



The NYPD's Post-9/11 Counterterrorism Programme

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Since the September 11 attacks, the NYPD has seen a rapid expansion into counterterrorism activities. But how effective have these practices been in keeping New York safe?

The New York City Police Department (NYPD) is America's largest police force and emulated by agencies across the globe. For many, the NYPD represents innovative and effective policing. But in the decade following the September 11, 2001 attacks, the NYPD's rapid expansion into new counterterrorism practices under ex-Commissioner Raymond Kelly raises important questions about the programme's effectiveness and the potential harms caused to the department's legitimacy.

Expanding into Counterterrorism

Kelly's tenure as Commissioner from 2002 to 2013 was in large part defined by the creation of an aggressive counterterrorism programme to combat Al Qaeda (and now ISIS) inspired terrorism. While supporters assert the NYPD counterterrorism programme's effectiveness during this period is self-evident because it stopped numerous post-9/11 terror attacks in New York, critics counter that the programme was ineffective, involved significant infringements on civil liberties, made New York City much more militarised, and contributed to the further erosion of police legitimacy in targeted communities. One thing that can be agreed is that the NYPD became the first American police force to spend over a billion dollars and countless man-hours to implement a host of new terrorism fighting measures in the wake of the 9/11 attacks.

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How then did the NYPD become seen as the national leader in domestic counterterrorism? The reasons appear straightforward – after the Al Qaeda attacks in 1993 and 2001, and Kelly and his supporters vowed that New Yorkers would be kept safe from future terror attacks. But the evidence suggests the situation was more complex. Indeed, the NYPD adopted a significant role in defending New York City against terrorism amidst already strained relations with the Federal Bureau of Investigation (FBI), America's traditional lead agency on counterterrorism. Kelly and others asserted that the FBI could not be solely responsible for protecting New York City, which paved the way for the NYPD's vast expansion into counterterrorism.

Building an NYPD Counterterrorism Model

Insights from former colleagues show Kelly believed the NYPD could create the foot soldiers of its new counterterrorism programme building from the ground up. The programme was structured around what has been described as Kelly's confidence that effective counterterrorism work was not 'rocket science'. According to one former NYPD official, Kelly thought effective counterterrorism required neither primary reliance on specially trained elite terrorism personnel nor community-based countering violent extremism officers, but could instead be accomplished through old fashioned police work like recruiting sources, using confidential informants, chasing leads, obtaining search warrants, and following anywhere their information might lead. The NYPD's initial post-9/11 counterterrorism programme therefore focused significantly on using hard-nosed police work to address the complexities of Al Qaeda inspired radicalisation and plot disruption.

And what NYPD officers did not know about counterterrorism, they could learn. Kelly's counterterrorism programme was forged through close links with then-

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current or recent members of the Central Intelligence Agency, including **35-year veteran David Cohen**, who sought to blend NYPD know-how with high policing intelligence tradecraft. The data shows that changes within the NYPD's Intelligence Division and Counterterrorism Bureau included stationing officers overseas from London to Hamburg to Amman, and sending detectives to gather intelligence in Afghanistan, Egypt, Yemen, Pakistan, and Guantánamo Bay, Cuba, among others. The hiring of intelligence analysts with language skills in from Arabic, to Pashto, to Urdu also allowed the NYPD to monitor communications and media accounts that might signal terror threats to New York City. The Intelligence Division also developed **independent strategies** for identifying vulnerable individuals and potential terrorists. The Intelligence Division also engaged in additional covert surveillance and infiltration operations, the scope and effectiveness of which remain unclear. However, documents **leaked** in 2011 suggest that the Intelligence Division's Demographics Unit was likely involved in monitoring and sometimes infiltrating mosques, Muslim-owned businesses, Muslim university associations, community meetings and public libraries, among others. The Demographics Unit was **scrapped** by Kelly's successor in 2014. Supporters and critics within and outside law enforcement offer varying opinions about how successful Kelly's counterterrorism model proved to be.

Measuring Effectiveness

Measuring the true effectiveness of Kelly's programme is difficult. Much of the information about the scope of potential terror attacks or numbers of vulnerable individuals in New York City remains confidential. But Kelly and his supporters have frequently pointed to 16 allegedly foiled terrorism plots between 2002 and 2013 as evidence of his programme's effectiveness (as of

July 2016 the number stands at 20). Specifics of the thwarted plots cited include plans to detonate explosives on the New York City subway, Times Square, John F. Kennedy Airport, local synagogues, and on the Brooklyn Bridge. Critics, however, have disputed these figures, arguing that the numbers are grossly inflated given that many of these so-called plots did not involve suspects taking substantial actions to put them in motion, and frequently involved entrapment.

Community responses to Kelly's decade of hard-nosed post-9/11 counterterrorism tactics have been sharply divided. While many New Yorkers supported the NYPD's aggressive counterterrorism practices, vocal critics including members of New York City's South Asian, Arab and Muslim American communities, civil liberties groups and even law enforcement officials at other agencies, have argued that the NYPD's initial counterterrorism model was poorly conceived and ineffective because it was discriminatory, violated civil liberties, and alienated communities with important roles to play in fighting terrorism. Indeed, some went so far as to argue that the NYPD's approach had actually made New York City less safe from terrorism. The limited data lends support for some of these assertions, as it shows that some members of New York area South Asian, Arab and Muslim American communities became less trusting of the NYPD, less willing to cooperate with NYPD investigations, activities, or less willing to report crimes or suspicious behaviour related to terrorism to the NYPD as a result of its counterterrorism practices during this period.

Conclusion

While the first decade of the NYPD's post-9/11 counterterrorism programme created under Raymond Kelly remains controversial, it undoubtedly opened the

door for local police departments across America to take much more active roles in counterterrorism, roles they will continue to play for the foreseeable future. But the experience of the NYPD's first decade of its counterterrorism programme should give pause to local policing agencies expanding their duties to include greater terrorism fighting efforts, for it important that they not lose sight of the core Peelian policing tenets of community engagement and community service. For as much as we all share a collective desire to fight terrorism, without police legitimacy across communities, cities may potentially become more vulnerable to terrorism in the longer term.

Image by mpeake via [Flickr](#).

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