

## MODULE 4 - WHERE ARE WE GOING?

### LECTURE 1 - 9/11

#### THAT CHANGED EVERYTHING

One big thing that we haven't talked about yet – 9/11. That really changed everything – again!

On September 11, 2001, the twin towers of the World Trade Center in New York City, and the Pentagon in the Washington DC area, were attacked. <sup>97</sup>

The attacks killed about 3,000 people in a few short moments. The attacks were perpetrated not just by an external threat, or just an internal threat, but by an external threat that had entered into the US virtually legally, and then attacked us from within. And the attackers were not another state or foreign government, but from a non-government radical terrorist group.

9/11 was the most devastating attack ever to occur on US soil.

It caused the greatest one-day loss of life in our history, even greater than Pearl Harbor in 1941. It paralyzed one of our major cities, and sent our economy and financial system into a tailspin for months. It generated two foreign wars (Iraq and Afghanistan – which continues in 2014, 13 years after 9/11) and hundreds of thousands of deaths. It created a global war on terror led by the US and touching most countries around the world.

In addition, it generated a massive information collection effort far beyond the scope and scale of anything ever imagined or dreamt of in the course of human history. And this was made possible by the technological advances of computers, information systems, electronics and the new cyberworld of digital data. <sup>98</sup>

#### 9/11 COMMISSION – WHAT????

How did all this happen? And how can it be avoided in the future? **Kinda** sounds like the HOW DID WE GET HERE and the WHERE DO WE WANT TO GO modules in this course.

To answer these questions, the federal government did what it has typically done in the past (for example, the Wickersham Commission in the 1930s, the 1968 Commission, the 1975 Church Committee) and appointed the

9/11 Commission.<sup>99</sup> The Commission published its report in 2004 (these commission reports are real **page-turners!**). It included eight recommendation areas, each of were comprised of more than 40 specific, individual recommendations.

The first two recommendation areas said essentially that we should **attack terrorists** and their organizations worldwide, and that we should **prevent the growth of Islamic terrorism**. This was driven by the fear of the damage that terrorists might cause if they gained access to weapons of mass destruction (that includes nuclear, chemical and biological weapons), and it encouraged the US to increase its spying overseas (**heh-heh!**). This quickly led, as it had repeatedly in the past, to problems regarding international relations and issues regarding the capture and detention of terrorists, which persists today (go ahead and Google the terms rendition, Guantanamo, Abu Ghraib, and water boarding, for starters). But at the time the problems seemed to be acceptable alternatives to another 9/11. In hindsight, however, they stirred up quite a controversy. The old security vs. individual rights arguments, and such.

The third recommendation area was to **protect against and prepare for** terrorist attacks in the US. This included travel controls, identification technology, privacy and other restrictions. This again raised huge covert, fairness, corruption and abuse issues on a scale much broader than the Government Spy or Secretive Rogues of the past ever did. In fact, it made them look like rank amateurs. Enjoyed your last pat-down search (or worse) at the airport, did you? **Wanna** make a really private phone call – ever again in your lifetime? **Not gonna happen**. But here again, the arguments were essentially that these actions were preferable if they would avoid another 9/11.

The remaining five recommendation areas addressed the need for a “**unity of effort**” regarding foreign and domestic intelligence, a “unity of effort” in the intelligence community, a “unity of effort” in information-sharing, a “unity of effort” regarding Congressional oversight, and a “unity of effort” in organizing our national defenses.

Huh? A unity of WHAT???? **But,... but....**

What about all those problems we had with all this unity of effort stuff in the past? What about the Church Committee and **THE WALL** that it built to PREVENT all this unity of effort stuff? You **remember** the WALL, don't you? Or agency heads would roll, **remember** that, too? What about all the FBI problems in the 1970s?

The 1980s? The 1990s? And all that **sneaky** DEA stuff? Have you forgotten all that you lived through and all the struggles and fights to get that WALL?

And now we're just saying "never mind" to all that? **Macht's nichts? My bad?** Could you repeat that, please? I think I'm **déjà vu-ing –ing –ing again again aga...** Is there an **echo in** here? Now you're saying all that stuff is actually good, and actually necessary, to keep us from getting our **butts** blown up again? Now, after 9/11, you're telling us that's all good? Like you told us before 9/11 that it was no good? Are you trying to **hornswoggle** me again with all your **bleeping hokey-pokey gibberish?** Could you please make up your bleeping mind? You bleep-bleeping **twit-headed mook!!**

You know, I never claimed to be the sharpest tack in the box. But it doesn't take a rocket scientist to figure out that all the "**no-no-s**" the Congress was putting on us a few years back (admittedly because we wanted them to protect us from the "tyranny" of the FBI and CIA, but put that aside for now), now all the "**no-no-s**" are all of a sudden becoming "**yes-yes-es.**" And we better get to spending a lot of money to do them ASAP, or we just might get our **butts** kicked again? You know, I've heard that one before. And before, and before.

Are we **nuts** or what? When I look back on my career and think of all the things I **coulda, woulda, shoulda** done with these new rules, it's almost enough to make a grown man cry!

See, I told your so, I **told you so!!!!** Unity of effort – **my #@\$%%!!**

### **THE PATRIOT ACT**

OK, BLUSHING TRAVELER, that about covers some of the more colorful rants I've heard, and used, since 9/11.

But a closer reading of history (that always helps, eh?) discloses that, in actuality, the Church Committee very realistically saw that certain measures (like the **WALL**) were necessary regarding information-sharing, etc. But in order to safeguard liberty, the Committee said there needed also to be sufficient **oversight and coordination** between and among agencies to address threats to national security.<sup>100</sup> Unfortunately for us (and the 3,000 victims who were murdered on 9/11), the WALL part worked better than the oversight and coordination part. I guess we're still not perfect human beings yet. And we paid for it dearly in human lives – again. Well, not us, but 3,000 people did.

What the 9/11 Commission clearly recognized (and reaffirmed from the Church Committee) was the need to have both overt and covert information collection efforts in order to PREVENT and DETECT crimes (CUIPDSC), and keep us safe. However, in conjunction with this, there had to be sufficient guarantees in the form of checks and balances in order to alleviate public fears associated with these types of activities. Really, this is a pretty old idea. Check the checker, eh? But it seems like every time there's a crisis, we have to re-discover it all over again, and then we pat ourselves on our backs for "finally having solved, once and for all" this age-old stupidity. Yep, just see how much smarter we are than all those poor fools who went before us and never were quite able to see the light as we so clearly do now – albeit, after the fact.

In 2001, a month after 9/11, the Congress passed the **USA Patriot Act**. It passed overwhelmingly in the Senate, 99 – 1, and in the House, 357 – 66).<sup>101</sup> Yes, this was well before the 9/11 Commission was even appointed. But its immediate passage and overwhelming support was an indicator of how great a shock 9/11 posed to the national psyche. Reminiscent of what happened after Pearl Harbor in 1941. I'm sure you all **remember** that.

The Act amended over a dozen federal laws and decreased many of the constraints imposed on law enforcement and intelligence information collection (at least at the federal level) previously imposed by Congress.

It started us down the path of many of the things that the 9/11 Commission ultimately recommended.

On the other hand, take a look at **"9/11 Truth: The 9/11 Commission Report is Fraudulent."** That's an 11-minute YouTube video that shows quite a different view of the 9/11 Commission than the one just presented in this course. For those interested, there are other videos similar to this one that are available for viewing. So while the predominant view may be that the 9/11 Commission report is to be taken as gospel, there's always another side that keeps gnawing away at the overconfident among us.

### **"BIG BROTHER"**

The Patriot Act and subsequent actions taken by Congress have been subjected to furious arguments over the past decade, but they pretty much remain intact and have even been improved, strengthened and expanded in some areas.

Even today (2014), the media headlines are filled with reports and complaints about our federal government's efforts to balance our security and our liberties. The FBI, the Internal Revenue Service (IRS), the DOJ, and the National Security Agency (otherwise known as the NSA, or "**No Such Agency**," or "**Never Say Anything**") – they're all under the gun for their covert activities to "protect" us. <sup>102, 103, 104, 105</sup> Good/bad, legal/illegal, whatever, this stuff doesn't seem to ever go away, does it? Some folks say we can't trust our government, and others say we better not trust them. But, if not our government, then who should we trust? Myself, I'm beginning to suspect everybody except you and me – and **sometimes I wonder about you!!**

I wonder if that's a good thing or not. And again, I wonder what the 9/11 victims would tell us, if they could. Sometimes it all just makes me a **little dizzy**.

I remember back in Seoul, Korea, in the 1970s, I was driving my family to a friend's house, and we saw huge chimneys of smoke billowing out of the top of one of the larger hotels in the city. I stopped the car, and we watched as people high up in the hotel and faced with the threat of being burned to death, appeared at the building windows, and then jumped out of the windows, one by one. Some actually had somehow wrapped themselves in bed mattresses and jumped, and I later understood that some of them had actually survived. Then, almost 30 years later, on 9/11, I remember watching the twin towers burning on TV. And again I saw people high up in the towers, being faced with burning to death, jumping out of the tower windows. Only this time to a certain death because they were so high up. Nobody seems to be flailing or kicking as they fell. They just fell, away from all the smoke and flames. And both times I remembered my family, and cringed to the depths of my being at the thought that **there, but for the grace**,... well, you know the rest.

Now what exactly has that to do with this criminal investigations course? Well, we're talking a lot about money here, and crime stats, and models and such other blather to emphasize the significance of crime and investigations. But **geez**, they were real people we all saw falling from those buildings. Real victims. I'll tell you, that had more impact on me than any crimes or models or phases. What would I have done with my family in those cases? And what should I be doing now to prevent those things from happening? I don't know.

The executive branch of the federal government is responsible for keeping us safe and free. But so are the legislative and judicial branches. I have it on good authority (the US Constitution) that they all three have nice **checks and balances** roles to play in this regard. It seems to me that we have managed pretty well overall as a country with this arrangement so far, although it may not have always been smooth sailing. You'd think that

we probably could come up with something that works here, too. I'm **just saying**.... I mean, according to the 2001 survey, it seems to be working out OK at the local level, right? At least to the satisfaction of the police and the general acceptance of the community most of the time, if not the Victims. So are the feds gonna wait another hundred years, like they did in the 20<sup>th</sup> century, to catch up with the locals? What do you think?

So just when we think we may be getting things settled at the local level with COMMUNITY POLICING, at least to some extent, overtly helping to prevent and solve crime, and maybe even detect it too, here come the feds with all their covert intrusiveness and "Big Brother" top-secret **malarkey** they say is necessary to save us from the **boogeyman**. Where have I heard that before? It's like, **ooo-oo**, the **goblins'll** getcha ef'n you don't watch out! <sup>129</sup> And who knows – maybe they will. How many lives and liberties are you willing to bet? Well, somebody has to make that decision ----, and I'm retired! I'm about done with watching people jump out of tall buildings. But who knows, you may be faced with the specter of such a sight in your future – or worse, the experience of it! Because I don't think I did enough to minimize the likelihood of them happening again.

So is this where we're going? Is this what our shining castle on a hill has become? Does the USA now stand for "**Undisclosed Security Autocracy?**" Sure is beginning to look like it, **eh?** Although every now and then between rants and ravings, I do take pause to wonder what the victims of 9/11 might think about all of it, and what they might urge us to do.

So, really, being all smarted up and educated now, where do you think we should go? But hold on, before we get into that, let's take a quick look at where we seem to be headed with forensics and the Classical Detective.