



**THE CENTURY FOUNDATION'S HOMELAND SECURITY PROJECT
WORKING GROUP ON FEDERALISM CHALLENGES**

**HOMELAND SECURITY IN THE
STATE OF WASHINGTON**
**A BASELINE REPORT ON THE ACTIVITIES
OF STATE AND LOCAL GOVERNMENTS**

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A CENTURY FOUNDATION REPORT

THE CENTURY FOUNDATION

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PREFACE

Although it is almost two years since the terrorist attacks of September 11, 2001, and the subsequent anthrax mailings, the American public still has little way of knowing whether it is now less vulnerable to similar assaults. Some obvious changes have occurred within our borders: the creation of a federal Department of Homeland Security, the invocation of a widely publicized color-coded warning system, the enactment of the USA Patriot Act, and many other measures intended to aid in the discovery and capture of terrorist cells. Also, news stories throughout this period have reported that relatively little new federal spending has been directed toward police, fire-fighting, public health, and other state and local agencies charged with the responsibilities for preventing and responding to terrorism.

In order to attain a firmer grasp of whether the nation's capacity to protect itself has improved, The Century Foundation commissioned reports focusing on the ways in which four different states—Pennsylvania, Texas, Washington, and Wisconsin—have attempted to respond to these new threats. We asked the authors, academics who have spent years analyzing state and local governments, to look for concrete ways that agencies have changed the ways they do business. Are agencies communicating with one another differently? Are they beefing up their workforces? Have they created new contingency plans for responding to terrorist attacks?

As University of Wisconsin political scientist Donald F. Kettl describes in his overview of the issues that are explored in each of the four papers, the answers to such questions are not reassuring. Kettl, who is the executive director of the Working Group on Federalism Challenges for The Century

Foundation's Homeland Security Project, notes that the main theme emerging from all four reports is "business as usual." Whether because of budget constraints, institutional inertia, insufficient support and incentives from the federal government, or basic shortsightedness, our authors found little evidence that states and localities have significantly improved protections for their residents.

The cochairs of The Century Foundation's Homeland Security Project and of its Working Group on Federalism Challenges are former governors Richard Celeste and Tom Kean. The project is supported by the John D. and Catherine T. MacArthur, the John S. and James L. Knight, and the Robert Wood Johnson Foundations. Other working groups focus on the federal response and the public's need to know. The project website is www.homelandsec.org.

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EXECUTIVE SUMMARY

Owing to a variety of factors, including the arrest in December 1999 of Ahmed Ressam while he attempted to enter the United States from Canada with a car loaded with explosives, officials in Washington had in place some organizational and planning capacity to counter the threat of terrorism prior to the attacks of September 11. Since that time, a number of initiatives related to homeland security have been undertaken:

- ♦ ongoing assessments to identify and prioritize critical infrastructure;
- ♦ creation of a regionally based model for planning, resource-sharing, and training exercises (Washington's thirty-nine counties have been grouped into nine geographic regions);
- ♦ efforts to enhance public health response capacity primarily through planning for the receipt and distribution of pharmaceutical stockpiles and the purchase of decontamination units for hospitals;
- ♦ distribution of a \$5.9 million Department of Justice grant to local jurisdictions funding equipment purchases for first responders;
- ♦ planning to create a centralized clearinghouse for intelligence gathering and dissemination that would coordinate its efforts with the Joint Terrorism Task Force directed by the FBI's regional office in Seattle;

- ♦ adaptation of “all-hazards planning” to include terrorist threats and increased emphasis on multidisciplinary coordination and communication interoperability;
- ♦ changes made to the Public Disclosure Act to prevent the release of certain public records that contain information about terrorism response plans and vulnerability assessments; and
- ♦ greater private sector involvement in disaster consequence management.

COORDINATION

Officials admit that the implementation of the initiatives discussed above presents a number of challenges to effective coordination:

- ♦ Regionally based planning is problematic due to resistance by locally elected officials, lack of trust between officials in different jurisdictions or disciplines, and competition over resources.
- ♦ Disagreements exist regarding the types of information that a statewide intelligence clearinghouse would collect and problems related to managing large amounts of data that are largely unstandardized.
- ♦ Balancing preparedness for natural disasters versus terrorism-related emergencies and between domestic and international terrorism threats has proved difficult.
- ♦ Disparities between large and small jurisdictions in the areas of resources and consequence management capacity have widened in the past eighteen months.
- ♦ Lack of standardized assessment tools to measure performance of response agencies has hindered program evaluation.

- ♦ Little attention has been paid thus far to public education efforts in most jurisdictions, which means that a critical element of emergency response has not been addressed.
- ♦ Concerns that state and federal officials are insufficiently knowledgeable about resource needs in cities and counties to make effective decisions about what initiatives to undertake have been expressed by local governments.

MONEY

There is a good deal of uncertainty about financial matters among those working on homeland security in Washington. How much in the way of new funding will be available? For what purposes can new funds be expended? Will new funds be introduced on a one-time basis or will money to sustain new programs also be made available? Finally, there are concerns that officials may not be able to assess if the new money is being spent wisely. Other issues related to funding include:

- ♦ an ongoing state budget crisis that has imposed severe austerity programs on most state agencies and all local units of government;
- ♦ targeting of new funds at consequence management (for example, personal protection suits for first responders) as opposed to dramatically increasing funding for domestic security mitigation efforts, such as improved intelligence gathering and dissemination;
- ♦ under the regional planning model, managing and distributing federal grant money among diverse jurisdictions is problematic;
- ♦ a potential mismatch between what local jurisdictions need and what state and federal governments are willing to fund; and

- ♦ fears that money allocated for homeland security will reduce the level of funding for preparation and response to natural disasters.

SUCCESS STORIES

A fundamental problem facing all states in the area of homeland security is coordinating the activities of a wide variety of governmental agencies and private sector actors both within jurisdictions and across jurisdictions. One mechanism that Washington has used to increase the probability of success in coordination blends a centralized and decentralized approach to terrorism preparedness and response planning.

- ♦ The Committee on Terrorism (COT), a subcommittee of the Governor's Emergency Management Council, was established in January 2000 to develop a comprehensive strategy to enhance preparedness and response to terrorist incidents. The COT is made up of representatives from a variety of professional disciplines who work in a broad range of state, county, and municipal governments, and private sector organizations. As a consequence of this broad representation, emergency planners, law enforcement officials, public health officers, transportation specialists, and others can share information, concerns, and potential solutions to problems that may develop. This approach is centralized in that the activities are facilitated by officials who have direct responsibility for advising the governor's office and the Military Department on issues related to terrorism, and decentralized in that it features input from most relevant stakeholders.
- ♦ Emergency planners in local governments (particularly in the largest jurisdictions) report increased interest in the development of mutual aid agreements and a planning approach that disregards political boundaries. These efforts indicate a sincere commitment to dealing with coordination problems.

HOMELAND SECURITY IN THE STATE OF WASHINGTON

A BASELINE REPORT ON THE ACTIVITIES OF STATE AND LOCAL GOVERNMENTS

*T*he terrorist attacks of September 11 on the World Trade Center and the Pentagon quickly elevated the issue of homeland security to the top of the nation's policy agenda. Traditionally, national security in the United States has been primarily the responsibility of the federal government. But because of the nature of the contemporary terrorist threat, federal, state, and local governments have a shared responsibility in preventing further attacks and to prepare for and respond to terrorist events should they occur. This state of affairs raises a number of important questions: What are the appropriate roles and responsibilities of federal, state, and local entities with respect to homeland security? How can federal, state, and local agencies create partnerships to coordinate their missions effectively? What goals and performance indicators can be established to guide homeland security initiatives? What mix of policy tools—such as grants, regulations, training, and mutual aid agreements—is most appropriate to implement most effectively a national strategy aimed at enhancing domestic security? Some of these questions are being addressed at the national level by organizations such as the U.S. General Accounting Office, the National League of Cities, the National Governors Association, the National Association of Counties, and the National Emergency Management Association. To date, however, there has not been an analysis of what subnational governments are doing and what challenges they are facing as they attempt to implement homeland security policies in their jurisdictions.

This report provides a baseline examination of homeland security activities in state and local governments in the State of Washington.¹ The primary questions it addresses are: What challenges are officials in state and local governments facing as they develop homeland security plans? How are preexisting disaster structures and plans being altered to adapt to new security threats? What, if any, new structural arrangements have been developed to address terrorism threats? How have existing resources been shifted, or new resources acquired, to enhance response capabilities? Data for this report were gathered through semistructured interviews with approximately thirty government officials representing public agencies at the state, county, and municipal levels.² These interviews were conducted around the state between October 5 and December 4, 2002, with officials responsible for emergency management, terrorism prevention planning, law enforcement, infrastructure safety, and public health. In addition to conducting interviews, the author attended planning meetings and briefings to observe presentations and discussions on topics related to homeland security. Finally, information was gathered from public records (such as the minutes of meetings of state and local planning committees, emergency planning documents, and presentations made by public safety officials) and from the websites of relevant federal, state, and local agencies.

Governments in the State of Washington had begun preparing for terrorist incidents prior to the events of September 11. The state Emergency Management Council (EMC), a group created by statute to advise the adjutant general and the governor on emergency preparedness issues, created the Committee on Terrorism (COT) in January 2000. A number of events, including the arrest of Ahmed Ressam (who was apprehended at a ferry terminal in Port Angeles, Washington, in December 1999 attempting to enter the United States from Canada in a car loaded with explosives), the civil disturbances that accompanied the meetings of the World Trade Organization in Seattle in November 1999, concerns related to Y2K and so-called millennium threats, and prior experiences of law enforcement officials with a wide range of regionally based domestic “terrorist” groups, prompted officials in the state to consider terrorism as part of their disaster

planning in advance of the attacks by international terrorists.³ As a consequence, state and local governments in Washington were relatively well positioned to address the domestic security issues that emerged following the attacks of September 11, 2001. But despite the proactive efforts of many highly skilled professionals who work in Washington's state and local governments, many challenges remain. Chief among them are: budgetary and resource acquisition issues; public education; intelligence gathering and dissemination; intergovernmental communications; the disparity in levels of preparedness between jurisdictions; striking an appropriate balance between emergency planning for terrorist attacks and natural disasters, and between domestic and international terrorist threats; and the development of policy assessment tools.

THE CONTEXT OF HOMELAND SECURITY IN THE STATE OF WASHINGTON

For a number of reasons, the State of Washington is relatively vulnerable to attacks by terrorist groups. As a consequence, state and local officials face a set of unique challenges as they attempt to develop structures and plans related to homeland security. Some of the more salient factors that these officials must confront are:

1. Washington is relatively large (66,582 square miles) and significant portions of the state are remote, isolated forests and mountainous regions. As a consequence, there are many sparsely populated areas and large expanses of territory to monitor.⁴
2. Washington shares a 325-mile border with Canada, making the state vulnerable to infiltration by international terrorist groups. There is one major border crossing between the two countries at Blaine, Washington (near Vancouver, British Columbia), and four less traveled routes in more remote areas.

3. The population of the state is 5,987,973, with a large majority of the residents (approximately 75 percent) living in and around the Puget Sound and Seattle metropolitan areas, which extend from Bellingham (near the Canadian border) to Olympia (the state capital). This concentration of population and economic centers increases the number of potential targets of terrorism.
4. Washington's rivers contain approximately 1,015 dams, including the Grand Coulee that, when dedicated in 1937, was the tallest dam in the world. The Grand Coulee and the ten other large dams on the Columbia and Snake rivers provide flood control and produce approximately 85 percent of the electricity generated in the state. (A significant portion of the electricity generated in the summer months is sold to electrical utility companies in California.) Some of the larger dams and electrical transmission lines present tempting targets for terrorist groups.
5. There are a large number of transportation centers and other potential access points for entering and exiting the state. Washington has 2,337 miles of shoreline (157 miles is along the Pacific Ocean). The state has an extensive ferry system in the Puget Sound region that serves 26 million passengers each year on ten routes. There are also seven major seaports and thirteen seaplane bases in the state. Finally, the state has 302 airports and airstrips, including Seattle International Airport, one of the busiest airports in the nation.
6. The Department of Energy's Hanford Nuclear Reservation in south-central Washington warehouses large amounts of spent nuclear materials, including 53 million gallons of radioactive wastes. Just south of Hanford, in Oregon, is the Umatilla Chemical Depot. This facility stores 3,717 tons of chemical agents, making it the largest concentration of chemical weapons in the United States.

7. Washington State is the location of several large and strategically important military installations including Fairchild Air Force Base, McChord Air Force Base, the Whidbey Island Naval Air Station, and the Puget Sound Naval Shipyards (home to several aircraft carrier groups and a nuclear submarine base). All of these military bases have played a major role in the war in Afghanistan.
8. The Seattle area is home to the Boeing Company (aircraft construction) and Microsoft (computer software), two icons of American economic might and leading companies in their respective industries. In addition, the Seattle Space Needle, located in downtown Seattle, has been mentioned as a potential terrorist target.

Other potential targets and threats facing homeland security planners in the state include food safety (the navigable river systems and seaports in Seattle and Portland, Oregon, funnel much of the Pacific Northwest's agricultural production into the region), urban water system safety, oil and gas pipeline security, and electrical power generating plants.

The political environment of Washington may also play a role in the ability of state and local planners to develop effective homeland security measures. Like many states, Washington's economy has suffered a severe downturn in the past two years. As a consequence, state budget revenues have declined precipitously. (Washington has no state income tax and relies on sales taxes and business taxes for most of its operating budget.) Complicating matters is the fact that in recent years, the state's voters have approved statewide initiatives that prevent governments from raising taxes without voter approval and, at the same time, require cost of living pay increases for K-12 teachers and a guarantee of smaller class sizes. The lack of new revenues paired with the expenditures guaranteed through initiatives mean that it will be very difficult in the near term for state and local governments to find extra monies for homeland security-related expenditures.

A potential obstacle to effective coordination may lie in the historical relationship between state and local governments in Washington. The state has thirty-nine counties and 268 towns and cities. Local and regional governments have a long tradition of home rule and independent action in Washington, which typically makes it difficult for state officials to coordinate the activities of the units of local government. This tradition of independence is exacerbated by the Cascade mountain range, which often divides the political landscape into a competition of westside versus eastside interests.

THE STRUCTURE OF EMERGENCY MANAGEMENT IN THE STATE OF WASHINGTON

THE MILITARY DEPARTMENT AND THE EMD

Under Washington State law, primary responsibility for carrying out all statewide emergency management functions is vested in the Military Department. These functions include mitigation, preparedness, response, and recovery activities resulting from natural and technological hazards, but do not include those activities “for which the military is responsible for preparation for nuclear attack.”⁵ The Emergency Management Division (EMD), an agency of the Military Department and headed by the director for Emergency Management, is responsible for the day-to-day management of disaster- and hazard-related activities at the state level. The EMD is divided into the following main sections: policy, programs and training; mitigation, analysis, and plans; and response and recovery.⁶

The activities of the Military Department and the EMD are guided by the Washington State Comprehensive Emergency Management Plan (CEMP). The CEMP established state policies for the management of emergencies and disasters and is activated by the governor when disaster strikes. It establishes the emergency management mission for the state and details governing authorities, standard operating procedures, and other guiding policies. The CEMP is based on a Hazard Identification and Vulnerability Assessment (HIVA), which is

updated annually. The HIVA identifies two categories of hazards: natural and technological (human caused). The CEMP employs an Emergency Support Function (ESF) approach to emergency response, which describes the roles and responsibilities of forty separate state agencies in the event of a disaster. In essence, the CEMP assigns either direct or support functions to each of the state agencies involved in emergency management. The CEMP also uses an Integrated Emergency Management approach, which means that the plan does not distinguish between different types of disasters or hazardous events. Instead, the plan focuses on hazard identification, risk assessment, and vulnerability analysis to inform mitigation, preparedness, response, and recovery activities without regard to the nature of the threat. There is a separate appendix of the current CEMP devoted to “terrorism” that is unavailable to the general public.

Each Washington county and incorporated city is required by law to develop a CEMP.⁷ The state CEMP is intended to serve as a model for emergency managers at all levels of government in developing more localized plans. In addition, event-specific response plans for dealing with terrorism, chemical or biological threats, fire mobilization, hazardous materials, and special local hazards may also be developed for inclusion in county and municipal plans.

Besides developing and implementing the CEMP, another major function of the EMD is to manage federal grant funding programs. One of the primary mechanisms through which the state receives federal emergency management funds is through the Emergency Management Performance Grant (EMPG) program. The purpose of the EMPG is to support comprehensive all-hazards consequence management, including responding to terrorism, at the state and local levels. This program, administered through the Federal Emergency Management Agency (FEMA), is the primary funding source by which local and state governments can increase their operational capability for emergency management. These funds, which are provided on a matching basis, can be used for training, testing emergency response plans, assessing hazards and capabilities, and funding day-to-day program administration. The EMPG combined several federal grant programs into one consolidated award. A newly established Terrorism

Consequence Management Program (TCMP) is part of the EMPG, but funds are awarded separately. In federal fiscal year 2002, the State of Washington received approximately \$1.9 million from FEMA for the EMPG program. More than 50 percent of these monies were passed directly to the state's thirty-nine counties. The remainder was used by the state EMD to fund state-level planning, training, public education programs, response exercises, communications, and program administration. New federal funding programs administered by the Department of Justice (DOJ) and the Centers for Disease Control and Prevention (CDC) are now being implemented to supplement FEMA monies.

THE EMC AND THE COT

The governor appoints an EMC consisting of seventeen core members to advise the governor and the director of the Military Department (the adjutant general) on matters pertaining to emergency management. The membership includes representatives of city and local government, sheriffs and police chiefs, the Washington State Patrol, Department of Ecology, state and local fire officials, seismic safety experts, state and local emergency management directors, search-and-rescue volunteers, medical professionals, building officials, and private industry. The EMC appoints committees and work groups to develop specific improvements in emergency management practices, standards, policies, and procedures.

In January 2000, the EMC formed the COT as a subcommittee of the EMC. Initially, the COT structure consisted of twenty core members, eight advisory members, five subcommittees, three working groups, and an executive steering group. Following the events of September 11, the COT experienced growth in both the number of members and in activities (at the December 2001 meeting of the COT there were approximately fifty attendees). Generally speaking, the COT is charged with developing a comprehensive strategy to enhance preparedness and response to terrorist incidents. The more specific objectives of the COT are to:

1. develop a statewide strategy for preventing, planning, and responding to threats and acts of terrorism;

2. ensure that an effective and coordinated mechanism exists to continuously assess risk and threat information;
3. identify resource opportunities and recommend appropriate lead agencies for specific grants;
4. identify, develop, and recommend standards for equipment and training for first-response personnel statewide;
5. provide a forum for general coordination and the exchange of information among federal, state, and local entities; and
6. recommend policy changes to improve and enhance statewide preparedness.

As it is currently structured, the COT implements its mission through five subcommittees (intelligence, training, equipment, information, and grants and resources) and one working group (infrastructure). Each month these groups meet separately prior to the full meeting of the COT. The COT closely coordinates its efforts with the Terrorism Program of the EMD. Program managers in the Terrorism Program are charged with implementing training programs and exercises, and managing equipment grant monies obtained from FEMA and the DOJ. The Terrorism Program also oversees the state's emergency command center. This center is staffed twenty-four hours a day, seven days a week, 365 days a year, and coordinates state agency response in the event of a large-scale disaster.

THE STATE EMERGENCY RESPONSE COMMISSION

The basic structure of emergency management in the State of Washington is supplemented by the State Emergency Response Commission (SERC). The SERC was created in 1988 when the state adopted the Title III requirements of the Superfund Amendments and Re-authorization Act of 1986 (SARA). Title III establishes requirements for federal, state, and local

governments, and private industry regarding emergency response planning and community right-to-know on hazardous chemicals. The SERC was established in Washington to develop and support programs designed to improve emergency planning, response, and recovery capabilities, with a special emphasis on hazardous chemicals. As part of its responsibilities, the SERC assists in the creation and maintenance of Local Emergency Planning Committees (LEPC). Each of Washington's thirty-nine counties and seven of its cities reportedly have an LEPC in place.⁸ The SERC does not appear to be playing a direct role in homeland security planning. An examination of the minutes of two meetings of the SERC conducted in June 2002 and August 2002 found no reference to homeland security issues. The topic was also not on the agenda of the November 2002 meeting of the SERC.

COUNTY AND MUNICIPAL EMERGENCY MANAGEMENT

The basic structure of emergency consequence management in local and regional jurisdictions closely mirrors that of the state. Each county has in place a director of emergency management. However, there are wide disparities from county to county in staffing levels, professionalization of emergency managers, and resource commitment. For example, King County (which includes 38 cities) and the city of Seattle have experienced, full-time directors and highly trained staffs who focus on hazards management. In some of the less populated counties, the emergency management director may have additional responsibilities, such as fire or police chief, and typically has no staff support dedicated to consequence management or emergency planning. Each county and most large cities also have emergency planning documents modeled after the state CEMP. Once again, the extent to which these local plans have been updated or evaluated by state officials varies widely by county. This state of affairs is not unusual. Prior research has shown that many regional and local governments do not have the incentives or the resources to engage in comprehensive emergency planning.⁹

WHAT'S UP IN WASHINGTON?

This section identifies both current and planned activities of state and local governments in Washington State as they relate to domestic security.

INCLUSION OF TERRORISM IN ALL-HAZARDS PLANNING

A thorough examination of the state CEMP and of planning documents of many county and municipal governments confirms what officials indicated in interviews: state and local emergency consequence planning continues to be structured around the all-hazards planning model. In essence, planning documents assume that responding to a terrorist incident will be similar to responding to a technological or natural event. There has been one major addition to the CEMP related to terrorism: the COT completed a statewide threat assessment and analysis in May 2002 that became the Terrorism Annex to the state's CEMP. An important distinction must be made, however, between planning to mitigate or prevent a terrorist attack and responding to one. While response plans have apparently changed very little (albeit with increased emphasis on multidisciplinary coordination and communication interoperability), mitigation planning for terrorism has become more intensive and sophisticated since September 11. Other planning changes include the creation of a Three-Year Statewide Domestic Preparedness Strategy (prepared by the EMD) and the Joint Assessment of Terrorism Preparedness overseen by FEMA in November 2001. These planning documents are utilized to update risk assessments, to identify and prioritize critical infrastructure, and to make allocations of emergency response equipment to county-level governments who, in turn, distribute material to cities.

NEW STRUCTURES RELATED TO PLANNING AND OPERATIONS

As I discussed earlier, the state government in Washington created a focal point (the COT) for terrorism planning in advance of the events of September 11, 2001. The COT has widened the scope of its activities, particularly in the areas of intelligence gathering, resource distribution, and the coordination of

training opportunities. Since the attacks, new administrative units have been created, including:

- ♦ The Joint Terrorism Task Force (JTTF)—This is a multiagency investigative unit led by the Seattle regional office of the Federal Bureau of Investigation (FBI). Its objective is to coordinate terrorism-related criminal investigations with the participation of federal, state, and local law enforcement agencies.¹⁰
- ♦ The Domestic Security Executive Group (DSEG)—The governor established the DSEG in October 2001 to assist in coordinating the activities of the state agencies that are central to implementing counterterrorism measures. The director of the Military Department chairs this group, which includes representatives from state agencies, including health, state patrol, ecology, agriculture, information services, transportation, emergency management, and other senior advisers to the governor.
- ♦ The Anti-Terrorism Task Force of the U.S. Attorney's Office—This group was created to supplement the work of the JTTF by coordinating and monitoring statewide information sharing.¹¹
- ♦ The House Select Committee on Community Security—The Washington State House of Representatives created this new committee during the 2002 legislative session. This committee will be the focal point for legislative activities pertaining to homeland security.

These formal structures are supplemented by networks of contacts based in professional associations (emergency managers, county sheriffs, and police chiefs, and counties and municipalities each have very active professional groups), mutual aid agreements (see below), and long-term relationships.

SHIFT TOWARD A REGION-BASED PLANNING AND RESPONSE MODEL

One statewide activity that has implications for both the planning and structure of emergency management is the movement toward a region-based model for preparedness. The state's thirty-nine counties have been configured into nine regions for purposes of distributing federal grant monies, developing priority lists of equipment needs for first responders, executing training exercises, and creating regionally based mutual aid plans. This regional planning model is in the early stages of implementation. Interestingly, several officials indicated that one of the principal reasons for developing this model was to enable larger cities and counties with more emergency management capacity to assist cities and counties with less capacity and fewer resources. Officials in King County have been utilizing a regional planning model for several years. In 1999, the county formed the Interdisciplinary Equipment Planning Group (IEPG) to administer the distribution of Weapons of Mass Destruction (WMD) grants obtained by the King County Office of Emergency Management under the federal Nunn-Lugar Act. The IEPG was formed out of recognition that a more comprehensive and inclusive approach to terrorism planning was needed.

INCREASING EFFORTS TO CREATE MUTUAL AID AGREEMENTS

There appears to be a genuine effort on the part of county and city officials (particularly in the more densely populated parts of the state) to develop more comprehensive and inclusive methods of coordinating terrorism planning and response activities. Many interviewees indicated that there has been a great deal of interest in creating new mutual aid agreements and fine-tuning existing plans with adjacent jurisdictions (although this interest has been difficult to quantify in many cases). For example, the King County Office of Emergency Management is proposing the development of a homeland security committee that would "promote the regional coordination that is needed to bring cross discipline and cross jurisdictional relationships into play to address the management of terrorist actions in this region."¹² As of October 8, 2002, ninety-three organizations or jurisdictions in King County (including twenty-two cities,

twenty-two sewer and water districts, fifteen fire districts, fifteen hospitals, and twelve school districts) were official signatories to the Regional Disaster Plan. Another manifestation of the trend toward inclusive coordination of homeland security activities is the increasingly active involvement of private sector businesses. These activities range from business continuity plans developed by large corporations such as Bank of America and Boeing, to the development of a disaster evacuation plan at a shopping mall in eastern Washington. Officials in Washington also have been actively involved with a federal training program called TOPOFF (Top Officials).¹³ TOPOFF, first conducted in May 2000, creates and administers a series of role-playing exercises involving senior federal, state, and local officials who would direct crisis and consequence management in the event of an actual WMD attack. The goals of the program are to assess the strengths and weaknesses of all organizations involved in consequence management, and to enhance the capacity of the network of federal, state, and local experts who would be called on to manage the consequences of a WMD attack.

EFFORTS TO ENHANCE COMMUNICATION AND INTELLIGENCE GATHERING

According to the adjutant general's office, intelligence sharing among federal, state, and local law enforcement agencies, as well as enhancing the capacity to quickly analyze information and prevent terrorist acts, is the number one priority of the State Military Department.¹⁴ At the direction of the U.S. Attorney General, the U.S. Attorney's offices in Washington created the Anti-Terrorism Task Force (ATTF). The purpose of the ATTF is to centralize the process by which information relevant to the investigation and prosecution of terrorists can be shared with state and local officials. Each U.S. Attorney was directed to designate a Chief Information Officer (CIO) to participate on the ATTF. In addition to soliciting suggestions from state and local officials about the best way to disseminate information in each district, CIOs also were directed to utilize existing information-sharing technologies such as the Regional Information Sharing System (RISS). The RISS is made up of six regional intelligence centers operating in various geographic regions

and covers all fifty states. Several officials stated in interviews that communication has increased between federal law enforcement agencies and those at the state and local levels. One way this has occurred is through weekly or monthly briefings of local law enforcement officials by agents of the FBI. At the state level, discussions are under way to create what is currently being called the Washington Anti-Terrorism Information Center (WATIC) to provide tactical and analytical support for the Joint Terrorism Task Force. WATIC would also establish and monitor an intelligence presence in each county, develop training programs for law enforcement officials, and coordinate federal, state, and local intelligence gathering.

SOLICITATION OF FEDERAL GRANTS

In the past eight months, Washington has received two major monetary awards from the federal government to enhance emergency consequence response. State officials were recently notified that they would receive \$5.998 million in DOJ domestic preparedness grants for fiscal year 2002. This money will be obligated on March 1, 2003. The Washington application had sought \$5.9 million in equipment grants and \$278,000 for training exercises. A minimum of 90 percent of the grant money will be allocated to local jurisdictions on the basis of priorities set by the EMC and the COT. Jurisdictional priorities were addressed in two ways. The COT first evaluated jurisdictional needs in accordance with the Three-Year Statewide Domestic Preparedness Strategy and the Joint Assessment of Terrorism Preparedness conducted with FEMA in November 2001. The COT then gave jurisdictions the opportunity to identify their equipment priorities. Twenty-one of Washington State's thirty-nine jurisdictions provided input on their equipment priorities. Equipment priorities included personal protection equipment for first responders, bomb detection devices, decontamination equipment, WMD rescue equipment, medical supplies and pharmaceuticals, and interoperable communications equipment. Additional equipment purchases were allocated from the DOJ grant to the state departments of fish and wildlife and transportation, and to the Washington State patrol.

In addition to the DOJ equipment grant, the Washington State Department of Health received a \$20 million grant from the CDC to develop

capacity and infrastructure for public health preparedness and response to threats of bioterrorism. This money, supplemented by resources previously obtained by the Washington State Hospital Association and the Health Resources and Services Administration (Hospital Bio-terrorism Preparedness Program), will be used to purchase personal protection equipment and decontamination systems for 25 percent of the state's ninety-five hospitals. Identification of hospitals receiving this equipment is in accordance with jurisdictional risk assessments and is focused on enhancing regional response capacity. Washington also has received some smaller grants, such as the one provided to the Terrorism Unit of the State Patrol Fire Protection Bureau by the National Fire Academy, to offer a variety of terrorism-related training classes to first responders.

COORDINATION

Officials admit that the implementation of the initiatives described in the previous section presents a number of challenges to effective coordination. Among the most salient are these problems:

- ♦ To date, there are no “best practices” guidelines or means of assessing the effectiveness of new administrative arrangements.
- ♦ Region-based implementation may be problematic because of the resistance by locally elected officials, lack of trust between officials in different jurisdictions or disciplines, and competition over resources.
- ♦ Mutual aid agreements are still predominantly based on single disciplines (that is, law enforcement agencies in different jurisdictions) coordinating their activities and are not yet multidisciplinary (that is, law enforcement, public health, emergency management agencies both within and between jurisdictions) in their approach.

- ♦ Technical difficulties such as incompatible communication equipment both between jurisdictions and within agencies in the same jurisdiction continue to be a problem.
- ♦ Emergency planning has not placed much emphasis on public education. Some jurisdictions have active Citizen Emergency Response Team (CERT) programs in place, but the general perception is that more should be done to add a public education component to homeland security planning.¹⁵
- ♦ Basic philosophical differences exist that may affect the extent to which the coordination of homeland security efforts are successful. For example, some officials are clearly optimistic that everything that needs to be done has been done; others believe that much yet needs to be accomplished. Also, incompatible missions and role-based cleavages between different agencies and jurisdictions—which are the very essence of bureaucratic politics—also have not been addressed.

Another fundamental issue raised is the extent to which homeland security efforts are focused on the most pressing threats. The increased level of attention focused on planning for attacks by *international* terrorist groups troubled some of the officials interviewed for this report. Many believe that a more likely source of a terrorist incident is domestically based groups. Law enforcement professionals around the Pacific Northwest have a long history of dealing with groups on both the left and right wings of the political spectrum. In the past thirty years, the Animal Liberation Front, the Earth Liberation Front, Earth First!, The Order, the Aryan Nation, the George Jackson Brigade, and the Silent Brotherhood have all perpetrated what officials consider to be “terrorist” attacks. In addition to the focus on international terrorism, some planning officials believe that a better balance needs to be struck between planning for terrorist attacks and for naturally occurring events such as earthquakes. One official said that he is very concerned that

homeland security efforts will entirely overshadow the very real threat of a major earthquake in the Puget Sound region.

There are also some potential problems with coordinating intelligence gathering and dissemination. Several issues are under discussion: Should “raw” information be provided to local law enforcement personnel for analysis or should information be turned into “intelligence” by agencies at the state or federal level? Given the large volumes of information available, how should decisions be made regarding what information should be shared between agencies and jurisdictions? How can large numbers of “tips” (many of which are not particularly useful) from well-meaning citizens be managed? What is the best way to deal with the problem of nonstandardized data collected by multiple agencies in multiple jurisdictions?

One issue that surfaced in discussions about WATIC involves the types of information that the organization would collect and disseminate. Some officials believe that only information related to homeland security efforts should be gathered. Others believe that the database should include information related to all types of crimes. Part of this disagreement is rooted in the budgetary issue. As the reasoning goes, establishing WATIC will require a funding source. Since new funds are most likely going to be tied to homeland security initiatives, WATIC should focus on terrorism intelligence. The other side argues that WATIC creates an opportunity to build a comprehensive criminal database that could enhance law enforcement capacity in a variety of areas. Another issue that must be resolved is related to managing large amounts of existing data that are largely unstandardized. Finally, it is not yet clear how WATIC would coordinate its activities with existing intelligence gathering units such as the ATTF and the RISS.

MONEY

Washington, like many states, will be highly dependent on federal monies if it is to prepare effectively for terrorist attacks. A survey of about four hundred cities conducted by the National League of Cities reported that, since

September 11, one in three American cities saw its local economies and municipal revenues decline, while public safety spending went up. The National Governors Association estimates fiscal year 2002 state budget shortfalls of between \$40 billion and \$50 billion are making it difficult for states to take on expensive new homeland security initiatives (the State of Washington estimates a \$2.4 billion shortfall for fiscal year 2002–2003).¹⁶ It is unlikely that the state or local governments in Washington will be able to shift significant resources to homeland security initiatives, because ongoing budget problems have imposed reductions in service delivery in most state agencies and practically all local units of government. So far, the money promised by the Bush administration (\$3.5 billion was promised more than a year ago) has not been forthcoming. After being sworn in as the secretary of homeland security, Tom Ridge said that state and local governments “still haven’t seen dime one.”¹⁷

Some local officials expressed concern in their interviews about the low levels of federal dollars forthcoming thus far. One emergency management director (echoing Secretary Ridge) said that his jurisdiction had not seen “one dime” of new federal money in connection with homeland security efforts. Another local official expressed concern that the federal government is not working closely enough with cities and counties to ascertain what they need. As he stated, “before throwing money at the states, the feds need to understand what is already in place.” This same official said that he was unsure how much money was going to be coming his way, what it was to be spent on, and whether this money would be a one-time allocation or would include money to sustain new programs. There is also concern among some emergency managers that they will have no way of knowing if the money will be spent wisely, that new funds are being allocated for consequence management but not for mitigation efforts such as improved intelligence gathering, and that managing federal funds through a region-based model will increase competition for resources among jurisdictions. Finally, there are fears (particularly among officials from the west side of the state) that monies allocated for homeland security will reduce the level of spending on preparing for and responding to natural disasters.

SUCCESS STORIES

Without direct evidence that terrorist incidents have been deterred or that emergency response officials are better able to perform their functions since September 11, 2001, it is difficult to pinpoint success stories with any accuracy. Unfortunately, it would require a significant terrorist attack to test the extent to which the new plans, enhanced equipment, focused training programs, and other changes made to the emergency management infrastructure have been effective. In the absence of outcome-based measures of success, the focus for the present time must be on changes in process.

As noted above, a fundamental problem facing all states in the area of homeland security is coordinating the activities of a wide variety of governmental agencies and private sector actors both within jurisdictions and across jurisdictions. One mechanism that Washington has utilized to increase the probability of success in coordination blends centralized and decentralized approaches to terrorist preparedness and response planning. Two examples are:

- ♦ The Committee on Terrorism (COT), a subcommittee of the Governor's Emergency Management Council, was established in January 2000 to develop a comprehensive strategy to enhance preparedness and response to terrorist incidents. The COT is made up of representatives from a wide variety of professional disciplines who work in a broad range of state, county, and municipal governments and private sector organizations. As a consequence of this broad representation, emergency planners, law enforcement officials, public health officers, transportation specialists, and others can share information, concerns, and potential solutions to problems that may develop. This approach is centralized in that the activities are facilitated by officials who have direct responsibility for advising the governor's office and the Military Department on issues related to terrorism. It is decentralized in that it encourages interaction with most relevant stakeholders.

- ♦ Emergency planners in local governments (particularly in the largest jurisdictions) report increased interest in the development of mutual aid agreements and a planning approach that disregards political boundaries. For example, the King County Office of Emergency Management has led an effort to coordinate the consequence response capacity of ninety-three separate jurisdictions (including twenty-two cities, twenty-two sewer and water districts, fifteen fire districts, fifteen hospitals, and twelve school districts). These efforts indicate a sincere commitment to dealing with coordination problems.

CONCLUSION

As this report shows, much has been done by officials in state and local government in Washington to counter ongoing threats of terrorism. New structures such as the Joint Terrorism Task Force, the Anti-Terrorism Task Force, the Domestic Security Executive Group, and the Washington Anti-Terrorism Information Center have either been established or proposed; emergency plans have been altered to reflect the terrorist threat; a region-based model for planning, training, and resource distribution has been introduced; equipment needs of first responders are being addressed; public health officials are better prepared to address the aftermath of attacks using chemical or biological weapons; the private sector is now more aware of its place in emergency planning; and steps are being taken to increase the levels of communication among federal, state, and local officials and to improve intelligence gathering. Perhaps most importantly, there seems to be a clear commitment on the part of all emergency management officials to develop means by which they can better coordinate their activities. But many questions remain: Is the terrorist threat of sufficient gravity to compel cooperation between jurisdictions and disciplines in the long term or will the complexities of managing multi-organizational systems prove insurmountable? How will the ongoing budget crisis in the state and the prospect of large budget deficits at the federal level

affect homeland security efforts? Will the federal monies that are passed on be targeted at the appropriate areas and how will we know if the money is spent wisely? If there are no new terrorist attacks on American soil in the near future, will the political will to fight terrorism at home wane? Will the appropriate balance be struck between preparing for terrorist attacks and preparing for natural disasters? Only time and experience will allow us to answer these and other important questions.

NOTES

1. It should be emphasized that this report constitutes neither an evaluation nor an assessment of state and local governments' levels of preparedness. Rather, it is intended to provide a snapshot of what activities are planned or are taking place and what issues are being discussed as they relate to homeland security. The report does include discussions of perceived problems or issues of concern as expressed by interviewees.
2. In exchange for their cooperation, interviewees were assured that their names would not be disclosed nor their comments be personally linked to them. I would like to thank the men and women who consented to be interviewed for this project.
3. According to documents provided by the Emergency Management Division (EMD), discussions with the governor and his executive cabinet regarding the threat of terrorism and what steps to take to mitigate the threat began in the winter and spring of 1999.
4. Unless otherwise indicated, the data in this paragraph were obtained from www.access.wa.gov (last accessed November 18, 2002).
5. *Washington State Comprehensive Emergency Management Plan*, Edition II, May 2002, p. 1.
6. It should be noted that Washington is vulnerable to many naturally occurring hazards, such as volcanoes, earthquakes, tsunamis, and riverine flooding and, as such, had developed a relatively sophisticated and professionalized

emergency planning and response structure prior to the attacks of September 11, 2001.

7. Counties and cities are required to submit their plans to the EMD for review and evaluation. Many officials noted during interviews that emergency planning at the county and city levels is of uneven quality. Not surprisingly, the more populous urban counties are more likely to have a current comprehensive plan.

8. Several officials interviewed stated that some jurisdictions maintain an LEPC in name only and that they rarely meet.

9. David R. Godschalk, Timothy Beatley, Philip Berke, David J. Brower, and Edward J. Kaiser, *Natural Hazard Mitigation: Recasting Disaster Policy and Planning* (Washington, D.C.: Island Press, 1999).

10. According to FBI officials, these task forces have been established in each of the fifty-six FBI regional offices nationwide.

11. In November 2001, U.S. Attorney General John Ashcroft directed all U.S. Attorneys to develop mechanisms to streamline information sharing among federal, state, and local jurisdictions.

12. King County Homeland Security Committee, "Concept Paper, September 3, 2002" (unpublished paper).

13. TOPOFF is managed by the Department of Justice, the Department of State, and FEMA.

14. Officials in Washington also have acted to reduce the availability of sensitive information about homeland security planning. In April 2002, the Washington state legislature amended the Public Disclosure Act (RCW 42.17.310) to prevent the release of certain public records containing specific and unique information such as terrorism response plans and vulnerability assessments.

15. CERT is a training program designed to train citizen volunteers in basic first aid and search and rescue (among other skills) so that they may act in the capacity of first responders should local response agencies be overwhelmed. CERT teaching materials are provided by FEMA but training programs are implemented by local governments.

16. These findings are reported in “Homeland Security: Effective Inter-governmental Coordination Is Key to Success,” U.S.GAO-02-1013T, August 23, 2002.
17. Philip Shenon, “Lack of Readiness Laid to Financing Delay by U.S.,” *New York Times*, February 13, 2003, p. A1.

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