THE ASPEN INSTITUTE

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LIST OF PARTICIPANTS

RAYMOND KELLY
Commissioner, New York Police Department

WALTER ISAACSON
President and CEO, the Aspen Institute

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MR. ISAACSON: It is my great honor and pleasure to introduce one of my heroes, the commissioner of the New York City Police Department, a man who joined the New York City Police Department for the first time 52 years ago as a trainee, is that correct?

MR. KELLY: Close, close enough, a little less.

MR. ISAACSON: Fifty one years ago.

(Appause)

MR. ISAACSON: As a trainee, it says 1960 in your official bio as a trainee. Went off to Vietnam. As a lieutenant in Vietnam, led numerous combat missions, came back to the New York City Police Department, and in and out a little bit every now and then a commissioner of the INS, but 44 years in total on the New York City Police Department and with his wife Veronica, who is right here in front of me. Thank you very much Veronica for being here.

(Appause)

MR. ISAACSON: You've served two tours of duty, I guess it's called, as commissioner.
MR. KELLY: Correct.

MR. ISAACSON: And your current one as the
current commissioner has been 10 years and crime has gone
down 34 percent. Congratulations sir.

(Applause)

MR. KELLY: I had a lot of help.

MR. ISAACSON: A lot of help. Let me sum up the
domestic issue. Is there any way to prevent things like
what happened in Aurora, Colorado?

MR. KELLY: I think it's extremely difficult if
you look at the availability of guns. And I was just
reading something, it said there may be 270 million guns
in the United States. And if you look at the number of
people, and a population over 300 million that may have
serious mental problems, which is estimated to be about 6
percent, I think events like the tragic occurrences in
Aurora are inevitable. I think what I saw there is the
rapid response of the police may very well have impacted
on, you know, reducing the number of casualties.

That's something that we practice, other police
departments practice. We call it active shooter
scenarios, and I think we've learned that in other
situations Binghamton, New York for instance, even in Virginia Tech there was a hesitancy to go in. There is a belief that you have to wait for tactically heavy weapons-trained officers. That didn't happen there. They went right in and as I say may very well have limited the damage. But in terms of predicting or eliminating these types of events, unfortunately, I don't see any way of it happening.

MR. ISAACSON: What would you do about gun control if you were in charge?

MR. KELLY: I'd look to have some sensible gun control. I think as so many people have said the Gun Show Loophole is a gaping area where I think people on both sides of the issue can ultimately agree. That's where so-called occasional sellers and occasional buyers get together at gun shows.

In 33 states in this country, nothing has been done to close that loophole. In the other states, something has been done. But they get together at gun shows, there's no record of the transaction. There's certainly no background check. The ATF did a study about 10 years ago and said that perhaps there's as much as 40
percent of illegal guns are coming through the Gun Show Loophole. We don't know. It's difficult to get your arms around it, and obviously the limitation on magazines -- this James Holmes had a 100 round magazine, nobody needs that for sport hunting --

MR. ISAACSON: So basically assault weapons and 100-round magazines, those are --

MR. KELLY: The Gun Show Loophole --

MR. ISAACSON: -- part of the Gun Show, that we should just get rid of that?

MR. KELLY: Yeah.

MR. ISAACSON: As much as possible?

MR. KELLY: Yeah, I mean, I think that's doable. That's reasonable. You know, we're not going to eliminate guns, 270 million. If you eliminated, you know, buying a gun today you'd still have 270 million guns in this country.

MR. ISAACSON: Well, is that why stop-and-frisk and other initiatives you've done are so important to keep the guns off the street in New York?

MR. KELLY: Well, stop-and-frisk is not something new. This is a practice that happens in every
police department in America in varying degrees, and it's
authorized in every state in the country.

MR. ISAACSON: Part of the common law in some
does?  

MR. KELLY: Part of the common law. Indeed
there was a Supreme Court case, Terry versus Ohio, 1968,
that validated it. It's certainly on the books in New
York City. It is a tool. It is not a panacea. It's not
the be-all and end-all. But it is an important aspect to
what we do in New York City. New York is the safest big
city in America now by far with the lowest of the top 25
cities in indexed crime. This year we will have if we
continue on this rate a record low number of murders. So
something is working in New York. Now we have been
involved in litigation on stop-and-frisk for the last 15
years. When one case stops, another case starts.

So you know, we've been in court for quite a
while. But we turned over information as to the number of
stop-and-frisk to the city council. The latest number was
650,000 and that brought a -- for the year, and that
brought a -- you know, a lot of complaints and a lot of
concern about it being too much. If you look at New York,
you look at the number of patrol officers that we have, we have 35,000 uniformed officers. We have about 19,500 who are called patrol officers. That translates to less than one stop a week, about 1 every 9 working days for police officers. And in terms of searches or frisk, limited searches I should say, that only happens in about 44 percent of the time.

So I think it's a necessary tool. We're training officers to do it with as much courtesy, dignity, and respect as possible, but something's working in New York, I certainly don't --

MR. ISAACSON: But they complained about it in Philadelphia, and there were law suits and Mayor Nutter ended up backing down and backing away from stop-and-frisk. Isn't that right? And what happened?

MR. KELLY: And well, Chuck Ramsey, the commissioner there said, yeah, you're great. He thinks it had a adverse impact.

MR. ISAACSON: He understands what happened?

MR. KELLY: Well, there was a stipulation. So the Liberties Union sued the city of Philadelphia. They agreed to limit its application and I'm not -- I don't
know if you can do a direct cause and effect, but the --
you know, the murder rate has gone up significantly. And
the murders in these cities are happening quite frankly in
communities of color and to a large extent these were
young men. We see it in New York, we see it in Chicago,
certainly in Philadelphia. And that's where they've seen
their increase in murders.

MR. ISAACSON: You got into a little bit of hot
water for saying -- criticizing community leaders are not
being as outraged as they should be about the murder rate.
Tell me about that and do you stick by those comments?

MR. KELLY: Oh I do, but it was really focused
on political leaders.

MR. ISAACSON: Right.

MR. KELLY: These were elected people who are
complaining about what the police were doing, you know,
various tactics including a stop-and-frisk and so the
question was what is your -- you know, what is your
solution to the problem; 96 percent of the shooting
victims in New York City are black or Latino, and the
political leadership that were complaining about what
we're doing were representatives of those communities. So
my question to them is what's your solution?

And it was sort of a deafening silence. So it is a -- I understand it doesn't make everybody happy. You know, nobody wants to be stopped giving up their time, it's inconvenient, but it is a necessary tool in the toolbox.

MR. ISAACSON: I think I read somewhere you're working with the Department of Defense on a gun detection system. Is that right? Can you talk about that?

MR. KELLY: Yeah, we have been working with them for -- actually the Metropolitan Police in London, ourselves in DOD, I think DOPRA (phonetic) had some involvement in this. We're looking at something called terahertz technology. They're sort of natural energy that the body emits, and if someone is carrying a gun, you can see an outline of that weapon. It actually has worked. We've tested it. But it's too big, and the range is not great enough. So --

MR. ISAACSON: So you're trying to create a machine that would work?

MR. KELLY: We're trying to create something that would work. You know what's happened with cell
MR. ISAACSON: Yeah.

MR. KELLY: -- 20 years. So we think that this can be reduced in size and made to be a viable, practical instrument to use on the street. Now, we -- there is some Fourth Amendment issues. We have attorneys -- our attorneys that are looking at it as well.

MR. ISAACSON: Do you think using that technology, assuming it'd be small enough, that it could used as an alternative to stop-and-frisk? Do you think that the Fourth Amendment and privacy issues are better with that technology than they are with stop-and-frisk?

MR. KELLY: We'll see. Probably. The answer is we'll have to wait and see because there are, you know, always concerns. We have a very active Civil Liberties Union in New York City, I can assure you, and they sue me like virtually once a week --

MR. ISAACSON: Yeah.

MR. KELLY: -- about something. But -- so I think it's certainly a step in the right direction.

MR. ISAACSON: What are the technologies that you're developing for Homeland Security purposes?
MR. KELLY: Well, we have in lower part of Manhattan, we have something called a Lower Manhattan Security Initiative. Thanks to funding from Homeland Security, we have at least 3,000 cameras that are actually private and public-sector cameras. They come together in a location or coordination center that we have in Manhattan outside of police headquarters. But these are smart cameras.

You can put algorithms in them to allow them to act sort of as alarms. You see somebody wearing a red shirt passing in front of one of these cameras 3 weeks ago, we can go back, put that in, and get that information very, very quickly. If you put a bag down, you leave it down for 3 minutes the alarm goes off. So --

MR. ISAACSON: You mean the camera itself notices a bag is unattended --

MR. KELLY: That's correct.

MR. ISAACSON: -- and says something --

MR. KELLY: That's correct.

MR. ISAACSON: -- as in See Something, Say Something?

MR. KELLY: Yeah. Yeah. So we have what we
call smart cameras, and we're looking to extend that capacity throughout the city, certainly throughout Manhattan. Most of our focus has been lower Manhattan, 1.7 square miles south of Canal Street, we've had the World Trade Center attacked twice, we have the World Financial Center, we have Goldman Sachs, we have, you know, major corporate headquarters there. So that was our initial focus. The World Trade Center of course is being rebuilt.

MR. ISAACSON: Do you think that will be a target, the new -- one World Trade Center?

MR. KELLY: That's certainly our operational assumption. It's been attacked twice. We have the National Memorial that's open there. You have, you know, many thousand people visiting it each day.

MR. ISAACSON: Well, get me back to these smart cameras. Can they do facial recognition at some point?

MR. KELLY: We can do some facial recognition. It's not there yet. We do it -- for instance we have a picture taken of a robbery in progress in a store, we get that picture from a -- from the proprietor. We examine it and we're able -- we've been successful in about -- I
think about 30 cases now of identifying people. We have a
800,000 person database, facial pictures that we use. So
about 30, maybe a little more than that. We're learning
as we go along.

MR. ISAACSON: How much of that depends on human
involvement, and how much can be done by the algorithms of
these machines?

MR. KELLY: Right now the training is very
important for the operators. So it is a significant human
element here. Now perhaps, you know, that will be reduced
as we go forward.

MR. ISAACSON: As you go forward, do you think
that facial recognition and databases can be so merged
that if at some point you said where's Walter, you'd be
able to find me? Just by pushing a button?

MR. KELLY: I think something like that's
inevitable. It's difficult to put a time-frame on it, but
yeah, I mean, we've made such progress in that area that
it's going to happen.

MR. ISAACSON: And so would you then keep a
database of -- well, how would you decide who's in that
database that you'd be able to find instantly? Would it
be everybody?

MR. KELLY: Well, these are significant issues.

Now, in the -- I talked about the --

MR. ISAACSON: We're in Aspen. So we should talk about significant issues.

MR. KELLY: -- about the Lower Manhattan security initiative. We have imposed on ourselves a 30-day cutoff. We -- our cameras purge themselves after 30 days.

MR. ISAACSON: Why?

MR. KELLY: Because of privacy concerns. We -- with privacy advocates --

MR. ISAACSON: Well, for 30 days you get to know where I am, but after 30 days --

MR. KELLY: Unless you're the target of investigation.

MR. ISAACSON: Well, why wouldn't you keep it forever? Why is that a privacy violation?

MR. KELLY: Because we were concerned about privacy advocates complaining about that.

MR. ISAACSON: I don't get to complain.

MR. KELLY: We sat down, we met with them, we
were anticipating it, and we haven't had a complaint.

MR. ISAACSON: Okay.

MR. KELLY: So in that sense we've been successful. But there are significant privacy issues here. We have a cadre of first-grade attorneys that look at these issues. So you know, the world is changing. We understand that, but privacy is an element that we have to factor into everything we do.

MR. ISAACSON: People keep calling it privacy, but what you're talking about is anonymity, the ability to wander around without anybody noticing you there. Isn't there a distinction?

MR. KELLY: Yeah, and I think that anonymity is pretty much over. You walk into a department store, your picture is taken 30 times --

MR. ISAACSON: You get on an airplane, you have no right to anonymity.

MR. KELLY: That's right.

MR. ISAACSON: Should you have a right to anonymity walking around Manhattan?

MR. KELLY: Some people think so. But I'm saying de facto that's probably gone, because we -- but as
soon as a crime happens, we access both private-sector cameras and our own cameras, and we're more and more able to identify where people have come from. We'll go many, many blocks away to track a route of someone. So we're looking at everybody to do that.

MR. ISAACSON: Your Intelligence Division is now global in a way, right? You don't keep it -- you've -- that's a new initiative on your part to have an Intelligence Division that operates around the world, is that right?

MR. KELLY: Well, we have -- yes, we have our members in 11 cities, you know, overseas. And we do that to have them ask the New York question, is there anything going on that they can help us better protect New York?

And because of our own diversity, I believe we're the most diverse police force in the country, and our police officer rank is now since 2006 majority minority. So we have a lieutenant in Abu Dhabi who is Egyptian, speaks Arabic fluently, the -- we have a detective in Madrid who was born in Madrid. We have a detective in Paris who was born in Paris. So we are able to -- and we have cop-to-cop relationship that I think works -- works very well,
not like the legal attaches we talked about yesterday
other agencies have. They work in the U.S. embassy. We
work actually with police officers in other countries.

MR. ISAACSON: So it's with the permission of
the local police department?

MR. KELLY: Absolutely.

MR. ISAACSON: And you just mentioned you have
an Egyptian, you have a Arabic speaker, you have -- has
recruiting for the New York City Police Department changed
since you were taken as a trainee, now that terrorism is,
I assume, much larger than it was 50-some odd years ago?

MR. KELLY: Sure, absolutely. We found -- in
2002 when the Bloomberg administration came in, we knew
that we needed different skill sets to help us better
protect the city. We needed those experiences and skills
that just don't happen through the normal police function
or the police structure. So we reached out, and people in
this room certainly know David Cohen who is our director
of intelligence, 35 years in the CIA, we have Frank
Libutti, a Marine lieutenant general --

MR. ISAACSON: Tell me exactly what David Cohen
does.
MR. KELLY: David is our director of intelligence operations. We have over 500 people in our Intelligence Division. The people you mentioned overseas, they report to David Cohen.

MR. ISAACSON: Well, what do they do daily?

MR. KELLY: They gather information, they synthesize information. We have a field intelligence officer in every one of our operational commands which is about 90. They report to David Cohen. A lot of that is criminal intelligence.

MR. ISAACSON: Some of it is keeping track say of radicals in the Muslim community, right?

MR. KELLY: Some of it, yes, that's correct. We also have our own undercover operations because of all diverse -- because of the diversity of New York City, we're able to recruit and hire officers that can operate in a undercover capacity.

MR. ISAACSON: Was this notion of a global intelligence division that sort of gathers information say on Muslim radicals who may come to New York or whatever, do you think that will survive the Bloomberg administration, or is that particularly to you and Michael
Bloomberg?

MR. KELLY: No, I think the threat is going to remain constant for a long time to come. So I would see this component as being critical, yes.

MR. ISAACSON: Under the See Something, Say Something policy, some people of New Jersey saw something and said something when it was one of your undercover people, and it got Governor Christie quite annoyed. Explain what happened and why didn't you let the governor know that you were doing an undercover intelligence gathering in his state?

MR. KELLY: Well, we really did, and the --

(Laughter)

MR. ISAACSON: So Christie knew, and he --

MR. KELLY: Well, let's put it this way. People in the state knew. We have an organization that we started called Operation Sentry. It is a grouping of a 140 law enforcement agencies, mostly in the northeast portion of the United States. Seventeen of them are from New Jersey. So those folks -- and indeed there were stories in the New Jersey newspapers saying that they knew about it.
So a statement was made that, you know, they should have known about it. Well, in fact they did. Now, why do we do this? Well, New York, as I say, has been attacked twice successfully, the World Trade Center attacks. We've had 14 plots against us since September 11th. In the 1993 attack, the bomb was put together in New Jersey. Faisal Shahzad who drove into Times Square on May 1st of 2010, he put his bomb together in Connecticut. Najibullah Zazi who was going to blow himself up on the subway trains in 2009; he put the components together in Aurora, Colorado, and drove them to New York City.

And in the London bombings of 2005, the bomb was put together in Leeds, a 180 miles away. So it would be foolish for us not to look beyond our borders. We're going to continue to do that. We're not breaking any laws in doing it. We're the biggest police department in the country, we have the resources and the assets to do it, and we're letting our brothers and sisters in law enforcement know what we're doing.

MR. ISAACSON: Every case you mentioned I think, or almost everyone, involved Muslim radicals. Do you -- how do you balance the fact that this is the source of
most of the threats and yet you can't or perhaps shouldn't be totally profiling one group of citizens?

MR. KELLY: We're not profiling, we're following leads. Leads come in a variety of ways. The fact of the matter is those 14 parts that I mentioned, are all based on Muslim extremism. So you know --

MR. ISSACSON: But doesn't that give you more duty to keep an eye on Muslim radicals in New Jersey or anywhere else?

MR. KELLY: Well, we have to look at the environment. And it gets into -- well, it gets into the AP story, and what they wrote about us.

MR. ISSACSON: Yeah, that's what I was --

MR. KELLY: We have an agreement. Just a little bit of history. 1985, we signed something called a Handshoe agreement, which was -- is monitored by the Southern District Judge Charles Haight, and that agreement limited our ability to investigate political activity. In 2002, when this administration came in, we petitioned Judge Haight to change that agreement, to loosen it up because we thought it was too restrictive in having us conduct terrorist investigations.
The judge agreed. He said you don't need a
criminal predicate. You can do investigations in advance
of criminal activity, that you can go to any meeting
that's open to the public, you can go to any website that
is available to the public, you can do reports that will
give you better understanding of the environment in which
you are working. So that's what we did. That's what
we're doing, totally pursuant to --

MR. ISSACSON: So it's under pretty clear
guidelines from a court that you --

MR. KELLY: Yeah, precisely.

MR. ISSACSON: Let's look at overseas threats.
Start with Iran, is that something bigger and newer now
than in the past 4 or 5 years and how do you deal with
that?

MR. KELLY: We're concerned about it.

Obviously, we have to rely on the federal government, but
in the last --

MR. ISSACSON: Do you have anybody in Tehran?

MR. KELLY: I'm sorry? No, we do not.

MR. ISSACSON: No. You can tell me if --

(Laughter)
MR. KELLY: In the last 7 months obviously we've seen a lot of activity, Iranian agents at nine different events. We saw them in Tbilisi and New Delhi and Bulgaria, those sorts of things, so -- geared or aimed at Israelis.

MR. ISSACSON: Yeah.

MR. KELLY: Now, we have arguably about a million Jewish citizens in our city. It gives us cause for concern in terms of retaliation. So -- and we've had on two separate occasions Iranian agents "doing surveillance" in the New York City. They were PNG, persona non grata. They were expelled from the country.

MR. ISSACSON: In other words they had up until then diplomatic immunity. They were doing surveillance.

MR. KELLY: That's correct, yeah.

MR. ISSACSON: And you got rid of them by declaring persona non grata?

MR. KELLY: That's right. Now, this is a while ago. This is the last -- in 2003.

MR. ISSACSON: Tell me what threats you've been able to thwart like that.

MR. KELLY: Well, we're not certain in terms of
what we prevented in that regard. But as I said we had 14
plots against the city that have been thwarted as a result
of good work on the part of the federal government, good
work on the part of the NYPD and sheer luck. We've had
Faisal Shahzad who drove into Times Square with a bomb in
the back of his car. He wasn't on anybody's radar screen.
Nobody knew anything about him. He wasn't -- the bomb
didn't go off, thank God. But -- so it's not all just
hard work. In Faisal Shahzad's case, we were very lucky.
It was right next to a major hotel and probably would've
killed scores of people.

    MR. ISSACSON: Yeah, right in Times Square.
    MR. KELLY: Right.
    MR. ISSACSON: I read Christopher Dickey's piece
in Newsweek maybe what 2 months ago, very favorable to
everything you've done, but it also said that it caused
you to rub elbows, as a polite way of saying it, with the
FBI. Let's start with them. What have been the problems
and what have been the solutions of those problems you've
had with the FBI?
    MR. KELLY: I think we have a good working
relationship with the FBI. I mean, these are two big
organizations wanting to do the right thing, wanting to do a good job. You're going to have some frictions.

MR. ISSACSON: Well, tell me what the frictions were and then how you overcame them.

MR. KELLY: You know, I don't know if we have to get into all those specifics, but it just -- you know, I think it really has to do with wanting to do good work and sort of stepping on each others jurisdictions. I think we work most -- I'm not certain the tension is necessarily a bad thing.

MR. ISSACSON: That's a good point.

MR. KELLY: I think it's good to keep a little bit edge on what we do. That sort of keeps people's feet to the fire.

MR. ISSACSON: But you feel you're getting all the information and they are getting all the information from you to them and vice versa?

MR. KELLY: Yes, I do, and I think the reason for that is nobody wants to be caught holding the bag. So something happens, you don't want to just be the holder of that information. So I think information is always certainly much, much better than it was years ago.
MR. ISSACSON: What about the CIA? Are they feeling territorial when you're sending people out?

MR. KELLY: Well, the CIA -- no, we have I think certainly a good working relationship. But we really work with the CIA now through the Joint Terrorist Task Force, through the FBI. That's really your point of contact. We did have someone from the CIA assigned to the NYPD. That's no longer the case.

MR. ISSACSON: Okay. What about other technology you're using? We did the cameras, the face recognition, the database and also the gun -- the body, the, whatever it was, infrared -- not infrared -- gun detector.

MR. KELLY: Well, we have a Real Time Crime Center, which is the first of its kind in the country. We had a lot of different databases that were being queried during investigations. We brought it all together. We created a data warehouse putting a lot of information into that data warehouse. Sitting on top of it is something called the Real Time Crime Center, a 24-hour-a-day, 7-day-a-week operation with experienced detectives. Crime happens, they push information out to investigators in the
field.

So we're sort of getting a leg up on what's going on. Doing it more quickly, I think, enables us to arrest perpetrators more quickly and thereby helping us to continue to reduce crime, which is down about 34 percent in the last decade even though our population continues to go up. So the Real Time Crime Center has worked well for us. We now have a program, again thanks to Homeland Security, called Securing the Cities. We have a memorandum of understanding, working relationship with a 150 agencies in the New York City area. We're sort of the agency --

MR. ISSACSON: You're the lead agency on Securing the Cities for the federal government?

MR. KELLY: That's correct.

MR. ISSACSON: What does that mean?

MR. KELLY: It means that we are the distributor of a lot of equipment to other agencies. This is a program aimed at protecting the city from nuclear events. So we want to detect radiological material as quickly as possible as far away from New York City as reasonable, roughly 50 miles away --
MR. ISSACSON: But it doesn't do biological?

Isn't that a big threat we're facing?

MR. KELLY: Biological is a threat. There are some other ways of doing it, but radiological material is easier to detect than biological.

MR. ISSACSON: So Securing the Cities is mainly a radiological thing?

MR. KELLY: Yes. And I think we just had an exercise last week. And last year we had an exercise where we had 204 elements of radiological material. We deployed with other agencies about 3,000 law enforcement personnel. We found all 204 of those elements. Nine people were carrying it. We found those nine people. It was a major exercise facilitated by Homeland Security. So we are working on a lot of levels.

MR. ISSACSON: Do you think you might be able to create technology and systems that New York City Police Department could actually license or sell to other cities?

MR. KELLY: Yes, as a matter of fact.

(Laughter)

MR. KELLY: We are doing something which will --

MR. ISSACSON: We can have an IPO and take you
public, you know, and make money.

MR. KELLY: We actually are doing something with Microsoft, the details of which will be coming out in the next week or so.

MR. ISSACSON: Well, then give us the overview.

MR. KELLY: I could give you a teaser.

(Laughter)

MR. ISSACSON: Yeah, give me a teaser and give me an overview.

MR. KELLY: It is something called the domain awareness system, and what it does is sort of aggregate a lot of information that we have in a lot of different databases. It's not unlike what I talked about with the Real Time Crime Center. It also involves cameras, bringing historical information from those cameras and clearing all the databases on a work bench all sort of instantaneously. So it's one-stop shopping for investigators, but also we believe it's applicable to other governmental functions and we think it's also marketable outside the country.

MR. ISSACSON: Marketable meaning you would sell it to another police department overseas?
MR. KELLY: Yes.

MR. ISSACSON: And when you say domain awareness system, is the word domain as in internet domain or is it domain in the regional --

MR. KELLY: No domain as more of the regional, yes, correct.

MR. ISSACSON: And so it is a piece of software, Microsoft-NYPD, with hardware software combination?

MR. KELLY: Yes, that's --

MR. ISSACSON: How many details can I get out of you --

(Laughter)

MR. KELLY: It would be -- you know, we'll be announcing it shortly with the mayor.

MR. ISSACSON: Oh, okay, you don't want to scoop Mayor Bloomberg right now?

MR. KELLY: No, I do not.

(Laughter)

MR. ISSACSON: Yeah, that makes sense, anyway. And so is that sort of software -- do you use say social media more, is there a way for you to be monitoring everybody's Twitter --
MR. KELLY: Sure, absolutely.

MR. ISSACSON: -- and Facebook and GPS and phones so that you kind of know if something happens it's being tweeted or somebody on GPS is using Path or --

MR. KELLY: Absolutely, we were monitoring --

MR. ISSACSON: Tell me how that works.

MR. KELLY: We were monitoring Twitter during the Mumbai situation in 2008. We got a lot of information from that but we monitor twitter on a regular basis. We've been able to, we've announced it in New York, break a lot of cases with gang activity. By the way, they code their statements, but we're able to decode them.

MR. ISSACSON: Well, I'm sorry, gang activity is done what, by SMS messaging or text messaging or twitter?

MR. KELLY: Yeah, they do it through Twitter and they do it on Facebook.

MR. ISSACSON: And you get to -- and you monitor that and you're able to decode it?

MR. KELLY: Yes.

MR. ISSACSON: And so what type of -- I mean, people just use code words for different things and you -- it's like cryptanalysis where you're breaking the code.
MR. KELLY: Yeah, exactly.
MR. ISSACSON: Wow.
MR. KELLY: But you really have to be -- because what we see now is sort of the deaggregation or disaggregation I should say of big gangs into smaller crews we call them. So it's very turf based. It's very much based on where they are, maybe one or two blocks. So you have to kind of know that area to really decipher it. But we have people that are pretty facile in doing it. We also look at Facebook.
MR. ISSACSON: Well, you have people -- do you also have machines and algorithms that monitor these things and pick out the code words?
MR. KELLY: No, we -- no, no.
MR. ISSACSON: Okay.
MR. KELLY: But we are, of course, looking at Facebook like everyone else is now. We have our own Facebook site as well. But Facebook is where it's at and we're monitoring it quite frankly.
MR. ISSACSON: Yeah. And what about the fact that everybody's cell phone is now -- well, most are GPS enabled. You know where everybody is, where the phone is,
probably could even know their contacts, know what
dpictures they are sending to their Four Square or whatever
accounts. Does that help you, are you able to use that
information?

MR. KELLY: Well, phone work is very important
to investigate throughout the country, no question about
it. So it gives us information. We have to work through
the phone providers and they are -- and you've read about
this -- they are being overwhelmed with the demand from --

MR. ISSACSON: The requests.

MR. KELLY: -- law enforcement. But it is
another important tool for us.

MR. ISSACSON: But it is important to you. They
should be responding to those requests and the law should
allow them to respond.

MR. KELLY: Absolutely.

MR. ISSACSON: And you feel that that prevents
crimes? Meaning how?

MR. KELLY: Well, helps to detect crime.

MR. ISSACSON: How?

MR. KELLY: And also what we've seen is quite a
disproportionate amount of theft of iPhones or certainly
MR. ISSACSON: Smartphones.

MR. KELLY: -- iPads, iPods and that sort of thing, and we're able to detect them. Built into the phones and built into the iPads themselves are means of detecting the location. We've used that as well. But it is right now about 40 percent of our thefts (inaudible) are Apple products. So that's an advertisement, I know.

MR. ISSACSON: I know, right. Well, I guess a perverse sense of pride Apple should have. On the Olympics, now that it's finally open, what do you think they've done right and what have they done wrong and what have you learned from them?

MR. KELLY: Well, I went there about a month ago. They were very hospitable. I have -- and I went with a team. We had an in depth briefing from Hogan-Howe, the commissioner of the Met, and Chris Allison is the coordinator of security. We had -- we went -- met with MI5. So we got really in-depth information. I think they've put together a very comprehensive, well thought-out plan. One thing that they did that's different from us is they just -- they put a lot of private security in
the equation, in the plan.

MR. ISSACSON: Yeah.

MR. KELLY: And of course, as we've heard, they haven't been able to deliver the company that was supposed to do that. And that really --

MR. ISSACSON: Why?

MR. KELLY: Because of vetting. Apparently the people that were identified to work there did not meet the criteria --

MR. ISSACSON: Does that give you pause when you think of privatizing parts of security?

MR. KELLY: I haven't thought about privatizing. (Laughter)

MR. ISSACSON: Okay.

MR. KELLY: I hope the mayor is thinking about it. But -- so they filled that gap with military and with additional police. So -- and I think it will go fine. Of course, it's always the untold that -- or the unforeseen that can happen, but I think they are positioned to respond appropriately.

MR. ISSACSON: Yeah, I've got one final question. Are you considering running for mayor?
MR. KELLY: I have no plans to run for an elective office.

MR. ISSACSON: But you have to think about it, right?

(Laughter)

MR. KELLY: I have no plans.

MR. ISSACSON: All right. If you were to think about making plans, what would be the considerations that you would consider?

(Laughter)

MR. ISSACSON: How would you juggle that? I mean, this is a big issue. There is no obvious next mayor of New York that can run on the platform of "keep us safe." You have to balance this. You have about 4 months to do so. How do you balance whether or not you're going to "make plans"?

MR. KELLY: Well, it's flattering to be talked about, but really I have no plans.

MR. ISSACSON: Okay, guess I'm not going to get further than that. Yes, sir.

MR. CHOKSI: Hi, Armeane Choksi, Washington, D.C. I have a question on terrorism finance. I know we
have a session later on, but my question is specific to New York. And since we have Commissioner Kelly captive here, I thought to ask this question. I've been told by someone who claims to be in the know that the transactions that take place on Canal Street, you know, where they sell all these knock-offs is an important source of terrorism finance. Is this true and if so what is the mechanism?

MR. KELLY: No, we don't see that as being the case. That's a -- I've heard that as well, but we have a pretty good understanding of the finances of the sort of knock-off industry, knock-off world. We don't see that as being an important source of funding. And quite frankly terrorism doesn't cost a lot of money. You know, it's estimated that 9/11 cost about $500,000. So I know you're -- there's a panel coming in to speak about that, but we don't see that particular act or actions as being a source of terrorist funds.

MR. ISSACSON: And you spoke of the 14 things that, threats that came along, all Muslim related. Were they financed or were they all these things that could've been done with pocket change?

MR. KELLY: They -- some of them were financed,
but not with a lot of money. It really is -- it's surprising how little it takes to launch a terrorist event.

MR. ISSACSON: Yeah.

MR. SHAPIRO: Thank you. Steve Shapiro from New York. Mr. Commissioner, I'm glad you're here. It's wonderful to see a fellow New Yorker. I'm focusing on domestic intelligence architecture. And although everyone in the IC will tell you that New York is its own world and don't use New York as a model and don't even ask why or how, nonetheless I'm doing it.

After 9/11, the federal government set up a number of systems designed to move information from the bottom up, dot connect, back down and disseminate them like a big eye and New York doesn't participate in some of those. For example, the Fusion Center System, there is no fusion center in Manhattan or New York City. It's up in Albany.

The SARS, Suspicious Activity Report System, which is designed to collect from the ground up and deliver these things up to the Fusion Centers or JTTFs or DHS, et cetera, New York City doesn't do SARS. NYP does
its own thing, obviously quite successfully, but how do you integrate into the national system of that information flow up and back down?

MR. KELLY: Well, we work very closely with the FBI and that really is our channel to the national systems. We have sort of a de facto fusion center in the city through HYDA (phonetic). And I think quite frankly I think the jury is still out on the whole fusion system throughout the country. I know a lot of people are engaged in it. I think the value of it is still to be determined.

We -- you know, our main channel is through the FBI, and the fusion centers are largely a Homeland Security operation. We work closely with Homeland Security, but we do have sort of a unique sort of sui generis type operation. But New York is like no other city. We've been attacked twice, as I say. We see ourselves as being at the top of the terrorist target list, and we're going to continue to do the things that we think work for us.

MR. ISSACSON: Yes, this table first and second. Just so we keep the mic there and I'll -- so am I missing
people over here? Yeah, right.

MR. PLACIDO: Hi, Tony Placido, formerly with DEA SAC of New York. Good to see you again, Commissioner.

MR. KELLY: Sure.

MR. PLACIDO: You know, arguably there is a growing consensus that your CompStat program really helps to hold leaders in the police department accountable and customize solutions and drive down the crime rate. I wonder if you would talk to us about your views and whether that is applicable and could be expanded into the national security realm on a broader scale than say the city of New York.

MR. ISSACSON: I'm glad you had the mic right there and then we'll get it right here.

MR. KELLY: I think CompStat has worked for us, but basically it's an auditing system. It's a retrospective look at what happened. You query commanders as to what they did to address a particular crime or crime condition and what they are going to do in the future. It's not that complicated.

Now, other city agencies have taken -- certainly other police agencies have throughout the country and
other city agencies have used it as well, variations of it. But it's -- it -- it's not that complex. It's holding commanders or holding executives accountable for what they're doing.

And this is in some organizations a bit of a -- you know, a bit of a change of approach. So I think it can work in a lot of different environments but it's up to the CEO, so to speak, to, you know, want to do it. You really have to have buy-in, you know, you have to be engaged. Some people -- it's like community policing years ago.

You have community policing written on the car and that was enough and people just say they're doing it. They really need buy-in from the top of the organization. But I think it does work in other environments. Yes, sir.

MR. OSBURN: Hi. Dixon Osburn with Human Rights First. Some have argued that it's too risky to try terrorism suspects on U.S. soil. Could you reflect on the Times Square bomber case and the case of Ahmed Ghailani who was one of the Guantanamo detainees but who were tried in Manhattan? And tell us whether or not law enforcement can manage the risk of any of these terrorism trials.
MR. KELLY: Now, the first thing you said was Abdul Muttalib?

MR. OSBURN: The first one was the Times Square bomber, the trial.

MR. ISAACSON: Yeah. The time -- the trial of the Times Square bomber was done in New York City, right, is the point?

MR. OSBURN: Yes.

MR. ISAACSON: Yeah.

MR. KELLY: And can we manage a trial?

MR. ISAACSON: Yeah, should we have trials in New York or is it too dangerous and even have to be tried at Guantanamo, so --

MR. KELLY: Well, we were approached by the Justice Department. Actually the Justice Department made a determination to try all five individuals who are now in the process of being tried in Guantanamo, in New York City. We certainly thought that we could do it. However, we are down 6,000 police officers from where we were a decade ago.

So we're under a lot of personnel stress and constraints. So what we said to them is, we need money,
we need overtime to do it. We had a very workable,
comprehensive plan to do it. I certainly think we could
have handled it. But it was expensive. The federal
government agreed to that. Now, political pressure was
brought to bear to get them to move it out of New York.
But as far as the police department, we thought
that we can do it. But it takes bodies to do it. We
don't have the bodies now, and you know, we'd -- it has to
pay for it.

MR. ISAACSON: Interesting.

SPEAKER: To what do you attribute the lingering
mistrust of the police department among minority groups,
especially in New York City, when you have a majority
minority police force and they are the overwhelming
victims of violent crime?

MR. KELLY: What do you attribute to what the --

SPEAKER: The lingering mistrust of the police
department and how much of that is our political leaders
in those areas?

MR. KELLY: Well, I think --

MR. ISAACSON: How much of it is the political
leaders in those areas too, she --
MR. KELLY: Well, I think there's been mistrust of police in the minority communities for a long, long time. We're not going to change it overnight. I think making the police officer rank majority minority and having them move throughout the department is a good thing that will ultimately impact on that. But we have a ways to go.

But I've been around -- I've been in policing a long time. I've been in the New York City Police Department a long time. I believe that our relationship with the communities throughout the city are stronger now than they've ever been. Now, that's my own personal opinion. I go to many community meetings. People like their commanders. People like what the police are doing.

We're approached by community groups. They want to work with us. So a lot of this just for a variety of reasons doesn't make to media. And for political leaders I think there is no question about it. Stop-and-frisk is a hot-button issue in certain communities. But it's sort of -- as I said, the elephant in the room is the violence that's going on in the community.

So sometimes they'd rather focus on things that
are -- that are going to separate them from the police as opposed to things that are going to bring us together. But I have a good feeling about our relationship with the communities. And I think it's only getting stronger.

MR. LeVIEN: Commissioner Doug LeVien, U.S. Army, a Brooklyn resident. So I just wanted to jump on that questionnaire. Can you talk about how you went ahead and recruited members of the African-American community and the Latino community and how that paid dividends in policing those areas? And then if you can put on your military cap and put -- think of Afghanistan and think how you can go ahead and recruit members of the Pashtun community to join the police and the Army.

Because after 10 years of being in Afghanistan, the Pashtuns are about 30 percent of Afghanistan and very few of those members are in the Army and the police. So how do we -- what type of efforts are needed in order to get members of the Pashtun community, where the insurgency is coming from, to join the local police and join the Afghan Army?

MR. KELLY: Well, we have a very proactive recruitment program. We use people, we use, you know,
members of these communities to go in and recruit. And we
-- right now, our department is about 25, 26 percent
Hispanic, Latino. And that's going up tremendously and
that helps us -- no question about it -- working in
Latino.

We have a large Dominican population, obviously
a large Puerto Rican population in New York. As far as
Pashtun, we have a limited number. But I would also say
this that we have more speakers of South Asian languages
than any law enforcement agency I'm aware of. We have
more Pashto -- well, Farsi, Bengali, Hindi. And we use
that effectively sometimes in investigations but also in
doing recruiting.

Now, couple weeks ago, just pre-Ramadan, we had
a pre-Ramadan conference in police headquarters. We have
500 people there. We had only supportive comments from
the people who arrived. We put out invitations to a lot
of leaders, to a lot of mosques. They came. I heard no
negative comment. I have heard them in the past because
they have pre-Ramadan conferences, you know, before
Ramadan begins every year.

I've heard those negative comments in the past.
There were none this year. And I stayed around, I talk to them afterwards. They're -- I think it's a very close relationship that we have with a lot of people in the Muslim community; that of course helps our recruiting efforts. So they're only going to continue to strengthen our diversity because that really in the end strengthens the department and everything that we're able to do.

MR. ISAACSON: Is it -- Bob, is that you there? I can't quite see with the light. Bob Myers? No.

SPEAKER: (Off mic.)

MR. ISAACSON: Oh, I -- okay, because I thought that you were talking about bio --

SPEAKER: (Off mic.)

MR. ISAACSON: Well, I mean because you've been doing so much with bioterrorism in Chicago, I was just wondering if -- because we have not -- we did the nuclear part. I was wondering if bio -- you know, you had a question on bio.

SPEAKER: Thanks for asking. The bioterror issue from city to city -- New York is far advanced, as far as I can tell, over other cities. Are you trying to make a national model for bioterror response at the first
responder level, that is, the medical responders?

MR. KELLY: Well, we have -- you know, we're using BioWatch, which is fairly standard. We work closely with our Department of Environmental Protection. And we've also worked with Lawrence Livermore. They've done testing. I think a lot has to be done in the identification and analysis area. We are obviously concerned about false positive in the area of biological threat and what that triggers --

MR. ISAACSON: But does the police department work very closely with each of the medical centers; I mean, hospitals and all so you don't have the panic that would come from there?

MR. KELLY: Yeah, well, we work closely with our department of health and environmental protection. They're very much involved in this area. But I think we've got ways to go as far as the reliability of the systems that we have in place. And I mentioned this, we are particularly sensitive to a false positive --

MR. ISAACSON: Right.

MR. KELLY: -- triggering a response that may be overblown. And then conversely that being --
MR. ISAACSON: That's the whole mark of terrorism is to terrorize, i.e., make an entire island feel that they may be getting smallpox or anthrax or something.

MR. KELLY: Yeah. Right. Yeah, I think -- and we talked about radiation detection. It's much simple -- let's put it that way -- than biological detection.

MR. ISAACSON: In the way back, the gentleman, yes.

MR. COOPER: Rich Cooper (phonetic). You've worked with the Department of Homeland Security now for 10 years that it's been in operation. Curious as to what you think the department is doing right, what it's doing wrong. And regardless of who wins the election, what are the prospects of having a new DHS secretary? What do you think are the qualities that we should be looking for in the next leader of that department?

MR. KELLY: Well, I think the current leader is just fine. We work very closely with Secretary Napolitano. She's been -- come to New York often. We've -- you know, New York quite frankly has been spared from the really major cuts that have taken place and -- in many
of the grants in homeland security. So I think, you know, our relationship right now and the leadership is first rate.

MR. ISAACSON: And I guess your answer is what you're for is somebody who spares New York the majority of the times.

(Laughter)


MR. ISAACSON: But actually that's a serious question because initially, you know, Bogalusa, Louisiana was getting, you know, terrorism funding and -- because every Congress person --

MR. KELLY: Yeah. Right. All politics is awful. We understand that is --

MR. ISAACSON: And you fixed that -- have we fixed that problem? I mean so there's now focus on places where there is a threat --

MR. KELLY: It is -- yeah, the -- proportionally it's gotten better. But there was no question about an effort to spread it out across to the 50 states, which made no sense.
MR. ISAACSON: Way in the back, so I don't discriminate against the back. And also we keep our microphone people fit and healthy.

SPEAKER: One of the findings of the 9/11 commission was that many of the loss of life on 9/11 could have been saved if the New York Police Department and the fire department communicated better and worked better together. What have you done to get rid of that rift and make sure that NYPD and the fire department are actually working together as opposed to against each other?

MR. KELLY: Yeah. Well, I don't agree with the premise of your question but even so we've done a lot to work together. Let me tell you what happened on 9/11. There was an issue with the fire department communication system. This has been -- this was in the 9/11 commission report. They have a UHF system. It was basically a point-to-point system.

Understandably, you want to be able to fight a fire in a -- in the building and you want to be able to talk to people in that building. You don't want to go to a fire being fought 10 blocks away. So they had a booster system in the towers, in the 9/11 tower that would enable
them to communicate throughout the building. For whatever reason still undetermined, that system did not work.

So they were not able to communicate with each other, the fire department. The police department had a VHF system and they were able to communicate well -- I wasn't in the department then, by the way -- weren't able to communicate -- well, the problem was that they were stepping on each other. In other words, too much communication on one channel.

Now, the fire department has addressed its radio system. We're still using the same radio system. But we have channels, we have interoperability channels that we can talk to each other. Our emergency service offices who are -- heavy weapons -- they do some similar work. The fire department -- they have their own special channel, so there's a lot of communication capability.

We take fire chiefs up in our helicopter to look at fire, something that didn't happen before 9/11. The mayor put in a citywide incident management system that is --

MR. ISAACSON: Internet management?

MR. KELLY: Citywide incident management system.
MR. ISAACSON: Oh, incident management.

MR. KELLY: Incident management system that really brings about a lot of face-to-face contact, face-to-face coordination. So the -- there were problems that were identified, but they weren't really having to do with police and fire. Now, what did happen there is the fire department set up a -- their headquarters on the ground in one location. The police were at another location.

If you recall, the -- on -- in building 7, a bunker, the OEM bunker was put on the 23rd floor. What happened is of course that building was destroyed. They couldn't man the bunker so that -- where you would have face-to-face communication. That building had since been rebuilt but that was not by everyone's agreement.

The smartest thing in the world, to put a -- the bunker in -- right across from the World Trade Center, a site that had been attacked before by terrorists. So the notion that somehow police and fire were not working together and that resulted in death is simply not the case.

MR. ISAACSON: Last question right there -- I'm sorry, that -- you have one too -- both of you, have quick
questions.

MR. STERN: Commissioner Jeff Stern from the Homeland Security Institute. As a nation, we've drawn a distinction between terrorism and events like the shooting in Aurora, a criminal murder activity. What are the consequences of that for local police or law enforcement leadership? Is that a distinction we should maintain or one that we should rethink?

MR. KELLY: Well, I think it can overlap. I think a lot of the training -- there's a lot more training now post 9/11 than ever before. There's a lot more interconnectivity, the role has gotten smaller, law enforcement role has gotten smaller. So there is -- and thanks to Homeland Security, we've gotten a lot more money for training.

That training will give us skills that are not just applicable to a terrorism event but to other events as well. Now, part of this active shooter training that's going on, some of that training is funded by counterterrorism money. We are doing that training now at NYPD. We trained over 2,000. What we want to do is train officers in patrol cars, not necessarily specialized
units, ones that are going to go first to the scene. By the way, we have adopted a program called Alert. It was developed by two police officers in Texas. And we thought it was -- we went out and looked at a lot of them, we think that was an excellent program. We've adapted it to a big city. So we -- you know, we look around and see what's out there, what's good.

And you know, we've taken from -- these two gentlemen started a small course. But there is -- there's a lot of benefits and a lot more training. And as I say, there's sort of spillover into both areas.

MR. ISAACSON: Then last question.

MR. SHACHTMAN: Noah Shachtman of Wired. Obviously New York is the top target for terror threats. And you know, I think we're all aware of that. I work in Times Square and grew up in Manhattan. But a lot of the plots you cite don't seem to be much of plots. I mean you talked about one of the 14 included some joker that wanted to take down the Brooklyn Bridge with a blowtorch, you know, not exactly the world's most skilled terrorist.

You know, the JFK bombing, those guys, you know, are sort of characterized as kind of jokers. And in at
least a couple of those plots, you know, the FBI and the U.S. Department of Justice decided not to -- you know, decided it weren't serious enough for them to play ball on. So is -- are the 14 -- is that perhaps overstated a little bit, you know?

MR. KELLY: This is a phenomena that we always see. If in fact something happened, then shame on us. If it doesn't happen, well, this guy couldn't do it, he's, you know, mentally defective or whatever. Now, let me tell you about the Brooklyn Bridge. This individual was dispatched here by KSM to take down the Brooklyn Bridge. Now, the Brooklyn Bridge is sort of asymmetrical. It has a room where the cable, the central cables go in into that room. What he was planning to do is to get into that room and to cut the cables. Now, you wouldn't see him. He'd be in there and he would weaken the center cables and it ultimately would take the bridge down. This was no madman. This is the guy who was dispatched. He was a naturalized U.S. citizen. He fought in Afghanistan against the soviets. He was a --

MR. ISAACSON: A Taliban?

MR. KELLY: He was a -- I'm sorry?
MR. ISAACSON: Taliban?
MR. KELLY: No, he was a al-Qaida.
MR. ISAACSON: Al-Qaida, okay.
MR. KELLY: He was a -- what -- Hazmat material truck driver so he was able to drive all over the place.
This was the real deal. The way he was caught was KSM gave him up after he was captured in Pakistan. He gave the FBI the information. Now, by the way -- so we looked at the material and he had his picture taken at key locations throughout Manhattan.
So to identify this guy as a joker -- he was the real deal. And if he had gotten into that room -- and I've been in the room; we have since wired it, and you know, put lots of cameras there -- if he had gotten in the room and he was able to -- what he was using was this -- the sort of blowtorch that cut railroad tracks. It was a big, heavy-duty torch that would have done the job.
And the reason -- he sends back a message saying, the weather is too hot, because we had a police officers on the bridge. Why did we have police officers on the bridge? Because the Brooklyn bridge was identified in other threats and probably in this threat as the bridge
in the *Godzilla* movie. The bridge in the *Godzilla* movie is the Brooklyn Bridge.

So we put -- now, if you go to the Brooklyn Bridge now, you'll see police officers in either end and you'll see a police boat harbor launch underneath the bridge. So -- but this is -- you know, when they're not successful, they're crazy or they're mentally defective, whatever. But if they're successful shame on you, government.

MR. ISAACSON: Any last words you want to share us -- share with us?

MR. KELLY: Thank you for having me.

MR. ISAACSON: Thank you for being here, Mr. Commissioner -- Mr. Mayor.

(Applause)

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