

Open Source Strategies for Law Enforcement

by Paul Roger

How can Law Enforcement anticipate and prepare for the future?

How much do you know about your environment and your existing or emerging competitors?
To compete successfully Law Enforcement needs the best information available

Introduce and discuss the concept of "global time travel"

There is an ever increasing wealth of information that we can take advantage of. This information lies with others who have experienced things we are yet to experience. We can learn from experiences that have already occurred in another place at another time. By being aware we can develop indicators that will help us predict, anticipate and counter criminal activities.

Examples will be discussed

- Yakusa - Hawaii in the early 1980's and then Queensland Australia in the early 1990's
 - OMCG's in the States and in Europe has shown what can be expected in Australia
 - The emerging threat of Russian organised crime, Vietnamese criminal activity, etc.
- This concept involves strategic thinking rather than tactical thinking

Examples of Open Sources useful for LEA

Newspapers and other Media
Libraries
Journals/Newsletters
Information Clearing Houses
Internet

Some words of caution

Discussion on Strategies

central open source facility
"out sourcing"

Discussion on other factors - the community, crime prevention, causation. There are many research institutes that have valuable information in these areas.

Use of the Net for publishing your needs

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greater sharing - concept of Intranets
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A Brief Australian Perspective

Barriers to sharing
National coordination - "intelligence collection plans"
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"Over the horizon" assessments

Conclusions

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Open Source Strategies for Law Enforcement

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How can law enforcement anticipate and prepare for the future?

How much do you know about your environment and the existing or emerging threats to that environment?

Limited resources and ever tightening budgets are causing us to rethink strategies in law enforcement to ensure we are getting the best we can out of our resources. Accurate information has always been recognised as essential in helping us find the right solutions to problems, as indeed is the need for information to help prevent a problem occurring.

To compete successfully law enforcement needs the best information it can get, in a timely and useable fashion. “Sources of information” have therefore always played a significant role, firstly - to enable us to know where to find things when you need them, and secondly - to keep ourselves aware of the environment in order to be prepared.

In law enforcement if we can identify problems that may occur, we can in many cases take some action to prevent them. Where we cannot prevent them, we can ensure that we are better equipped to handle them.

We have all become familiar with terms such as - strategic, tactical, overt, covert, open, closed, competitive, transnational, global, etc. Today I would like to introduce and discuss the concept of “global time travel” as a way to provide a window in to the past in order to see the future.

Let us think about this. In the past information on our own local environments was sufficient to deal with most problems. However, today the environment is no longer limited by local boundaries. Advances in technology, modern means of travel, etc. have reduced the globe’s size both in terms of physical travel and communication. Criminal activities have benefitted from these developments and crime has become a transnational activity. The boundaries that dictate law enforcement jurisdictions are non existent for criminals.

The world has changed and is continuing to change rapidly. Crime that once only affected certain areas can now impact on us all. To be effective locally we need to expand our thinking well outside of our local jurisdictions. We need to constantly be looking outside of our local environment, identifying what has happened elsewhere in the past, and predict what may happen to us in the future. This is where the concept of “time travel” comes in. By thinking globally I would suggest that we can travel in time.

No, I have not developed an elusive time machine. What I am suggesting is that there is an ever increasing wealth of information that we can use to our advantage. This information lies with others who have experienced things we are yet to experience. We can literally learn from experiences that have already occurred in another place at another time. By making ourselves aware, we can develop indicators that will help us predict, anticipate and counter criminal activities.

Consider this - What occurred 10 years ago in one place on the globe (say country X) may be about to occur in a similar way in another place (say country Y). If investigators from country Y travel to country X or access information on country X, they can assess their potential problem in the light of country X’s previous experience. Country Y can then use this assessment to anticipate and possibly prevent the further development of the problem.

This approach has been used successfully in Australia. In the early 1990's the State of Queensland Australia noted that an increasing number of Japanese "Yakusa" were visiting the State and appeared to have interests that were greater than simple holidays. In researching the background to the Yakusa in order to assess the threat posed by these groups, analysts identified that in the early 1980's Hawaii and later the West Coast of America had encountered similar problems. The Australian analysts were able to study the Hawaiian experience and identify possible scenarios for Australia. Armed with this knowledge, from another time and another place, strategies were put in place to deter the Yakusa interest in Australia.

In a similar fashion, a study of the development of Outlaw Motorcycle Gangs and their criminal activities revealed that Australian gangs were developing along similar lines to the gangs on the North American continent and in Europe. However, the Australian gangs were at an earlier stage in development. The knowledge gained from overseas assisted in identifying potential problems for the future, and the development of suitable strategies to counter the problems should they eventuate.

The emerging threat of Russian organised crime presents similar challenges. I would suggest that in order to effectively be prepared for this emerging activity we need to 'travel in time' and gain an understanding of where these criminals have come from. We need to know about the crime problems and community problems in the countries of origin. We need to identify other jurisdictions that have experienced or are experiencing similar problems. We can then use this information to understand what we are dealing with or may have to deal with.

Law enforcement not only has a mandate to investigate crime and detect crime, it also has a role to adopt best practice in our policies and deployment and work with communities to deter and prevent crime. By better understanding what we are dealing with, we can be better equipped to work with communities to be successful. This is strategic thinking rather than tactical thinking. There is a wealth of information that will enable us to benefit from the knowledge and experience of others elsewhere; what we need to know is how to find it.

Law enforcement traditionally has many sources that are restricted and jealously protected, but there are also many open sources that provide us with important information.

Useful Open Sources for Law Enforcement

Sources are only limited by our imagination. It is more a question of knowing where to look. This knowledge comes from experience.

Newspapers and other Media can provide us with information on crime families - stories, pictures, photos, history, etc. There are some very good investigative journalists around. By monitoring such sources we can also identify indicators of crime trends/patterns and as a result identify emerging threats.

Libraries have always been an essential research resource. There are an ever increasing number of books on law enforcement issues and crime. Information is becoming more open and accessible. Not so long ago it was difficult to find much information on Chinese organised crime except in the historical sense. Today people like Ko Lin Chin have published useful data, (several books/papers) - he is right on the money, yet in his research he developed sources that could be described as open. Hong Kong authorities would confirm he is right because they've had similar information in their databases for some time - marked confidential of course.

Journals/Newsletters have been an equally vital source of information. There are today an increasing number of professional journals and association newsletters that provide valuable insights into matters impacting on law enforcement. For example the International Association of Asian Crime Investigators (IAACI) produces the *IAACI News* that "provides members with the most up-to-date crime trends, photos, and information of wanted Asian criminals with active warrants; with cultural issues facing Asian crime investigators; with articles on successful cases solved by IAACI members; and with conference and training information and materials". Anyone in law enforcement or anyone who supports the goals of the Association can join. In other words anyone! Other

publications that readily come to mind include the "Organised Crime Digest", "Criminal Organisations" and of course the "IOJ" - International, Americas, and Europe publications.

There are also many **Information Clearing Houses** such as Janes and LEXIS-NEXIS which can provide that much sought after information. LEXIS-NEXIS, for example, provides access to timely information that is easy to use, on corporations, individuals, addresses, phone numbers, property transactions, etc. as well as textual material from newspapers, magazines, etc.

Then of course there is the **Internet** which provides us with a world wide supply of knowledge, and world wide access to people who may share similar interests. We can read journals, do library searches, discuss ideas.

There is still a lot of information that we would like that is not yet on the Net. It has been suggested that it may be another 5 to 10 years before most information is available on line. But we should not let this deter us. The Net is still a good signpost to the hardcopy data. It makes things more accessible and easier to find.

The ease of finding things was highlighted recently when an Australian agency was attempting to obtain a copy of the International Narcotics Control Strategy Report; a very comprehensive unclassified report produced annually by the US Department of State's Bureau for International Narcotics and Law Enforcement Affairs. Despite several attempts to obtain a hardcopy of the 1996 report through its usual contacts, the agency was having no luck. Having become a recent Internet user the agency got on line to the US Department of State home page and found the complete text of the report (some 500 pages) was available. It was down loaded in a matter of minutes.

From the security perspective, fears, in respect of a virus or unauthorised accesses, may tend to paralyse some, but we don't need to be paralysed. We all live with acceptable dangers and make sure we operate with appropriate cautions. We wear seat belts when we drive. So we simply need to ensure we wear seat belts when we surf and have appropriate firewalls in place.

While it is important we develop strategies to fully exploit Open Source Information (OSI) - a word of caution.

We need to bear in mind that OSI may be raw and unprocessed, it may be opinion and thus be subjective or bias. Alternatively it may be fully processed. It is difficult to distinguish the degree of value that has been added if indeed any value has been added at all. We therefore need strategies to deal with the questionable quality of the information and strategies to manage possible information overload.

A strategy that can help overcome some of the problems (cost, security, time) is to set up a central open source facility that a number of agencies can draw upon. Whilst it is always nice to do our own research, we have to recognise that we do not all have the resources or the time. I note that at OSS 95 the RCMP reported how their central facility was proving of use to officers throughout their jurisdiction. The UK Ministry of Defence have also moved in this direction, and this strategy is also being considered by the Australian Bureau of Criminal Intelligence.

Another strategy is to turn to external resources to assist you in locating and collecting what you require, and maybe even provide some analytical function as well. This is often referred to as "out sourcing" and naturally raises the question of security, not so much from the material, as it is after all supposed to be open, but from the knowledge that you are interested in a particular area. After all if you want the searches to be productive and accurate, you will need to brief the "out source" on exactly what you need and why. There are already a number of very reputable organisations/consultancies that are offering their services in this area and there will no doubt be many more.

A brief example of how an "out source" can assist was seen recently when an Australian agency received a request along the lines "do you know anything about a drug called 'PFF' that has recently appeared in the Netherlands?". The agency knew nothing of it. A short time later the agency was hosting a demonstration of LEXIS-NEXIS. When asked to provide a subject that could be searched for during the demonstration, the agency suggested 'PFF'. A search across the English language material turned up nothing. Given the connection to the Netherlands, the search was repeated on the LEXIS-NEXIS Dutch library. On this occasion 16 relevant documents were located.

Without translating the documents it was clear 'PFF' was 'Paraflurofentyl'. A further search in the LEXIS-NEXIS English library retrieved a lengthy document giving full details and background to the drug.

Another aspect that law enforcement investigators often overlook, is that there is much more to law enforcement work than simply detecting the perpetrator of a criminal activity. We must always think about the community, think about prevention, think about causation. There are many research institutes that have valuable information in these areas. For example, the United Nations Online Justice Information System has links to databases in many countries throughout the world.

Another useful feature of the Net that we should not forget is the valuable opportunity it presents for publishing our needs and encouraging responses from the community. We have always had emergency numbers, hot lines, etc. The Net provides another source for capturing valuable data. In early August I read how the FBI had taken advantage of their home page to provide information on the investigation into the crash of TWA 800 and to seek information from the public. The response was considerable.

Similar opportunities exist to place descriptions of wanted persons into the electronic domain, the same goes for missing persons or simply specific crimes of interest. We put up reward posters, and newspapers often carry our needs to the public. For the Net you don't have to read a specific newspaper or be in the right place to see a poster. There is an added advantage for members of the public to send their information electronically rather than talking in person or on the phone as this can be less intimidating.

In using the Net as a way to publish our needs we must, of course, always remember to ask ourselves - How visible do I want my collection effort to be?

Scope for greater openness within the law enforcement and intelligence communities

In addition to taking advantage of open sources, there are many sources within law enforcement could be more open within the law enforcement community, while not being fully open in the sense of publicly accessible to anyone.

Greater sharing

Traditionally law enforcement's main emphasis has been tactical - targeting actual individual people or groups with a view to arrest and prosecution for the crimes they are engaged in. In pursuing tactical investigations the sources used are geared more towards information on individuals. Such information is usually held with some degree of consideration and respect for privacy and the rights of those individuals. These sources are usually protected, i.e. not open to the public, but are open to investigatory agencies for law enforcement purposes, and as such are available to be shared for the common good.

Australian law enforcement agencies have been working towards greater sharing for a number of years. One initiative in this area was the creation of the Australian Bureau of Criminal Intelligence (ABCI) in the early 1980's. Whilst this initiative has been successful to some degree, the true potential of the ABCI is yet to be realised. A significant contributing factor has been the lack of a truly user friendly centralised database. The centralised database was there but it was not liked by many of the intended users who found it too cumbersome and time consuming to input data. This caused the various states to go their own way and as a result, not only was data fragmented but also incompatible. These problems are now being overcome with the re-engineering of the database. The new database, due to be fully operational by mid 1997, utilises Netscape software, and will be available for use by all law enforcement agencies in Australia.

In addition to law enforcement working more closely to share info, Intelligence areas that in the past had little to do with law enforcement, have now recognised that they can contribute support to the law enforcement effort. This coupled with the recognition that law enforcement can use wider sources, is producing a gradual coming together of Intelligence areas that were previously very distinct and separate.

Better use of what exists

One of the aims of law enforcement agencies is to detect crime. Today an increasing emphasis is being placed on the prevention of crime and as we learn to 'work smarter' we are learning to make better use of information that we have had but not really used to its best potential. An example of using available information to develop more successful enforcement strategies has been seen over the past two years in New York. By using statistics and other data, which has been analysed and subject to intelligence process, deployment has become more task specific and rapid. The results are speaking for themselves with considerable drops in the crime statistics.

A Brief Australian Perspective

The open source revolution reportedly began in 1992. The end of the cold war and the rapid changes in East Europe have contributed considerably to the change in information availability. However change takes time and the traditional climate of confidentiality and secrecy has to be eroded before change will really take effect. OSS Notices suggests that the real time needed for change in the intelligence community will see us through to 2004. I took some pleasure in reading this as I was beginning to think Australia was well behind; in reality we are not doing too badly.

In 1979 the Woodward Royal Commission in to drug activities concluded that considerable barriers to information sharing existed between the Australian States. The cover of the final report from this enquiry showed a fragmented Australia. In 1996 these barriers have all but disappeared. There is now a far greater spirit of cooperation and coordination. We now have Nationally coordinated operations with full sharing of information in accordance with specific intelligence collection plans.

Significant progress was made in this area in the early 1990's. A Review of Australia's Commonwealth Law Enforcement Arrangements in 1994, contributed to this progress by identifying a number of areas that would result in better sharing and use of intelligence particularly from a strategic point of view. The review recognised that while the Government received advice from a number of agencies in respect of security issues, there was no similar channel for advice from law enforcement on potential threats. To address this, the review saw the establishment of a Commonwealth Law Enforcement Board (CLEB) and an Office of Strategic Crime Assessments (OSCA), and more recently a Standing Committee on Organised Crime and Criminal Intelligence (SCOC CI).

CLEB and SCOC CI have coordination roles, while OSCA has an assessment role and prepares what are termed "over the horizon" assessments to advise Government on matters that could impact on the law enforcement environment in the next 5 years. In developing strategies to assist in the preparation of these assessments OSCA recently conducted a seminar looking at strategies for developing Open Sources.

Conclusions

Open Source Information is an important predictive tool. It can be used to see what is happening, or has happened, elsewhere, and allow us to ask ourselves if it could happen in our own jurisdiction. If we feel that it could, then we can use the information to help us develop indicators in order to watch for trends, identify threats, and develop strategies to prevent or counter the anticipated problems.

Open sources are not the whole solution but they are an important part of the puzzle. A combination of open sources and closed/covert sources provide the best advantage. If our approach is structured, we can benefit from a cost-effective method of understanding part of our rapidly changing environment.

I encourage you to travel in time.

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