments. In practice, New York had always retained the ability to rouse its ‘special services’ division from periods of intermittent hibernation, providing the city with an institutional playbook for episodes of national alarm. Furthermore, historic linkages between the NYPD and the federal government facilitated Kelly’s, and subsequently Cohen’s, ability to recruit employees with federally minded careers, providing the Intelligence Division with a very unique workforce.

Dating back to Roosevelt’s bicycle squads, New York has always maintained some form of ‘special services’ unit, to address threats to the city that seem to have an ideological origin. During the Progressive Era, the threat of choice was prostitution and gambling. For much of the twentieth century, communism and its leftist siblings dominated the attention of the NYPD’s elite divisions. In the 1960s, the threat du jour became civil rights groups, with the NYPD caught up in a nationwide trend under the auspices of the FBI’s COINTELPRO operation. Ultimately, this era of policing would prompt national level debate about domestic surveillance, leading to the 1975

131 Richard E. Morgan, Domestic Intelligence: Monitoring Dissent in America (University of Texas Press, 1980).
Church Committee hearings. In this era of pushback against domestic surveillance, the NYPD would undergo its own version of the Church Committee, in the form of the Handschu case, which will be discussed in Chapter IV. Ultimately, through this ebb and flow of domestic surveillance and ideological challenges to the city, New York never fully dissolved its intelligence gathering apparatus. In practice, even when the city was not carrying out intelligence operations, a small box remained on the NYPD organizational chart. This practice enabled the NYPD to maintain a latent capability to restore intelligence operations if the city was presented with a new external threat. While it is unclear if this was a conscious strategy or a bureaucratic quirk reinforced by path dependence, the outcome was the same; for the entire twentieth century, New York maintained the organizational structure necessary for intelligence gathering, even when the unit was in a state of suspended animation.

This organizational habit enabled Cohen to hit the ground running as Deputy Commissioner of Intelligence. While he would face significant hurdles in remaking the Intelligence Division, he would not have to break entirely new bureaucratic ground. With the Division already penciled into the NYPD’s organizational chart, Cohen would have far fewer battles to fight, allowing him to focus on the content of the Division, instead of the question of its existence.

Bounded Rationality and Oscar the Grouch

Within the reformed Intelligence Division, the NYPD established a “Technical Operations Unit” as a mechanism for collecting intelligence. The Technical Operations Unit carried out conventional law enforcement surveillance work, such as taking high-resolution photographs of persons of interest in public places and assembling data on license plate numbers, addresses, etc. Within the context of the Intelligence Division’s operations, the Technical Operations Unit seemed

---

to be a generally uncontroversial unit, as these tactics were also used to pursue drug dealers, gang leaders, and other individuals believed to be involved in criminal conduct. Unlike sending officers overseas and hiring CIA personnel, this tactic was firmly within the wheelhouse of New York policing. Contrasting other aspects of the Intelligence Division, it is easily explained by a rationalist model; after 9/11, the NYPD had a newfound interest in being able to quickly generate surveillance photos of individuals of interest. However, the Technical Operations Unit had one small feature that indicated the role of bounded rationality in its conception: its logo.

As shown in Figure 3.2, the logo of the Technical Operations Unit is a garbage can, with a pair of eyes poking out. Hanging from the garbage can, the illustration includes a pair of binoculars and a camera. Cartoonish in its depiction, the logo paints a picture of omnipresent surveillance. It also bears a striking resemblance to another prominent New York character: Oscar the Grouch of *Sesame Street*, shown in Figure 3.3.
Figure 3.2: NYPD Technical Operations Unit logo

Figure 3.3: Oscar the Grouch from *Sesame Street*
Of course, this logo, while ridiculous, does not indicate anything about the actual operations of the unit. It is not evidence of civil liberties abuses, ethnic discrimination, or any of the other common criticisms of the Intelligence Division. Instead, it is indicative of a disregard for public relations and a lack of foresight during the formative years of the Intelligence Division, albeit on a minor issue. In 2002, David Cohen, Ray Kelly, and Michael Bloomberg were unlikely to anticipate that a decade later the Associated Press would be receiving a Pulitzer Prize for investigative reporting on the Intelligence Division. Given the perceived threat to the city, the idea of their counterterrorism efforts being criticized at all probably seemed unlikely. Following this logic, there was likely little attention paid to what kind of message something as trivial as a unit’s logo might send. In that atmosphere, the Sesame Street inspired logo was probably something of an inside joke within the Department—perhaps providing a rare bit of levity during an otherwise extremely tense period. Realistically, given the massive amount of work being done to build an unprecedented international intelligence operation, it was likely never discussed.

However, a decade later, with the NYPD in the crosshairs of investigative journalists and the American Civil Liberties Union ACLU, this seemingly minor decision to incorporate a comical logo into the organizational chart became low-hanging fruit for larger condemnations of the Intelligence Division. With reports that the Demographics Unit was raking through mosques, this seemingly insignificant logo became part of a larger narrative about the NYPD lurking in the shadows of Muslim neighborhoods. Instead of being viewed for what it was, an inside joke within the Department, the eyes peering out the dustbin were made to be a sinister symbol of the Intelligence Division.

---

Connecting this to organizational theory, bounded rationality explains the significance of this seemingly fringe component of the NYPD story. The fact that a *Sesame Street* inspired logo was replicated on hundreds of NYPD intelligence reports indicates that in the early 2000s, NYPD officials did not expect that their documents would ever enter the public domain. There was no anticipation of a public relations crisis or debate about the actions they were undertaking. They were not being irrational in allowing this logo to appear on surveillance documents, as they did not think these documents would ever escape the Division’s headquarters. Furthermore, with the city still recovering from 9/11, it seemed improbable that their actions would be viewed critically. This expectation of secrecy would prove costly for the NYPD, as the *Associated Press* would release troves of leaked internal documents during their 2011 reporting. While the logo would prove to be a trivial part of the NYPD story, its very existence is telling. In the early years of the Intelligence Division, there was an assumption that its work would always remain secret. This assumption, based off of decision-making in a crisis atmosphere, trickled over into other NYPD decisions, such as using the rhetoric of “raking” to describe the Demographics Unit. As Chapter IV will explain, without an active city council, judicial oversight, or an inspector general, the NYPD was able to maintain this environment of secrecy for much of its early history.

**Conclusion**

The 2002 reawakening of the Intelligence Division demonstrated the importance of dynamic personalities and organizational behavior, which would continue to be recurring drivers of the NYPD’s decision-making. New York had a rational interest in expanding its ability to prevent terrorist attacks in the aftermath of 9/11, but the way it operationalized this interest was highly influenced by the trio of policy entrepreneurs who adopted this mission. Under the leadership of David Cohen, the Intelligence Division would be heavily influenced by the CIA example, applying federal tactics of overseas attachés and scholarly analysis to local policing. Under Michael
Bloomberg’s broader agenda to elevate the role of local institutions in policymaking, the NYPD would localize traditionally federal responsibilities, resulting in reforms that were unprecedented in local government.
Chapter IV — The Lawsuit That Never Died: Institutional Design and the Handschu Agreement

Scarcely any political question arises in the United States that is not resolved, sooner or later, into a judicial question.

—Alexis de Tocqueville

When David Cohen arrived in New York in 2002, he was provided significant latitude to revitalize the Intelligence Division from its state of suspended animation. Ray Kelly and Michael Bloomberg offered him ample leeway, in terms of money, personnel, and oversight, to invest in innovative tactics and the Central Intelligence Agency (CIA) was more than willing to loan Cohen personnel under flexible terms. However, despite the support of these key players, there were two people standing in Cohen’s way: Martin Stolar and Jethro Eisenstein. Stolar and Eisenstein were greying hippies who had worked for the New York Law Commune in the 1960s and 70s, providing pro bono legal services to the city’s left-leaning activist communities. Before Cohen could establish comprehensive intelligence operations, he would need to reverse civil liberties protections these two attorneys had established during the heyday of New York’s legal activism.

In 1971, Stolar and Eisenstein filed a class-action lawsuit on behalf of a slew of left-leaning activists, including Black Panthers, Vietnam War protestors, gay rights activists, and education reform groups, against the New York Police Department’s (NYPD) Special Services Division, a precursor to today’s Intelligence Division.¹³⁵ This case, Handschu v. Special Services Division, now more than four decades old, continues to form the core of New York’s fragile oversight regime over intelligence-gathering. Reinforced by path dependence, this fluke 1971 lawsuit filed by a group of hippie-attorneys now constitutes one of the only accountability checks on the actions of the Intelligence Division. Providing a compelling example of the implications of institutional

¹³⁵ Apuzzo and Goldman, Enemies Within, p. 46.
development, the tale of the Handschu case demonstrates how New York’s historic legacy of intelligence gathering continues to guide the trajectory of today’s tactics. Furthermore, the case has broader implications for U.S. accountability mechanisms, demonstrating how the American system often implements judicial solutions to administrative problems.\footnote{Francis Fukuyama, “The Ties that Used to Bind: The Decay of American Political Institutions,” The American Interest, December 8, 2013, accessed May 11, 2014, <http://www.the-american-interest.com/articles/2013/12/08/the-decay-of-american-political-institutions/>.}

**The Handschu Agreement: An Overview**


Just years later, Richard Nixon would be forced to resign as a result of the Watergate scandal. Beginning in 1975, the Church Committee hearings exposed decades of federal intelligence agencies engaging in questionable, if not outright illegal, activities. In short, the era was one of American security institutions being exposed for running amok, raising serious questions about accountability mechanisms for the national security establishment. While not as prominent as these national developments, the Handschu case fits within this broader pattern of reining in wayward security institutions in the 1970s.

While the class-action suit was filed in 1971, the case was not resolved until 1985, with the plaintiffs entering a consent decree with the NYPD. In practice, this meant that the plaintiffs reached a negotiated settlement with the NYPD, overseen by the District Judge Charles Haight.\footnote{Handschu v. Special Services Division, 71CIV.2203, “MEMORANDUM OPINION AND ORDER,” United States District Court: Southern District of New York, February 11, 2003.}

After more than a decade of litigation, the case unveiled a comprehensive spying operation being...
conducted by the NYPD, largely targeted at lawful political dissent by student activist groups. By 1985, with the Vietnam War over and Civil Rights Movement no longer at the forefront of New York’s consciousness, the NYPD was eager to end the protracted dispute. Ultimately, the court established a decree, referred to as the Handschu Agreement or Handschu Guidelines, which imposed the following restraints on the NYPD:

For any level of investigation…the police could not take action under the Guidelines unless they had received “specific information” that criminal activity was taking place or was about to take place… “At any time, a person or a member of a group or organization having reason to believe that such person, group or organization has been named in Public Security Section (PSS) files as the result of an investigation in connection with or related to his, her or its political activities, may request in writing which sufficiently identifies the requesting party that the Authority make an inquiry of the PSS.” Upon receipt of such a request, the Authority was then required to make an inquiry into the matter and to determine whether the Guidelines had been violated.139

In practice, the “specific information” clause set a high legal threshold for the NYPD’s ability to begin any investigation related to political activity. In short, if there was not direct evidence of criminal conduct, the NYPD could not investigate any political activity. With the court employing a broad definition of political activity, the Handschu Guidelines functionally eliminated the NYPD’s ability to gather intelligence. While the NYPD was not happy with the outcome, the city’s police officers were inundated with a crack cocaine epidemic that was driving crime rates to historic levels; defending intelligence collection was not a priority of the NYPD in the 1980s.

After several follow-up challenges in the late 1980s and 1990s, the case had become cemented as the core of New York’s intelligence oversight regime. In effect, the Handschu case had established a form of ad hoc judicial oversight, providing a reliable mechanism for raising civil liberties concerns.140 On September 12th, 2002, one year and one day after 9/11, David Cohen filed a motion on behalf of the NYPD to reevaluate the Handschu Guidelines in light of the new threat

140 Ibid.
presented by Islamic terrorism. In a masterful work of concise prose, Cohen framed the Handschu Guidelines as a direct threat to city’s safety, stating “the continued enforcement of the Guidelines is no longer consistent with the public interest because they limit the effective investigation of terrorism and prevent cooperation with federal and state law enforcement agencies in the development of intelligence.”

Writing directly, Cohen argued that American mosques were largely radicalized, and had been used, along with Islamic institutes, “to shield the work of terrorists from law enforcement scrutiny by taking advantage of restrictions on the investigation of First Amendment activity.” Cohen concluded his argument by calling for removal of the “specific information” clause, arguing, “the entire resources of the NYPD must be available to conduct investigations into political activity and intelligence related issues.” Speaking to the dilemma at the core of having law enforcement personnel conduct intelligence-gathering, Cohen’s argument distilled down to one simple point, “In the case of terrorism, to wait for an indication of crime before investigating is to wait far too long.”

Citing “fundamental changes in the threats to public security,” Judge Charles Haight, the same judge who had presided over the strict 1985 decree, accepted Cohen’s proposal in its entirety, replacing the strict Handschu Guidelines with the investigative guidelines Attorney General John Ashcroft had established for the FBI in the weeks following 9/11.

With Handschu out of the way, Cohen’s Intelligence Division was effectively liberated from any external accountability mechanisms. Commenting on the new standard, Police Commissioner Ray Kelly said, “We live in a

---

142 Ibid.
145 Ibid.
146 Weiser, “Rules Eased for Surveillance of New York Groups.”
different, more dangerous time than when the consent decree was approved in 1985. This ruling removes restrictions from a bygone era, and will allow us to more effectively carry out counterterrorism investigations.”147 In the view of the NYPD and the District Court, the challenge of terrorism warranted a comprehensive reframing of security and civil liberties tradeoffs.

**Interests**

An interests-based explanation is necessary in understanding the role of the Handschu case in the NYPD’s post-9/11 trajectory. David Cohen’s 2002 motion provides the best articulation of the city’s self-interest in loosening the Handschu Guidelines by directly linking the ability to investigate political activity with protecting the city from attacks. Writing in prose that is surprisingly lucid for an otherwise legalistic document, Cohen argued, “They escape detection by blending into American society. They may own homes, live in communities with families, belong to religious or social organizations, and attend educational institutions. They typically display enormous patience, often waiting years until the components of their plan are aligned perfectly.”148 Continuing with this sweeping narrative of Islamic extremism permeating American society, Cohen delves into a simplified explanation of Islamic fundamentalist ideology: “We now understand that extremist Muslim fundamentalism is a worldwide movement with international goals. It is driven by a single-minded vision: Any society that does not conform to the strict al-Qaeda interpretation of the Koran must be destroyed. Governments such as ours which do not impose strict Muslim rule must be overthrown through Jihad.”149

While Cohen’s rhetoric comes across as sensationalist and, in hindsight, unsubstantiated, it was supported by an exhaustive list of attempted plots against the United States. Coupled with a biography of his lengthy and distinguished CIA career, the document provided little for the District

---

147 Ibid.
149 Ibid.
Court to argue with. Whether influenced by Cohen’s rhetoric or a general post-9/11 attitude of loosening oversight standards, Judge Haight, the original author of the 1985 Handschu consent decree agreed with this interests-based justification. Based off of Cohen’s argument, rolling back the Handschu Guidelines would be a critical step towards New York solidifying its ability to defend itself from the next attack.

However, this interests-based explanation alone cannot explain the developments that followed. Within the federal government, the relaxing of a key legal standard would only impact one of the many layers of national security oversight. In the case of Handschu, the guidelines were the only formal mechanism in place to limit the ambitions of NYPD intelligence gathering. Without a robust institutional environment, the removal of Handschu constituted a nearly absolute removal of external accountability for the NYPD. It was this underlying environment of weak or nonexistent institutions that enabled more than a decade of unchecked New York counterterrorism reforms.

**Individuals**

Unlike the formation of the Intelligence Division and the strategy of the Demographics Unit, the Handschu Agreement does not bear the same hallmarks of policy entrepreneurship. While David Cohen was the integral actor in filing the 2002 challenge with the District Court, there is little evidence to suggest that this action was unique to Cohen’s personality or background. While he cites his decades of CIA experience in his motion, there is no evidence in the judicial opinion that this was a decisive factor in changing the legal standard. Similarly, while Judge Charles Haight delivered the critical 2003 opinion that redefined the legal standard for investigating political activity, his opinion largely reflects the general legal consensus of the post-9/11 period, which was that law enforcement should have expanded capabilities to conduct intelligence-gathering operations. Ultimately, individual-based explanations offer little to explain the significance of the Handschu case. Instead, institutions, or more specifically the lack thereof, offer the key explanatory power in
understanding how a 1971 lawsuit about Black Panthers inadvertently enabled New York’s unprecedented counterterrorism reforms.

**Institutions**

The Handschu case provides three key takeaways for understanding the institutional factors that shaped the NYPD’s post-9/11 counterterrorism reforms. First, in a textbook case of path dependence, the evolution of a quirky 1971 lawsuit into the de facto oversight mechanism for a 1,000 person, international intelligence operation demonstrates how small events are reinforced over time, yielding large outcomes. Second, the case demonstrates the lack of oversight institutions at the level of local government, raising concerns about the future trajectory of municipal counterterrorism operations. Finally, in considering oversight, the case highlights the vital role of the press as a ‘checking function’ on the government. Following the loosening of Handschu, the actions of the Intelligence Division went largely unbridled, until the Pulitzer Prize-winning reporting of *Associated Press* journalists Matt Apuzzo and Adam Goldman drew national attention to the scale and scope of the NYPD’s post-9/11 reforms.

**Path Dependence and Ad Hoc Institutions**

Following Cohen’s 2002 challenge to the Handschu Guidelines and the subsequent 2003 loosening of restrictions, the Handschu case became something of a legal football between the NYPD and civil liberties groups, most notably the American Civil Liberties Union and Asian American Legal Defense Fund. From 2002 to February 2013, four unique challenges were raised to the Handschu case, in an effort to scale back the actions of the Intelligence Division.150 While none of these follow-up cases resulted in a return to the strict 1985 standard, they highlight a key example

---

of path dependence in New York policing. Without formal institutions to appeal to, the only recourse for civil liberties attorneys was to raise yet another challenge to the 1971 Handschu case.

With every subsequent challenge, Handschu was further reinforced as the de facto mechanism for calling attention to the intelligence activities of the NYPD. Beyond the inefficient nature of relying on the judicial system for constant oversight, this mechanism also enabled an imbalance between the NYPD and those trying to limit their actions. In all four of the cases filed after 2002, the NYPD was able to successfully withhold intelligence information from being included in the trial, arguing that using the Intelligence Division’s internal documents as evidence would reveal sensitive sources and methods.\textsuperscript{151} By limiting the information available to civil liberties attorneys, the NYPD maintained a strategic advantage in maintaining its programs.

In the federal sphere, there are clear processes for intra-governmental checks on the intelligence community that are designed to address these delicate challenges of national security and civil liberties concerns, such as Congressional oversight committees, inspectors general reporting, and interagency policy committees. Given the relative youth of local counterterrorism institutions, these robust oversight regimes are nonexistent at the municipal level. Furthermore, oversight is apt to break down at the local level, as municipal governments are often compact enough to become monolithic, limiting the potential for meaningful internal oversight.\textsuperscript{152} Ray Kelly acknowledged this disparity between federal and local institutions, explaining, “So we're fortunate. We're fortunate, but I really don't want to criticize federal agencies. Having worked there, I know that the playing field is a lot different. Congress has a lot more involvement in day-to-day operations in Washington than, say, the legislative body here in New York City. It's just a more complicated environment to work

\textsuperscript{151} Handschu v. Special Services Division, 2007.
In short, with path dependence reinforcing the Handschu case as the only form of oversight, the NYPD was free from the traditional constraints placed on federal intelligence agencies. With Handschu serving as a blunt instrument for legal activists, there were few outlets for drawing attention to the NYPD’s unprecedented reforms.

The Press as a Checking Function

Since the inception of the United States, the press has served as an essential oversight tool, often functioning as a de facto fourth branch of government to impose checks and balances. This oversight function of the press was intentionally instilled in the language of the First Amendment. Referring to the free press, James Madison commented, “When public officials fail in this respect it is natural and proper, that, according to the cause and degree of their faults, they should be brought into contempt or disrepute, and incur the hatred of the people.” Thomas Jefferson also contributed to the foundation of this checking function in explaining his commitment to freedom of the press, albeit with more mild rhetoric than Madison: “This formidable censor of the public functionaries, by arraigning them at the tribunal of public opinion, produces reform peaceably, which must otherwise be done by revolution.”

In a more modern context, referring to issues of national security specifically, Supreme Court Justice Hugo Black provides a compelling explanation of this duty of the press in the Court’s landmark *New York Times Co. v. United States (1971)* ruling:

The Government’s power to censor the press was abolished so that the press would remain forever free to censure the Government. The press was protected so that it could bare the secrets of government and inform the people. Only a free and unrestrained press can effectively expose deception in government. And paramount among the responsibilities of a

---

155 Ibid.
free press is the duty to prevent any part of the government from deceiving the people and sending them off to distant lands to die of foreign fevers and foreign shot and shell.\footnote{Ibid.}

Within this Constitutional tradition, \textit{Associated Press} reporters Matt Apuzzo and Adam Goldman published a thirty-part investigative series on the NYPD Intelligence Division. For most Americans, this was the first they were hearing of the post-9/11 NYPD counterterrorism reforms, nearly a decade after the attack on the World Trade Center. While New Yorkers were aware of the increased presence of surveillance cameras in Lower Manhattan, heavily armed units in major subway stations, and random security screenings on bridges and tunnels, there was little public knowledge of the NYPD’s analytic efforts, personnel sharing with the CIA, and controversial undercover tactics in Muslim communities.

After years of public debate about the Patriot Act, drone strikes in Pakistan, warrantless wiretapping, and indefinite detention, this reporting triggered the first national conversation about the role of local government in counterterrorism. Just months after the first stories were published, the CIA’s Inspector General carried out an investigation of the NYPD-CIA relationship, as discussed in Chapter V. While the \textit{Associated Press} reporting clearly had imperfections and biases, it filled a crucial role of drawing attention to a policy area that was otherwise going unnoticed. With no durable oversight mechanism in place, the press became the frontline for public accountability.

Writing in \textit{Commentary Magazine}, Mitchell Silber, an NYPD analyst and one of the authors of the NYPD’s “Radicalization in the West” report lashed out against the \textit{Associated Press} reporting:

The war on the NYPD’s method of combating terrorism is a war on the war on terror by proxy—an effort to portray the least controversial aspect of homeland security as instead a matter of great civil-libertarian concern. Long before the AP series, the war on the war began with efforts to discredit the federal government’s endeavors to collect intelligence from combatants and terror suspects captured on the battlefields of Afghanistan and Iraq. It zoomed in on the rights of those detained overseas and at the American base in Guantánamo Bay. Now it has come home, to take on a once universally heralded and
supported effort at domestic counterterrorism at the epicenter of the 9/11 attacks, New York City.\textsuperscript{157}

While Silber intended for these words to condemn AP’s efforts, they inadvertently provide a justification for the oversight function of the press, especially when reporting on young, evolving institutions. Adopting Silber’s language, reporters ‘zoomed in’ on the federal government’s intelligence collection efforts for captured combatants in the mid-2000s; today, America no longer water boards detainees at overseas black sites. Journalists zoomed in on the rights of those detained at the American base in Guantánamo Bay; today, the military commission system has been reformed to introduce more transparency. In attempting to attack the efforts of post-9/11 journalists, Silber provides compelling examples of how investigative journalists have served their nation by providing the first line of oversight and prompting reform.

\textbf{Conclusion}

By zooming in on otherwise ignored policy areas, journalists like Matt Apuzzo and Adam Goldman perform a vital Constitutional function, “producing reform peaceably” by arraigning our government institutions “at the tribunal of public opinion.”\textsuperscript{158} However, investigative journalism is not a sustainable method for keeping government institutions in check. Without a durable oversight regime, stopgap measures such as investigate reporting and ad hoc judicial oversight will fail to foster long-term accountability. Ultimately, this underdeveloped institutional environment fostered the unchecked expansion of NYPD programs, as there were few formal processes to keep tabs on the actions of the Intelligence Division. Without formal oversight, ineffective and overreaching programs such as the Demographic Unit were able to operate quietly and without critical attention.

\begin{footnotes}
\textsuperscript{157} Silber, ”Who Will Defend the Defenders?.”
\textsuperscript{158} Qtd. in Blasi, ”The Checking Value in First Amendment Theory.”
\end{footnotes}
Chapter V — ‘Raking Coals’: Organizational Explanations of the Demographics Unit

Men make their own history, but they do not make it as they please . . . but under circumstances existing already, given and transmitted from the past.

—Karl Marx

Mohammed Atta, the leader of the September 11th hijackers, spent the months leading up to the 2001 attack attending flight schools, renting apartments in cash, praying at mosques, and checking his email at Internet cafes around the United States, including a two-month stint in the New York metropolitan area. Slipping into America’s existing ethnic enclaves, operating in a vacuum between foreign intelligence and domestic policing, Atta and his fellow al Qaeda operatives were undetectable to both the federal law enforcement and intelligence communities. This realization ushered in a new era of U.S. counterterrorism strategy, as the federal government redirected the intelligence community to dedicate attentions to threats emanating within U.S. borders. While 9/11 may not have been a “homegrown” plot, it was certainly nurtured within American communities. For every short-term lease and visit to a neighborhood grocery that Atta had undertaken, the NYPD saw a missed potential opportunity. As the community suffering the brunt of its impact, New York followed this federal adaptation trend, implementing reforms to look for enemies within, and beyond, the city’s borders.

Building off of his work in reforming the Intelligence Division and rolling back the Handschu Guidelines, David Cohen, Deputy Commissioner of Intelligence, devised a strategy intended to prevent future terrorists from existing invisibly within New York’s predominantly

Islamic neighborhoods. Speaking with NYPD colleagues, Cohen viewed these ethnic neighborhoods as extinguished fire pits. Most coals would be harmless and gray. However, if you raked the pit carefully, you might find a smoldering ember. In a search for these hot spots, the NYPD developed the Demographics Unit, subsequently renamed to the Zone Assessment Unit in 2011, to trawl the city’s ethnic neighborhoods for violent extremism.\textsuperscript{160}

This controversial unit would employ undercover tactics to create maps of where New York’s Muslims ate, prayed, worked, and relaxed, generating voluminous reports on Muslim-owned businesses throughout the greater New York metropolitan area. Propelled by an interest in combating homegrown violent extremism, the personal experience of leaders with federal intelligence strategies, and, most importantly, New York’s historic relationship with community policing, the Demographics Unit became a prominent component of the Intelligence Division’s strategy.\textsuperscript{161} While the Unit was developed out of an interest to counter a new breed of terrorism, the leadership of Larry Sanchez, a CIA case officer on detail to the NYPD, New York’s existing policing infrastructure, and weak oversight mechanisms ultimately sustained its strategy.

Building off of the earlier historical and analytic chapters, this chapter will argue that the Demographics Unit is the foremost indicator of New York’s institutional history and organizational behavior enabling a forward leaning counterterrorism strategy, providing a strong case for the existence of a localizing bias within the NYPD. Before delving into analysis, the chapter will provide a survey of the structure and priorities of the Demographics Unit. The first analytic section will explore an interest-based explanation for the Demographics Unit, arguing that the Unit was initially inspired by a legitimate, albeit misdirected, effort to increase the NYPD’s understanding of

\textsuperscript{160} Matt Apuzzo and Adam Goldman, \textit{Enemies Within: Inside the NYPD’s Secret Spying Unit and Bin Laden’s Final Plot Against America}, (New York, NY: Touchstone, 2013) p. 72.
Muslim communities. The second section will examine the influence of individual leadership preferences on the strategy of the Demographics Unit, demonstrating the profound influence of policy entrepreneurs during times of vulnerability and change. The final section will advance an institutional argument, demonstrating how the unique history and organizational behavior of the NYPD enabled the Unit’s aggressive approach.

**The Demographics Unit: An Overview**

Officially established in 2003, the Demographics Unit initially consisted of two sergeants, four uniformed officers, and ten detectives.¹⁶² This founding cohort of officers contained native Arabic, Bengali, Hindi, Punjabi, and Urdu speakers, but also many officers who had minimal exposure to Islamic culture and tradition. Many of the senior officers in the Unit had dedicated their NYPD careers to gang violence, learning how to read neighborhood patterns and interpret hand gestures in an effort to preempt violence.¹⁶³ In their new positions, these same officers would be expected to apply these skills, honed in the housing developments of Bedford-Stuyvesant, to the city’s working-class Muslim neighborhoods, such as Bay Ridge. One former Demographics Unit detective explained the immense challenge of this shift in targeting, “When we first started, we didn’t even know they prayed on Fridays.”¹⁶⁴

Mitch Silber, a senior NYPD intelligence analyst defended the unit’s size and structure, explaining:

At its largest, during a brief period after the July 7, 2005, attacks in London, the unit had 16 officers—hardly enough to monitor a neighborhood, much less whole communities. Officers would take a first pass to familiarize themselves with luncheonettes, dollar stores, and other legitimate businesses and record what they saw. They would be very unlikely to

---

¹⁶⁴ Ibid.
return unless there was reason to believe that a location might be a “venue of radicalization.”

From Silber’s language, the Unit was framed as a small, targeted group, carrying out a task akin to community policing. However, while the Demographics Unit might have been couched in the politically palatable language of community policing, the evidence indicates its intentions and tactics targeted New York’s Muslim community with an inherent sense of suspicion, casting a drag net over the city’s ethnic neighborhoods.

In an internal NYPD briefing PowerPoint presentation, leaked to the Associated Press, the stated objective of the Demographics Unit was the following, “Identify and map ethnic residential concentrations within the Tri-state area; Identify and map ethnic hot spots; Monitor current events and investigations and pulse the identified hot spots as appropriate.” As this quote demonstrates, the Unit would be expected to operate beyond New York’s municipal jurisdiction, with officers eventually carrying out investigations in New Jersey, Upstate New York, and Long Island.

Furthermore, the specific mention of ‘hot spot’ euphemistically refers to Cohen’s notion of ‘raking coals’. The PowerPoint goes on to include a slide dedicated to “Ancestries of interest”, which includes most Middle Eastern states, as well as Yugoslavia and Chechnya, neither of which are countries. The final ‘ancestry’ on the list was American Black Muslim. From these slides, there is no justification given for how these ancestries of interest were selected or justified, raising early concerns about the overall strategic value of the Unit. Presented without broader context, this list reflects a lack of clarity in the underlying strategy.

The presentation goes on to identify the factors that define a hotspot, including “transient housing, criminal activity, extremist literature and rhetoric, sale of extremist paraphernalia (Jihad

---

166 “Analytic Units Presentation,” p. 19.
167 Ibid., p. 22.
While tracking the sale of suicide bomber martyrdom videos within New York sounds reasonable, these vague indicators demonstrate the sweeping purpose of the Demographics Unit. By this standard, any Muslim-owned coffee shop with a community bulletin board or newsstand with Arabic-language newspapers met the criteria of a hot spot. With its explicit mention of religion, newspapers, and places of public assembly, the document provides a textbook piece of evidence for potential violations of the First Amendment. This type of lawful, protected political activity was exactly what the 1985 Handschu Guidelines had been structured to protect.

Once a business found itself on a loosely defined list as a ‘venue of radicalization’, it would be ‘pulsed’ by the Unit’s ‘rakers,’ undergoing repeated visits from undercover NYPD officers. Given the vague guidelines of what defined a hotspot, reports were often unrelated to threats of terrorism. In one instance, a Muslim business owner made it into the files even though he praised President Bush’s State of the Union address and said people who criticized the U.S. government “didn’t realize how good they had it.”

In a sworn deposition, Thomas Galati, Assistant Chief and Commanding Officer of the Intelligence Division and thirty year veteran of the NYPD provided a blunt explanation of an unsuspected ‘pulsing’ factor: “Sometimes these officers, when they go, they go to places that they may like the food and go back for that reason…So a repeated visit may be indicative of the like for food.”

During their visits, officers were instructed to “determine ethnicity, gauge sentiment, identify locations where community members socialize, purchase extremist literature, determine if location is facilitating criminal acts which may be enabler of terrorism (untaxed cigarettes, narcotics, sale of

---

168 Ibid., p. 21.
fraudulent I.D., participate in social activities (i.e. cricket matches).” Once again, components of these instructions seem reasonable (e.g. checking for fraudulent identification sales), while others seem invasive and unnecessary (e.g. finding a way into a cricket match.) Following their visits, the officers were expected to write up a report of their visit, providing key information on the ‘indicators’ listed above. Within the leaked internal NYPD PowerPoint, they include a sample of one Demographics Unit’s report. Remembering that this is a presentation prepared for delivery, it is reasonable to assume that this was a report that the Intelligence Division viewed as valuable, perhaps even exemplary. Written on April 10th, 2003, the report, intentionally reproduced with grammatical and spelling errors included, offers the following description of a visit to the Islamic Book Store of Bay Ridge, located in Brooklyn:

Book store owned by Pakistani male & it’s next to the Bay Ridge Islamic center….the store has numerous Islamic books, CD’s & tapes…Also the store had another video tape was made by HAMAS The tape show’s a man who believe to be a member from HAMAS & he was covering his face with a Palestinian scarf, he had a speech to the members from HAMAS talking about the leader and how started the INTEFADAH & also the other HAMAS member’s who did a great job to the Palestinian’s because they killed a lot of Israelis…

As demonstrated by the dismal quality of this report, the intelligence gathered from these undercover visits was primitive at best. The report above shows an unsophisticated understanding of the Arab-Israeli conflict, drawing concerns about how the micro-level tactics of the Demographics Unit dovetailed with a comprehensive counterterrorism strategy. While the NYPD hired Ivy League credentialed analysts for the Intelligence Division, there seems to be an intellectual disconnect between their work in headquarters and the fieldwork of the Demographics Unit.

While it is concerning that materials produced by Hamas, a quasi-terrorist, quasi-political organization that controls the Gaza Strip, were being sold in Bay Ridge, it is unclear how this report is of law enforcement value. Furthermore, if this particular report was deemed worthy of inclusion

171 “Analytic Units Presentation,” p. 25.
in an official department presentation, it raises serious concerns about the quality of other investigations being conducted. In short, the NYPD was adopting the investigative tactics of the intelligence community, without any of their federal counterpart’s sophistication; as a result, the above language sounds, unsurprisingly, like a New York beat cop with little background in international affairs instead of a CIA analyst with a Ph.D. in Middle Eastern studies.

After compiling dozens of reports, the next step for the Demographics Unit was to assemble maps from the gathered data. A sample map of Brooklyn (Figure 5.1) showing the location of Muslim-owned Internet cafes demonstrates the questionable utility and efficiency of these efforts. First, it is unclear how a simple map of Internet cafes could provide value to law enforcement efforts. Second, as public businesses, there is no reason that undercover officers were required to visit these locations and assemble the demographic maps, as they could have been compiled with a Google search. If a would-be terrorist were visiting these locations, what value would this map provide? Despite this, the Unit produced dozens of these maps, constructing crude cartographic representations of where average New Yorkers ate, prayed, studied, and relaxed.
Figure 5.1: New York Police Department: Intelligence Division, “Internet Café Report.”
In April 15th, 2014, newly elected Mayor Bill de Blasio announced that the Demographics Unit would be disbanded, stating,

Our administration has promised the people of New York a police force that keeps our city safe, but that is also respectful and fair. This reform is a critical step forward in easing tensions between the police and the communities they serve, so that our cops and our citizens can help one another go after the real bad guys.\footnote{Mayor Bill de Blasio, “Statement from the Mayor on NYPD Demographics Unit,” City of New York Press Office, April 15, 2014, accessed April 16, 2014, <http://www1.nyc.gov/office-of-the-mayor/news/155-14/statement-the-mayor-nypd-demographics-unit>.

As will be explained in the following sub-section, the Demographics Unit had existed for more than a decade, yet had failed to generate a single terrorism lead. However, instead of focusing on the inefficacy of the Unit, de Blasio highlighted the institutional implications of its existence on the city, saying that the Demographics Unit had a chilling effect on community relations. Furthermore, it was not an event within the Demographics Unit itself that led to its dismantling, but, instead, the exogenous shock of de Blasio’s ascendance to power and the subsequent reshuffling of New York’s political landscape.

In light of this reform, what factors explain the creation and decade-long survival of the controversial demographics unit? While an interests-based rationale bears merit, especially given the post-9/11 era’s fixation on homegrown violent extremism, this reflexive explanation fails to connect the Unit’s tactics with any overarching strategy. Instead, the creation of the Unit is best explained by the motivations and preferences of actors within the NYPD; while David Cohen was the architect of the Unit, Larry Sanchez, a dual-hatted CIA liaison, was the chief policy entrepreneur behind the controversial group. Most importantly, organizational path dependency within the NYPD facilitated creation of the Unit, as it was remarkably similar to other investigative operations in New York history. While it may have been a new box on the organizational chart, it was inspired by decades of undercover, metrics-driven police work. Compounding this imprinted bias, the Unit was logistically
enabled by a lack of oversight mechanisms, lax legal standards, and the diverse personnel composition of the NYPD.

**Interests**

As stated at this chapter's outset, the early 2000s demonstrated that future terrorist plots were more likely to be developed and staged from Queens than Kandahar. In response, the federal government recalibrated, increasing the FBI’s responsibilities in counterterrorism and loosening restrictions on domestic intelligence gathering. Beyond the threat of foreign terrorists operating within U.S. borders, the intelligence community broadened its mission to include a new type of terrorism: homegrown violent extremism. As demonstrated throughout NYPD history, New York localized this nascent national priority, drawing cues from the federal agenda. New York had a rational interest in addressing these homegrown plots, but the experience of the Demographics Unit demonstrates that the underlying interest was misaligned with the core tactics of the Unit. In essence, security interests may have driven the desired ends of the Demographics Unit, but the means were propelled by entirely different factors. Furthermore, the evidence suggests that this misalignment of tactics resulted in a Demographics Unit that contributed little value to a comprehensive counterterrorism strategy.

*The Homegrown Threat*

If 9/11 demonstrated the threat of organized, distributed networks originating overseas and transplanting to the U.S., Fort Hood 2009, and Boston 2013 indicated the destructive capacity of purely homegrown actors. Federal officials have openly acknowledged this threat, citing the increased vulnerability the U.S. faces from its own citizens. Former Secretary of Homeland Security, Janet Napolitano, cautioned in 2011, “One of the most striking elements of today’s threat picture is
that plots to attack America increasingly involve American residents and citizens.”\(^{173}\) The 2013 Global Threat Assessment, an unclassified annual intelligence product coordinated by the Office of the Director of National Intelligence, stated:

Al-Qa’ida-inspired HVEs [homegrown violent extremists]—whom we assess will continue to be involved in fewer than 10 domestic plots per year—will be motivated to engage in violent action by global jihadist propaganda, including English-language material, such as AQAP’s *Inspire* magazine; events in the United States or abroad perceived as threatening to Muslims; the perceived success of other HVE plots, such as the November 2009 attack at Fort Hood, Texas, and the March 2012 attacks by an al-Qa’ida-inspired extremist in Toulouse, France; and their own grievances. HVE planning in 2012 was consistent with tactics and targets seen in previous HVE plots and showed continued interest in improvised explosive devices (IED) and US Department of Defense (DoD) targets.\(^{174}\)

As indicated by the quotes and excerpt above, the U.S. government adapted to prioritize homegrown threats among its national security priorities, presenting unique operational and civil liberties challenges to its foreign-focused intelligence community. However, unlike the intelligence community, which has historically been barred from domestic intelligence gathering, the NYPD was uniquely situated to operationalize this budding federal agenda, particularly after the 2002 loosening of the Handschu guidelines.

However, in implementing this federal agenda, the NYPD faced a catch-22: New York police officers and intelligence analysts needed to increase their access to communities where radicalization could occur, without exerting a presence that would diminish their ability to have a productive relationship with these very communities.


Risa Brooks offers a compelling explanation of this delicate balancing act for law enforcement:

The stakes for Americans in an accurate assessment of the threat of Muslim homegrown terrorism are significant. If the threat is overstated, the United States risks becoming preoccupied with this incarnation of terrorism and could make unwarranted investments in intelligence and law enforcement to address it, while underemphasizing other terrorist or nonterrorist threats. In addition, overestimating the threat could contribute to the adoption of counterproductive counterterrorism methods, especially those that threaten to alienate Muslim communities from law enforcement. Given that cooperation from these communities has proven a major safeguard against the homegrown threat, any breach of trust between their members and government authorities would be a worrisome development.175

As Brooks explains, overestimating the homegrown threat is self-defeating, as it alienates law-abiding Muslims from U.S. law enforcement, making them less willing to “self-police and root out militants in their midst.”176 In essence, the NYPD’s interest in clandestine monitoring potential venues of radicalization was counter to the equally valid interest of establishing in-roads to these neighborhoods.177

_A Strategy Emerges_

In practice, this two-handed approach of policing often prioritized the clandestine, inherently suspicious approach, instead of the outreach-oriented, community policing strategy. In 2007, the Intelligence Division published a 92-page open-source report titled “Radicalization in the West: The Homegrown Threat.” The report, teeming with colorful graphics, asides from terrorism scholars, and intelligence jargon, posited four sequential steps for terrorists-to-be: pre-radicalization, self-identification, indoctrination, and jihadization. Using this framework, “Radicalization in the

---

176 Ibid.
West” explained a series of failed and foiled plots, explaining how future plots could be deterred and thwarted.

However, unlike federal intelligence reports, “Radicalization in the West” did not include the traditional estimative language, restrained prose, and terse summations of assessments coming from inside the D.C. beltway. Instead, the report employed unusually vibrant and imprecise language, often referring to all Muslims as a cohesive political entity. Furthermore, many of the report’s takeaways were deeply skeptical of New York’s Muslim communities. For example, the report asserted, “Unfortunately, the City’s Muslim communities have been permeated by extremists who have and continue to sow the seeds of radicalization.”178 Given the word choice, it is unclear if permeated implies that the Intelligence Division felt that Muslim communities were saturated with terrorists, or if radicalization was just beginning to trickle in through the cracks. In similarly sweeping language, the report argues,

The personal search for one’s own Muslim identity often dovetails with the desire to find an appropriate Islamic response to the political crises involving Muslims worldwide. Complex disputes like the Arab-Israeli conflict and Kashmir are diluted into one large conflict between believers and non-believers. This powerful and simple one-size fits all philosophy resonates with the younger diaspora Muslim populations in the West who are often politically naïve. This powerful narrative provides evidence of an across-the-board plan to undermine and humiliate Islam worldwide.179

It was this underlying logic that shaped the tactical interests of the Demographics Unit. Guided by the analysis of the Intelligence Division, the Demographic Unit was at the forefront of the police effort to disrupt the pathway to radicalization. Samuel J. Rascoff, head of the Intelligence Division’s Analytic Unit from 2006 to 2008 explained the intended linkage between analytic products and

179 “Radicalization in the West,” p. 19.
intelligence-gathering operations as an attempt to bring “the culturally exotic world of the ivory tower to bear on the gritty problems of counterterrorism as experienced by beat cops and seasoned detectives.”

To apply the NYPD’s radicalization framework to facts on the ground, the ‘rakers’ who formed the Unit would need to know venues where ‘self-identification’ or ‘jihadization’ could be taking place. However, as demonstrated in the previously cited ‘HAMAS’ report, the criteria for these venues were often unmoored from strategic realities, creating an environment where a “one-size fits all” approach was used to explore the city’s Muslim neighborhoods. Furthermore, as illustrated by the expansive “Ancestries of Interest” list, there was not an interests-based argument for why individuals from Yugoslavia, which the NYPD failed to mention is no longer a country, were placed in the same category as immigrants from Somalia or Yemen. The core strategy of the Demographics Unit was shaped by a well articulated, albeit overstated interest to investigate homegrown violent extremism, but its applied tactics were disjointed from this fundamental security interest.

**From Strategy to Tactics**

While “Radicalization in the West” provided a conceptual framework for addressing terror, the hands-on work of the Demographics Unit lacked a center of gravity. Intimating this disconnect between the Ivy League analysts in the Intelligence Division’s Brooklyn Army Terminal headquarters and the career NYPD officers walking the streets, a detective explained, “An analyst once pointed out an individual on the street I thought was Afghan, but was actually Pakistani. She knew because of the henna in his beard, the lack of a mustache and the pants length. They’re from a

---

180 Feuer, “The Terror Translators.”
181 “Analytic Units Presentation,” p. 22.
different world. They’re educated; I’m not. My education is locking up bad guys.”\textsuperscript{182} As this quote insinuates, the nuanced strategy of the Intelligence Division as a whole was often unmoored from the unsophisticated tactics of the Demographics Unit.

Evidence of this rift between interest-guided strategy and flawed tactics is best found in measures of the Demographic Unit’s effectiveness. Counterterrorism effectiveness is a notoriously difficult metric, given the low frequency of plots and difficulty of determining whether a discovered threat would have translated into a successful attack. However, members of the NYPD, including individuals managing the Demographics Unit, have spoken on the record, readily identifying the ‘raking’ tactic as ineffective in rooting out domestic plots. In a June 2012 deposition, Assistant Police Chief Thomas Galati testified, “Related to Demographics, information that has come in has not commenced an investigation.”\textsuperscript{183} Clarifying further, Galati offers, “I never made a lead from rhetoric that came from a Demographics report, and I'm here since 2006. I don't recall other ones prior to my arrival. Again, that's always a possibility. I am not aware of any.”\textsuperscript{184}

In attempting to justify the operation, regardless of its efficacy, Galati offers,

I'm seeing Urdu. I'm seeing them identify the individuals involved in that are Pakistani. I'm using that information for me to determine that this would be a kind of place that a terrorist would be comfortable in…Most Urdu speakers from that region would be of concern, so that's why it's important to me.\textsuperscript{185}

This rhetoric directly reinforces the criticism that the Demographics Unit was a dragnet approach to intelligence gathering. New York has tens of thousands of Urdu speakers; implying that every one

\textsuperscript{182} Qtd. in Feuer, “The Terror Translators.”
\textsuperscript{184} “Deposition of Thomas Galati,” p. 125.
\textsuperscript{185} Ibid., p. 75.
of these individuals is of interest is clearly an unsustainable approach to getting a pulse on the city’s Muslim communities.

Hector Berdecia, an NYPD lieutenant, was assigned to the Demographics Unit in 2006, after a yearlong tour in Iraq as an Army reservist.\(^\text{186}\) Prior to his deployment, he had been a career NYPD officer, principally focusing on organized crime, gang violence, and narcotics. Undercover operations had been a crucial tool in building cases against criminal syndicates and this experience initially encouraged Berdecia about the Unit’s strategy: “They were here on 9/11. It was just a matter of time before we got hit again. I believed it. I drank the Kool-Aid.”\(^\text{187}\) In Berdecia’s experience with drug gangs, undercover operations had been a key strategy in getting leads and generating evidence for prosecution.

However, after years of working with Unit’s rakers, Berdecia grew frustrated with his new position and the type of policing it entailed, explaining, “It irritated me to send a lot of second-grade detectives and first-grade detectives to sit in coffee shops with nothing going on. If we hear something, then let’s do more proactive police work. Let’s run plates. Let’s follow guys.”\(^\text{188}\) Speaking like a true New Yorker, Berdecia offered an unbridled conclusion on the utility of the Demographics Unit: “It was a bunch of bullshit.”\(^\text{189}\) While this is the statement of one individual, it reflects an important sense of frustration within the Unit’s officers. While some media reporting has framed the Unit as racist and foolhardy, casting a shadow on the officers involved, Berdecia’s quote reflects a different outlook. These were well-intentioned career NYPD officers who wanted to keep their city safe, but were assigned to positions that did not advance this goal.


\(^{187}\) Qtd. in Ibid.

\(^{188}\) Qtd. in Ibid.

\(^{189}\) Qtd. in Ibid.
A “Sports Venues Report” produced by the Unit reinforces this point, demonstrating that large amounts of time and resources were being dedicated towards intelligence products of dubious utility. At the outset, under its conclusions section, the report states:

The role of sports within the Arab community is not as widespread as it generally is in America. Traditionally, the most widely played athletic sport in Arab speaking countries is Soccer. In addition to Soccer, the only other sport to which Arabs are drawn is Billiards. Billiards serves a dual purpose in the Arab community. People play Billiards for the sport in it as well as the opportunity to socialize with their friends in a friendly atmosphere.\(^{190}\)

The report goes on to provide a list of cafes that were known to air World Cup soccer games and Arab-owned pool halls.\(^{191}\) Given this evidence, it seems that hundreds of man-hours were dedicated to an intelligence product that ultimately concluded that Arabs enjoy billiards for precisely the same reasons everyone enjoys billiards. Equally concerning, the sterile language of the report intimates a sense of alienation between the officers and the communities they were investigating.

Reinforcing Berdecia’s criticism and Galati’s admission, the “Sports Venues Report”, and many reports like it, firmly demonstrate that the tactics of the Demographics Unit did not advance a strategic goal of countering radicalization. Instead, these reports often read like a college freshman’s anthropology assignments, providing granular information without a central thread of purpose. As demonstrated in Figure 5.2, the culmination of this analysis was quite literally maps overlaying falafel shops and cricket pitches. New York certainly had an interest in increasing its presence in ethnic communities that had historically been walled off from police by language, culture, and religion. Despite this goal, dedicating undercover officers to trawl these neighborhoods and prepare voluminous, vapid reports did not advance this strategic interest.


\(^{191}\) Ibid.
Figure 5.2: New York Police Department: Intelligence Division, “Sports Venues Report.”
A rationalist approach is necessary in understanding the initial impetus for the Unit, but not sufficient in explaining the creation and durability of its aggressive, ineffectual approach of spying on New York’s ethnic communities. Largely due to the misalignment between the central strategy and its tactical implementation, the Demographics Unit failed to produce a single lead.\textsuperscript{192} Instead, the story of its creation and survival is best explained by the role of policy entrepreneurs who worked within a New York system bounded by path dependence. While the threat of homegrown Islamic extremism was new, the roots of the Demographic Unit go much deeper than the events of September 11\textsuperscript{th}.

**Individuals**

When David Cohen arrived as Deputy Commissioner of Intelligence, he brought with him an extensive federal Rolodex, intimate knowledge of CIA analysis and operations, and a penchant for bureaucratic blitzkriegs. He also brought along a close colleague: Larry Sanchez. Like Cohen, Sanchez had built his career in the CIA. However, unlike Cohen, Sanchez was still an agency employee on September 11\textsuperscript{th}.\textsuperscript{193} Physically, the two men were an incongruous duo. Cohen was an archetype of John le Carré’s ‘grey man’—the type of person who can seamlessly fade into a background. While he was known for his bouts of short temper, Cohen’s otherwise sober and aloof demeanor was indicative of his decades of analytical work. In contrast, Sanchez’s presence dominated a room; thick-necked and built like a bowling ball, an official biography listed identified him as a holder of “powerlifting and boxing titles”, a master SCUBA diver, and an avid skydiver.\textsuperscript{194} Despite spending his career on the analytic side of the Agency, Sanchez was eager to speak about his experiences overseas. By one account, “If you left a conversation believing that Sanchez was a


\textsuperscript{193} Apuzzo and Goldman, *Enemies Within*, p. 66.

covert officer, not a career analyst, he wasn’t going to do anything to disabuse you of that impression.”

When Cohen asked Sanchez to join him in New York, Sanchez was still a CIA ‘blue-badger’; the CIA was paying his salary and Sanchez was still read into covert CIA programs. Under their arrangement, Sanchez would be sent on a “temporary duty assignment” to ramp up the NYPD’s nascent intelligence programs. Typically, personnel sharing arrangements of this sort are spelled out in excruciating detail, defining in legalistic terms who the employee will report to, what they will be doing, and who will be responsible if the arrangement proves problematic. However, with post-9/11 hysteria still underway, none of these usual arrangements were made. In terse legal nuance, the CIA Inspector General concluded, “the lack of formal documentation in some important instances …is noteworthy.” Splitting time between two desks, one at NYPD Intelligence Division headquarters and one at the New York CIA station, Sanchez’s position instituted a level of convergence that the city had not seen since the days of the Military Intelligence Division hunting for Kraut saboteurs during the First World War.

Despite a lengthy career at the CIA as a foreign intelligence officer, Sanchez was accustomed to working in New York. In 1997, Sanchez was detailed to U.S. Ambassador to the United Nations Bill Richardson as his intelligence liaison. This posting overlapped with Cohen’s tenure as CIA station chief in New York, providing both men with a unique shared opportunity of working for the CIA within U.S. borders but outside the confines of the D.C. beltway. When Richardson left the United Nations to become Secretary of Energy, he brought Sanchez with him, appointing him to

---

195 Apuzzo and Goldman, Enemies Within, p. 68.
196 Ibid.
198 Ibid.
199 Ibid.
200 Repetto, Battleground New York City, p. 68.
run the Department of Energy’s Office of Intelligence. When Cohen tapped Sanchez in 2002 for the New York job, Sanchez was responsible for protecting the country’s nuclear secrets from internal enemies. In this new position, Sanchez would have to adapt his experience of protecting America’s nuclear stockpile to protecting America’s most vulnerable city.

According to internal CIA documents, Sanchez’s official mission was “to improve analytic information-handling capabilities of law enforcement entities in the States of New York and New Jersey.” In practice, Sanchez was Cohen’s personal conduit to information from the federal intelligence community. Using Sanchez, Cohen was able to bypass the bureaucratic maze of intelligence sharing, instead getting direct briefings from Sanchez. In one interview, Cohen explained, “Do you know what Larry means to me? Without him in those days, I would have had nothing, nothing, to show Kelly.” In a separate interview, Cohen illustrated the value of this real-time information, over the traditional FBI-refereed interagency process: “We got a report from the FBI on the Madrid bombing which was terrific, it was great … It was fucking eighteen months later. They tried the best they could.” While the NYPD was heavily investing in the Joint Terrorism Task Force (JTTF) relationship with the FBI, Sanchez provided the Intelligence Division with a backdoor to the intelligence community. This two-pronged approach would be a recurring source of friction in the NYPD-FBI relationship, with many FBI officers viewing the NYPD as duplicitous in their dealings with the Bureau.

*The Israeli Influence*

Beyond advising Cohen, Sanchez was given significant influence in shaping the Intelligence Division’s organizational chart. Influenced by his federal experience working overseas, Sanchez

---

201 “Richardson Names Director For DOE’s Office of Intelligence.”


97
drew inspiration from the Israeli model of policing terrorism. However, key differences between U.S. and Israeli policing institutions indicate concerns about replicating this approach in New York. Structurally, policing in Israel is a function of the national government, with the Israel National Police divided into six districts that cover the New Jersey-sized nation. In stark contrast, the city of New York alone has dozens of police precincts, indicating the prevailing trend of localism in U.S. policing. Furthermore, the Israel National Police includes the Border Guard, a quasi-military force of 28,000 officers who wear military green fatigues, rather than the light blue worn by other Israeli police officers. Israel’s unique security dynamics, particularly in the volatile West Bank drove this convergence between the military and the police, giving the Israel National Police full responsibility for homeland security functions. Finally, Israel has historically had a very different equilibrium point on the spectrum between civil liberties and security than that of the United States. In short, Israel’s tradition of policing was the function of a system with very different demands and constraints than those driving U.S. police forces.

Despite these differences, referencing the Israeli approach was an oft-employed heuristic for justifying a variety of U.S. counterterrorism measures after 9/11. The Israelis had pioneered policies ranging from indefinite detention to targeted killing, which would go one to become prominent components of the U.S. international counterterrorism efforts. In a particularly notable example, one of the infamous 2002 “torture memos” from the Department of Justice’s Office of Legal Counsel directly referenced a 1999 Israeli Supreme Court decision on controversial interrogation tactics. After describing sleep deprivation and other coercive tactics, the memo concludes

---

205 Apuzzo and Goldman, Enemies Within, p. 73.
207 Ibid.
…The Israeli Supreme Court has recognized a wide array of acts that constitute cruel, inhuman, or degrading treatment or punishment, but do not amount to torture. Thus, they appear to permit, under international law, an aggressive interpretation as to what amounts to torture….309

In the desperate months and years after September 11th, Israel was a frequent prototype for U.S. federal efforts against Al Qaeda. Displaying its recurring localizing bias, New York followed suit. If the federal government was looking to Israel for targeted killing and enhanced interrogation best practices, New York would look to Israel for policing guidelines. Under Sanchez’s guidance, the Demographics Unit was guided by this localized influence, drawing heavily from the Israel National Police force’s tactics of keeping tabs on Palestinian neighborhoods.

The Inspector General Takes Note

Sanchez’s influence on the NYPD would ultimately prove troublesome for both the CIA and NYPD. In a declassified 2011 memo prepared by CIA Inspector General David Buckley for Leon Panetta, Director of Central Intelligence, Buckley provides a comprehensive summary of the legal, political, and ethical concerns of the CIA’s special relationship with New York. Despite raising numerous issues, the memo ultimately concludes, “This review also found no evidence to suggest that during the course of CIA’s relationship with NYPD that Agency personnel, while engaged in the performance of CIA duties, either exercises law enforcement powers or engaged in intelligence activities solely directed at the domestic activities of U.S. persons.”210

The key legal standard for the watchdog investigation was Executive Order 12333 “Law and Policy Governing the Conduct of Intelligence Activities”, which dates back to the Reagan Administration.211 The CIA attorneys identified the following excerpt from the order as the key justification for the Agency’s unique relationship with New York:

209 Ibid., p. 31.
211 Ibid.
Agencies within the Intelligence Community are authorized to...Provide specialized equipment, technical knowledge, or assistance of expert personnel for use by any department or agency, or, when lives are endangered, to support local law enforcement agencies. Provision of assistance by expert personnel shall be approved in each case by the General Counsel of the providing agency.  

Using narrow legal language, the memo ultimately absolves the CIA of any potential wrongdoing, by arguing that the CIA assistance was justified by the clause specifying, “when lives are endangered.” However, the Agency’s Office of the Inspector General (OIG) offers a striking warning to Director Panetta, explaining,

OIG is unaware of any similar relationships between the Agency and other local law enforcement entities in the United States. As a consequence, the risk to the Agency is considerable and multifaceted...the risks associated with the Agency’s relationship with NYPD were not fully considered and there was inadequate direction and control by the Agency managers responsible for the relationship.

Reading between the lines, the OIG report is a clear warning shot for the Agency to tread carefully in future dealings with local law enforcement. This thinly veiled warning emphasizes the unique stature of New York, implying that the CIA would steer clear of involvement with other cities.

While this investigation may have prompted more stringent practices in future personnel sharing, by the time it was written in 2011 its impact was largely moot. After multiple extensions, Sanchez’s temporary duty assignment had been ended, replaced with a salaried position as Assistant Commissioner for Intelligence in 2007. By this time, the Demographics Unit was running at full-speed, preparing voluminous reports on Muslim communities throughout the tri-state area. Instead, the OIG report seems to be a calculated response to the Pulitzer Prize-winning reporting of Associated Press journalists Matt Apuzzo and Adam Goldman, which was garnering national headlines in 2011.

Contributing to the rationalist narrative of the Demographics Unit, the unique presence of Larry Sanchez demonstrated the tremendous influence of individual personalities in the Intelligence Division’s formative years. Functioning as a consultant of sorts, Sanchez was instrumental in devising the federally inspired strategy of the Demographics Unit. Furthermore, the ad hoc process that led to his dual-hatted role epitomized the lack of oversight and freeform nature of the NYPD’s years following 9/11. It was during this period of organizational flux that path dependence was a key factor shaping the NYPD’s evolution. During this sensitive period, decisions were guided by imprinted biases and deep-set historical and structural norms within New York policing.

Institutions

Published in 2007, the Intelligence Division’s “Radicalization in the West” report states, “New York City has a diverse Muslim population of between 600,000 and 750,000 within a population of about 8 1/2 million—about 40% of whom are foreign-born. Unfortunately, the City’s Muslim communities have been permeated by extremists who have and continue to sow the seeds of radicalization.”214 This report provided much of the conceptual justification for the Demographics Unit, presenting a framework for how a “bunch of guys” can evolve into an “operational terrorist cell.”215 While the report was not expressly policy prescriptive, it provided comprehensive insight into the mindset and priorities of the Intelligence Division’s most senior analysts. The underlying tone of the report was one of inherent distrust of New York’s Muslim communities.

Nearly a century earlier, speaking at Carnegie Hall in 1919, New York State Senator Clayton Lusk voiced a similar concern about the un-American character of the city’s immigrant neighborhoods, “There are hundreds of thousands of Irish in this country who are not loyal, not

214 “Radicalization in the West,” p. 69.
215 Radicalization in the West,” p. 9.
American and never will be American.”216 Lusk would go on to chair the New York State Senate’s Joint Legislative Committee to Investigate Seditious Acts.217 In a striking similarity to the tactics of the Demographics Unit, the Lusk Committee prepared troves of ethnic maps, color-coding the city’s immigrant neighborhoods into targeted sectors, shown in Figure 5.3 and Figure 5.4. While New York did not aspire to replicate these tactics in 2002, imprinted norms within the NYPD guided the Intelligence Division to the tactics of its predecessors. Bounded by a deep historical legacy and a robust existing architecture, a lens of organizational theory is necessary to explain the strategy and survival of the Demographics Unit.

217 Ibid.
Figure 5.3: 1919 Ethnic Map, New York State Archives, Albany, NY

Figure 5.4: 1919 Ethnic Map Legend, New York State Archives, Albany, NY
The Demographics Unit’s Historic Origins in Community Policing

As illustrated by the 1920s ethnic maps shown in Figures 5.3 and 5.4, New York has a long history of dedicating unique resources and tactics to the city’s many immigrant neighborhoods. Drawing on path dependence, this immigrant-centric strategy towards policing external threats can be viewed as a self-reinforcing process. For every subsequent generation of New York police officers, faced with new environments and unique challenges, they have an increasingly durable set of reinforced policies to draw inspiration from. Viewed in a vacuum the tactics of the Red Scare era could be framed as a historical anomaly. Instead, this early aberration has become ingrained in policing tactics, remaining imprinted in the city’s fabric for future periods of adaptation. Viewed through an organizational lens, New York’s decision-makers woke up on September 12, 2001 to a new operating environment, but their decisions were subtly bounded by the city’s past circumstances and decisions.

Institutionally, this path dependence is largely sustained through the structure of New York’s policing bureaucracy. Throughout its history, New York has developed special operations units to meet unique threats, including Teddy Roosevelt’s elite bicycle squad, undercover organized crime units targeting mafia families, or the Bureau of Special Services (BOSS) unit that kept tabs on civil rights groups with tactics strikingly similar to those of the Demographics Unit. While the names and targets of these special units have changed, their core competencies and strategies have largely remained unchanged. In short, every time the operational environment changed, the NYPD’s organizational chart stayed largely the same.

As explained in Chapter II, this story of path dependence can be traced back to the turn of the twentieth century and is instrumental in understanding the contemporary Intelligence Division as a whole. However, in looking at the unique Demographics Unit, the most salient historic holdover is the era of community policing, commonly equated with problem-oriented or
intelligence-led policing. Inspired by James Wilson and George Kelling’s famous 1982 *Broken Windows* essay, the core idea of community policing is to maintain order by policing seemingly minor offenses like jumping turnstiles, aggressive panhandling, and public drinking.\(^{218}\) In the essay, Wilson and Kelling offered the following process by which small offenses led to large-scale problems:

A stable neighborhood of families who care for their homes, mind each other’s children, and confidently frown on unwanted intruders can change, in a few years or even a few months, to an inhospitable and frightening jungle. A piece of property is abandoned, weeds grow up, a window is smashed. Adults stop scolding rowdy children; the children, emboldened, become more rowdy. Families move out, unattached adults move in. Teenagers gather in front of the corner store. The merchant asks them to move; they refuse. Fights occur. Litter accumulates. People start drinking in front of the grocery; in time, an inebriate slumps to the sidewalk and is allowed to sleep it off. Pedestrians are approached by panhandlers.

At this point it is not inevitable that serious crime will flourish or violent attacks on strangers will occur. But many residents will think that crime, especially violent crime, is on the rise, and they will modify their behavior accordingly. They will use the streets less often, and when on the streets will stay apart from their fellows, moving with averted eyes, silent lips, and hurried steps….

Such an area is vulnerable to criminal invasion. Though it is not inevitable, it is more likely that here, rather than in places where people are confident they can regulate public behavior by informal controls, drugs will change hands, prostitutes will solicit, and cars will be stripped. Then the drunks will be robbed by boys who do it as a lark, and the prostitutes' customers will be robbed by men who do it purposefully and perhaps violently.\(^{219}\)

To counter this process, community policing called for officers to take a deep dive into the community they patrolled, operating as quasi-social workers. Their job was not just to police major crimes once they happened, but also to help foster an environment that was unfit for crime.

Critically, community policing called for officers to get to know the habits of potential residents of concern. According to community policing doctrine, if officers wanted to know where illegal drugs were being sold, they needed to know where Harlem teenagers were playing basketball while playing hooky from school. Taking it a step further, community policing advocated for a


preventive approach; if these same teenagers were deterred from skipping school in the first place, the city’s drug problems would decrease.\textsuperscript{220} Beginning during Ray Kelly’s first tenure as Police Commissioner, New York pioneered an effort to increase diversity within the NYPD’s ranks to enhance this strategy.\textsuperscript{221}

Drawing on path dependence, the Demographics Unit displayed clear holdovers from this prevailing doctrine. First, a preventive quality defined both strategies. By understanding the city’s suspected neighborhoods of concerns, both community policing and the Demographic Unit’s raking sought to thwart crime before it even happened. Second, both approaches were intensely focused on understanding the social and cultural fabric of minority neighborhoods. In 1994, this translated into knowing where Black youths played basketball in Harlem; in 2004, this evolved into knowing where Pakistani immigrants played cricket in Brooklyn.\textsuperscript{222} Finally, both approaches relied on their use of NYPD diversity to increase access to minority neighborhoods. Similar to Kelly’s 1994 hiring surge of Black and Latino officers, a leaked NYPD Intelligence Division PowerPoint deck identified the language capabilities of the Demographics Unit as “Arabic, Bengali, Hindi, Punjabi, and Urdu.”\textsuperscript{223} On a subsequent slide labeled “Daily Operations and Record Keeping,” the document stated “Rakers are taken to communities consistent with their ethnicity and or language (Arabic officers are used in a variety of communities.)”\textsuperscript{224}

Importantly, both community policing and the Demographics Unit aspired to be data-driven. Replacing Ray Kelly for the first time in 1994 as Police Commissioner, William Bratton’s first priority was to get a handle on the where, what, how, and when of crime in New York.

\textsuperscript{221} Ibid., p. 59
\textsuperscript{223} “Analytic Units Presentation,” p. 18.
\textsuperscript{224} Ibid., p. 24
However, upon entering the office, Bratton was shocked to discover that the city did not have a central database of crime statistics. Each precinct had its own information silo, with further subdivisions for housing, transit, and Port Authority police divisions. To solve this problem, under Bratton, the NYPD developed an information technology system known as Compstat. The Compstat system provided a real-time geographic view of crime, visually representing patterns of criminal offenses and resource allocation. Using this technology, community policing was no longer a nebulous strategy of “neighborhood problem-solving,” but instead a metric-driven approach to driving down crime stats.

Translated into the parlance of social science, Compstat allowed community policing to be mapped to independent and dependent variables. The independent variables were minor offenses, such as public urination, graffiti, and vagrancy. The dependent variables were major offenses, such as drug trafficking, rape, and murder. Using Compstat, Bratton’s NYPD could empirically apply the strategy of community policing: drive down the minor offenses and the major ones would follow suit. Employing Compstat’s innovative visualization technology, the NYPD could examine thousands of data points, providing a spatial understanding of how the change in strategy was driving crime patterns. As shown in Figure 5.5, the implementation of Compstat correlated with a dramatic drop in New York’s murder rate.

---

226 Ibid.
Of course, ample debate exists about correlation versus causation in New York’s crime drop, with many legal and criminal justice scholars refuting the argument that community policing caused the plummeting crime rates. Alternative explanations identify a significant personnel increase in the New York police force, the end of the crack cocaine epidemic, favorable economic conditions in the 1990s, a demographic dip in the number of eighteen to twenty-four-year males, and the legalization of abortion two decades prior. Regardless of the causality, William Bratton had a strategy, results, and the metrics to back them up, landing him on the cover of Time Magazine in January 1996.

Connecting this back to the Demographics Unit, this same data-driven lens can be applied to the efforts of the Unit’s rakers, albeit with a far less compelling final result. Applying this same social science parlance, the Demographics Unit generated a vast number of data points, guided by

---


the theory articulated in NYPD documents such as “Radicalization in the West.” For the
Demographics Unit, the dependent variable was a terrorist attack on the city, the type of event that
occurs maybe once per decade. As demonstrated by the “Sports Venues Report”, “Syrian
Locations of Concern Report”, and the “Newark, NJ Demographics Report”, the independent
variables measured by the Demographics Unit were falafel stands, mosques, and halal butcher shops.
Given this function, it becomes clear why the calculus of the Demographics Unit did not output any
arrests or leads.232

_Bounded Rationality and Crisis Decision-Making_

Returning to organizational theory, what dynamics explain this irrational decision-making on
behalf of the NYPD? To start, bounded rationality indicates that sub-par decision-making is to be
expected, especially during times of rapid change and quick deadlines. In the case of New York’s
post-9/11 crisis policymaking, it is unreasonable to expect that Ray Kelly and David Cohen would
consistently make optimal decisions about how to structure the Intelligence Division. The post-
9/11 period was one of rampant threat inflation, as the intelligence community compensated for its
failure to detect September 11th by erring towards over-reporting.233 As a result, it is likely that Kelly
and Cohen, like other national security policymakers, were bombarded by reports that American
cities were teeming with al Qaeda sleeper cells. Viewed through this 2002 frame of imperfect
information and intense time pressure, the strategy of the Demographics Unit begins to seem more
rational.

Additionally, bounded rationality suggests that individuals are likely to rely on decision-
making heuristics, such as iterating on practices that have worked in the past. In the case of the
Demographics Unit, the most salient preceding decision was the community policing era of the

232 Apuzzo and Goldman, “Muslim spying leads to no terror cases.”
233 Chaim Kaufmann, "Threat inflation and the failure of the marketplace of ideas: The selling of the Iraq
1990s, which used a data-driven approach to insert NYPD officers deep within minority communities. While this approach might have been appropriate in reducing urban crime, there was not a causal relationship connecting monitoring Muslim-owned businesses with stopping terrorist events. However, in the minds of New York’s leaders, it was the prevailing standard operating procedure for addressing the city’s policing challenges.

Failing to acknowledge that the ground underneath the city had tectonically shifted, the NYPD opted to replicate many of their historic tactics, while tweaking key characteristics to meet the challenge of terrorism. More than a decade later, it is evident that this particular tactic was not an effective way to protect the city. Instead, the Demographics Unit fostered an environment that leaders of New York’s Muslim community described as “psychological warfare.”

By fracturing ties with New York’s Muslim communities, the NYPD’s leaders ultimately limited their ability to protect the city. However, viewed through the lens of a 2002 decision-maker who was receiving a daily flood of threatening intelligence, the decision to create the Demographics Unit, like many other post-9/11 decisions, begins to seem more rational.

**Conclusion**

Why did New York develop the Demographics Unit? Furthermore, why did New York sustain the Demographics Unit for over a decade despite its poor track record? A rationalist model is insufficient in explaining these decisions, as the overarching strategy of countering homegrown violent extremism was unmoored from the raking tactics of the Demographics Unit. Instead of an interest-based model, it is necessary to look at institutional factors that explain why the NYPD engaged in irrational behavior, accompanied by the unique influence of individual actors within the New York system. Ultimately, the creation and survival of the Demographics Unit was propelled by the influence of CIA liaison Larry Sanchez, institutional path dependence, and the imprinted biases.

---

234 Apuzzo and Goldstein, “New York Drops Unit That Spied on Muslims.”
of New York’s experience with community policing in the 1990s. While hindsight makes it clear that the Demographics Unit did more to keep New York’s cops well fed than keep New Yorkers safe, its creation was directly enabled by New York’s historic forays into policing its ethnic communities.
Chapter VI — Conclusions

Writing in August 1895, the Washington Star praised the appointment of Theodore Roosevelt as the new Police Commissioner of New York with a three-stanza poem. The third stanza proclaimed:

There isn’t any telling where the thing is going to stop;  
At present times it seems likely the regenerated cop  
Will grow himself a pair of wings and wear a shining crown,  
And play a harp upon his beat, if Teddy stays in town.  

While the rhetoric might have been slightly tamer, the New York Times Editorial Board expressed a similar sense of restorative exuberance when Police Commissioner William Bratton began to reform the New York City Police Department’s Intelligence Division in 2014. Referring to the Demographics Unit, the Editorial Board argued, “William Bratton took an important step toward restoring trust in the New York Police Department this week when he disbanded a unit used by his predecessor, Raymond Kelly, to conduct an indefensible program of spying on law-abiding Muslims in neighborhoods and houses of worship.”

Despite more than a century of history separating their tenures as Commissioner, both Roosevelt and Bratton took control over an NYPD that appeared to have become unmoored from the public they served. With police officers serving as the most visible moral agents of the city’s leadership, reigning in the police has always been a cornerstone of eras of progressive reform. While Theodore Roosevelt made progress on professionalizing the NYPD, his track record as a reformer is mixed. Despite his efforts, corruption and immorality were too deeply ingrained in the NYPD in

---

235 Qtd in Berman, Police Administration and Progressive Reform, p. 45.  
the early 1900s for the Rough Rider to make lasting changes. New York would not be immune to bouts of graft, brutality, and iniquity, despite Roosevelt’s best efforts to reform the police.

Similarly, William Bratton finds himself thrust to the forefront as the new reformer of the NYPD. Unlike Roosevelt, he is not tasked with trying to stop officers from attending brothels and coercing voters at the polls; instead, Bratton is attempting to find a new way for the city to engage in intelligence gathering without trampling on civil liberties. Will Bratton be the new reformer the city has been promised, fostering new relationships between the city’s ethnic communities and police? Or will Bratton put on a show of bread and circuses, making cosmetic changes without implementing true course alterations?

At the time of publication, Bratton has been on the job for less than six months, but has already made several noteworthy changes to the NYPD’s Intelligence Division. His first change was to replace David Cohen, the shadowy former Central Intelligence Agency spymaster, with John Miller, a CBS news correspondent and former Federal Bureau of Investigations (FBI) spokesperson, as New York’s Deputy Commissioner of Intelligence. In a one-hundred and eighty degree reversal, Cohen, a man who is close to impossible to find photographs of, was exchanged for an individual who has spent the majority of his career in front of a camera. Perhaps more substantively, Miller’s public sector background has been in the FBI, an organization that is, albeit imperfectly, attuned to the delicate balance of law enforcement, intelligence gathering, and civil liberties protection.

Given this background, the earliest evidence of Miller and Bratton implementing a substantive change to the NYPD has been the April 2014 dissolution of the Demographics Unit. While this was certainly a step towards reform, it was also low-hanging fruit. Largely as a result of

---

the Associated Press series on the counterterrorism work of the Department, the Demographics Unit had grown to be synonymous with the maligned Intelligence Division. As a result, much of the press coverage of this decision heralded the move as the dawn of a new era of counterterrorism policing, assuming that New York would no longer be dedicating resources and officers towards analyzing the city’s ethnic enclaves. However, lost in the rhetoric of reform, few stories took time to note the practical impact of this decision: the shuttering of Demographics only affected twenty officers, out of the roughly 1,000 individuals working on terrorism for the NYPD. While hefty in symbolism, the act appears to be more of a cosmetic than substantive maneuver. A senior national security official who worked closely with the NYPD confirmed this notion, offering, “These guys, they’ll go elsewhere and get back to work. New York has lots of unique capabilities and this was just one of them.”

Time will tell if John Miller will be able to redefine the Intelligence Division the same way David Cohen was able to in 2002. However, a larger question remains: does he want to? Despite the critical editorials, cautionary inspector general reporting, and public discontent, one fact percolates through the city’s counterterrorism morass: New York did not get hit again. While ample debate exists over whether this can be attributed to the NYPD, this statistic alone serves as the legacy for the decade of New York policing after 9/11. Michael Bloomberg, Ray Kelly, and David Cohen remain unapologetic. In the world of counterterrorism, the number of successful attacks is the only metric that matters. Under the tenure of these three men, New York scored a perfect zero.

Inheriting this institutional landscape, it seems unlikely that the NYPD will undergo major changes in how it counters terrorism. Whether dealing with Bolshevists, Black Panthers, or Hezbollah sympathizers, New York has remained steadfast in its habit of localizing national

---

priorities, resulting in reforms that are consistently at the forefront of policing tactics. While individuals can wield significant power in the New York system, larger institutional forces guide their actions. Reinforced by path dependence, New York has a tendency to align reforms with national priorities. As long as terrorism remains a priority of the federal government, it is unlikely that New York will deviate from its current trajectory. Furthermore, after thirteen years without an attack and the formation of an unprecedented local intelligence gathering organization, this trend has only been further solidified. New York will likely remain the same, as the institutional inertia of its post-9/11 reforms continues to propel the city along its current arc.

However, with the war in Afghanistan coming to a close and the 9/11 Memorial Museum opening in May 2014, the wounds of September 11th appear to be healing, or at least becoming cauterized. The United States is at a unique moment, as the country is now becoming forced to acknowledge the scale of the nation’s response to 9/11. Whether in debates over drone warfare or disclosures about surveillance by the National Security Agency, the country is coming to terms with the long tail of countering terrorism. The New York case provides a valuable reminder of what our nation did to counter an unparalleled external threat, not in the hills of Waziristan or the labyrinth of cyberspace, but in our own immigrant neighborhoods.

“It kept getting worse.” These four words lead the front page of the New York Times on Wednesday September 12th. In their staccato simplicity, they evoked the Empire City’s new reality: New York was now destructible. With its island fantasy mangled into jagged shards, its avenues blanketed in the morning dew of the towers’ dust, the city did as it always does, as it only could. New York went in search of enemies within.
References


Chenoweth, Erica and Susan E. Clarke. “All Terrorism is Local: Resources, Nested Institutions, and Governance for Urban Homeland Security in the American Federal System.” Political Research Quarterly 43, no. 3 (September 2010).


———. “The Internationalization of Terrorism.” In Inside Terrorism, 63–80, 2006.


As part of their Pulitzer Prize winning series on the NYPD, the Associated Press published an online database of leaked internal NYPD documents. The documents listed below were used to produce this thesis. The database can be accessed at the following URL: <http://bit.ly/1m7s8fs>.

Deputy Commissioner’s Briefing April 2008

Deputy Commissioner’s Briefing May 2008

Deputy Commissioner’s Briefing July 2008

Deputy Commissioner’s Briefing October 2008

Deputy Commissioner’s Briefing January 2009

Deputy Commissioner’s Briefing March 2009

NYPD Counterterrorism Intelligence Package

NYPD Demographics Unit Reports on Internet Cafes

NYPD Demographics Unit Reports on Sports Venues

NYPD Demographics Unit Reports on Travel Agencies

NYPD Intelligence Division Overview Presentation

NYPD Intelligence Organization Guide

Review of the CIA-NYPD Relationship, prepared for the Director of the CIA

Surveillance Request – Mohammed Elshinawy

Surveillance Request and Reports – Mufti Qumar

Terrorism Inquiry Extension Request – Tablighi Jamaat