

My remarks today will be from the local law enforcement perspective. I will offer the committee an overview of the agroterrorism preparedness activities that are occurring at the local level in the state of Kansas. Further, I will speak briefly about our experiences, interaction, and initiatives with state and federal officials. I want to emphasize that we are never satisfied with our current level of preparedness as this is a continuing process.

The threat of agroterrorism is real. From recent events, we know there are forces that are seeking to harm America in any possible manner, and that our agriculture is particularly vulnerable. We know that those who seek to harm us constantly change their tactics. We can not overlook threats to agriculture and our food supply.

In 2002, a group of local committed agriculture leaders joined our community's first responders to develop a comprehensive plan in response to threats of terrorism. This group of leaders recognized the importance of preventing an attack on our economic base. This coalition continues to assess any animal and public health issues that pose a threat to our community.

The Ford County Sheriff's Office, The Kansas Bureau of Investigation (KBI) and the National Agricultural Biosecurity Center (NABC) at Kansas State University recently completed a two-year research project that was sponsored by the National Institute of Justice (NIJ). Previous writings and research identified the dire consequences of agroterrorism, but information related to law enforcement's role and responsibilities were virtually non-existent. This project establishes a base line for law enforcement to better understand the livestock industry and define its role in working together in the common cause of prevention. Further research is required to answer many of the unanswered questions related to this topic.

During the research project, several proactive initiatives were developed for law enforcement to specifically protect agriculture from criminal threats, including acts of terrorism. Local, state, and federal agencies, including the USDA and FBI, and industry participated in these the research activities.

The overall conclusion of this research project centered on the fact that terrorism, regardless of its form or origin, is a local crime and preventive initiatives should be developed by local law enforcement in partnership with the livestock industry. Federal funding would be necessary for the implementation of such measures.

Recently, a consortium of state and local animal health, law enforcement, emergency management and academia officials met in Kansas City to discuss strategies in prevention and emergency response issues related to agroterrorism. Representatives from South and North Dakota, Nebraska, Kansas, Oklahoma, Missouri, Colorado and Iowa were present for this important planning session with the overall goal of sharing information and developing strategies that will work beyond state boundaries.

AGROGUARD is a community policing strategy with the goal of bringing Sheriff's and industry leaders together to encourage reporting of and educating front line industry personnel in suspicious activity. Because of the inter-dependence of the industry, this program reaches across all facets of ag from pre-harvest to post-harvest stakeholders. Many states have shown interest in this concept developed by front line industry personnel in conjunction with law enforcement.

As you may be aware, the Kansas City Field Office of the FBI and the Heart of America Joint Terrorism Task Force recently hosted the 1st annual International Symposium on Agroterrorism. This symposium brought together stakeholders from across the world. A step towards a global initiative on preventing and responding to agroterrorism may have been taken with this important endeavor.

Across the country, planning activities such as field exercises, other training, and communication is occurring. These food chain homeland security efforts must continue with a high degree of urgency. Further, because of the potential consequences associated with an interruption in the food supply, we can not become complacent. Most importantly all communities must understand that they are not immune from such an event.

Local first response agencies are far better equipped to respond to a weapon of mass destruction event because of funding from the Office of Domestic Preparedness. Agencies, who just a few years ago could not offer their personnel protective equipment, can now do so. In my perspective, the importance of intelligence information being forwarded from the ground up and from the top down is critical. The local deputy sheriff responding to a report of suspicious activity forwarded by an alert industry professional is equally likely to identify and prevent agroterrorism as is the development of intelligence information at the national or international level. Lacking too, the industry must realize the importance of reporting such activity and being an equal partner in protecting itself.

In closing, in 2002, I testified before a Congressional Field Hearing at Abilene, Kansas. Significant progress has been made since that hearing, but there are many threats and challenges that have yet to be addressed. In my opinion, the costs of response are far too high and our focus must be on prevention. From the most simplistic initiatives of preventive policing to the most complex of disease surveillance and food safety technology, the need for prevention can not be overstated. Federal grants and homeland security funding must be available to promote local preventive initiatives, research, and technology to protect against acts of agroterrorism. To eliminate confusion, miscommunication and redundancy, it is essential that a national homeland security strategy addressing the threats of agroterrorism be developed and coordinated.

It has been an honor for me to represent local law enforcement in presenting this testimony. Thank you and I will try to answer any questions you may have.

Written Testimony entered into the record

The threat of Agroterrorism is real! Understanding this, many rural communities across the nation have assessed their critical infrastructure and have found how reliant they are on agriculture. They have also discovered the unique challenges associated with protecting the food chain. Because of its diversity, the agriculture industry differs greatly from most other industry. Thus a simple and singular plan in the preparation for terrorism is not applicable. A

focused regional, if not local, effort at understanding the particular facets of the industry that impact the individual community is required for agroterrorism prevention and response planning. More importantly, a national strategy must be developed to eliminate confusion, redundancy and miscommunications. To accomplish this, partnerships between industry, all of law enforcement, and other first responders must be forged and plans developed specific to the community. Efforts in prevention, including preventative policing, animal health surveillance, and applicable technology must be equally emphasized.

My perspective is that of a local law enforcement officer from the heartland of the country. In our community the beef industry drives the economy. Millions of animals are grown, housed in feed yards, and processed to meet the demands for beef products across the country and the world. Any terrorism event could have far reaching implications from unemployment, eradication and other logistical costs to disruption of the national food supply, and global trade sanctions.

Kansas is highly reliant upon agriculture. As a result, we have been motivated to protect our economic base by developing strong partnerships between all law enforcement and agriculture, particularly the livestock industry. We have made progress in developing preventive measures as well as an emergency response plan. However, this continues to be "work in progress" as much work must be done in the future to protect this nation's food supply from the threat of terrorism.

The beef animal industry is highly efficient. To meet the demands for beef products throughout the United States and the world, it has evolved into a 'non-stop operation' that requires constant, uninterrupted movement of live animals, feed supplies and finished product. "Agromovement" may represent the greatest vulnerability to the industry in preventing, planning for and responding to an agroterrorism event.

Agromovement can best be defined as the continuous cycle of movement required in farm to fork food production, including all aspects of animal transportation to finished products destined for distribution and consumption throughout the world. Each facet, beef, swine, poultry and even fish require some structure in movement. According to the National Agriculture Statistical Survey (NASS), the agriculture industry generates about 1.5 trillion dollars in economic impact in the United States each year. The continued effective movement of pre and post harvest food products is probably the most basic requirement driving this economy. Additionally, there is a specific process of movement related to grain production that directly affects livestock production. This varies region to region based upon the particular feed requirements for livestock.

Grain products are a vital part of this cycle. Locally, in areas where there is a high concentration of livestock, most grain, especially corn and sorghum, are moved to the feeder facilities. Movement to terminals and to export by truck and rail does occur in these areas. Where less livestock are housed the amount of grain products destined for food production including products like cereals and bread is increased. Of concern in grain transportation is the opportunity for terrorist organizations to introduce a chemical or other agent into a load of grain product destined for human or animal consumption.

Transportation represents the greatest concern in livestock disease management. Live animals are transported on a daily basis to meet production requirements. Although most are hauled by the producer or by local contract carriers, there is substantial movement from state to state. In the case of local movement by producers, there is some ability, with time, to trace a vehicle that may have hauled diseased animals. Considering that contract haulers may move animals from one state to another and then back haul to yet another state represents a significant challenge in not only disease management, but in a terrorism event, law enforcement's ability to find and secure a potential crime scene, interview the driver, and prevent the vehicle from traveling, thus spreading the disease. Worse is the fact that incubation periods of highly contagious diseases may be days or even a week or more, thus accounting for a particular trucks movement for that period may be difficult at best. The National Animal Identification System (NAIS), if mandatory, may mitigate some of these problems.

According to many health officials, the greatest threat to the animal industry is the introduction of a biological agent, of which the most feared is probably Foot and Mouth Disease (FMD). This highly contagious disease affects cloven hoofed animals, may be transmitted in aerosol form, is viable in the environment, and readily available in many countries throughout the world. There is little human health risk when handling the virus and little technical 'know how' would be required to introduce the virus into an otherwise healthy livestock population. Considering agromovement, an inadequate response and the potential spread of this highly contagious disease would surely devastate the industry.

The face of terrorism as it relates to agriculture does not only look like that of bin Laden or al-Zarqawi. In fact, some industry professionals deem domestic groups, including anarchists and animal rights groups, a significant threat. Perhaps overlooked, disgruntled employees driven to harm an employer pose an equally real threat. Any of these groups may be motivated by the ability to significantly hamper the U.S. economy and create panic within the public in the sense of an unsafe food supply. A wide scale attack, orchestrated by any of these groups will simply over-burden and likely break the best of response mechanisms.

Agroterrorism, because of the potential impact can not be singly considered a local, state, or federal issue. This issue will require that all resources --- at all levels of government and industry --- join together in a coordinated and logical planning approach. Local level response planning efforts specific to the local industry coordinates prevention, response and resource coordination between all levels of government and the industry. These plans coordinated with State and Federal response plans including the National Interagency Incident Management Strategy and the Incident Command System are the basis for a national strategy. Homeland Security Presidential Directive #9 has given clear direction in protecting the food supply. It is important that a national strategy be developed communicated and coordinated to reduce confusion, miscommunication, and redundancy.

State level response plans for foreign animal disease events have been in existence for a number of years. Although there is some variation in these plans between states, most are based upon the same key points. In general, reporting, sampling, containment of the disease, cleaning and disinfesting of equipment and personnel, euthanasia and burial of diseased

animals as required, and recovery, which may include sentinel programs and vaccination.

Duties of responders in an event fall upon a combination of federal, state and local agencies. An effective response requires that local first responders have some level of related emergency planning in place. The reason, a wide scale event will quickly require local communities to request considerable state and federal resources. Secondly, a delay in response to subsequent events at the local level will likely perpetuate it causing even greater reliance upon already taxed resources.

The concept of organizing county or regional level response teams to deal with these issues in the early hours (12-24) is crucial. For example, a state veterinarian or local practitioner once called to a location to examine sick animals can have resources, identified by the county team at hand. Intended to manage local consequences, these teams could alleviate some of the problems caused by geography and the increased time in standing up state and federal resources and quarantine and stop movement coordination across state borders. The importance of having locally experienced industry professionals involved in consequence management can not be ignored.

The local impact of this event requires planning a response, not only for the industry and other agencies, but especially law enforcement. To understand what the requirements of law enforcement are, the response of the community as a whole must be defined in some detail. Conceptually, a response plan that is inclusive of key industry personnel offers great potential in adequately identifying resources and consequence management in support of law enforcement, public health and other first response agencies. The role of law enforcement will be dependent upon 3 factors: 1) the footprint of the industry; 2) the size of the law enforcement agency, and 3) the structure of the law enforcement agencies within the state, e.g. State Police, Highway Patrol, Bureau of Investigation.

Because of the lack of understanding the potential role of law enforcement, the National Institute of Justice funded research in this area. This project, Defining the Role of Law Enforcement in Agroterrorism was completed in July 2005 by partners at the Ford County Sheriff's Office, the Kansas Bureau of Investigation, and the National Agricultural Bio-security Center at Kansas State University and more clearly defines those roles. The findings of this research indicate law enforcement has roles in prevention such as identifying threats to the local agricultural industry, conducting vulnerability assessments of potential local agricultural targets, and developing a community policing strategy for the local livestock industry. In emergency response, law enforcement must carry out crime scene management including tissue collection from infected animals, evidence collection from the affected premises, and suspect development. In addition, law enforcement should be prepared to assist in any quarantine and stop movement plans ordered by animal health officials, conduct a full-scale criminal investigation to identify/apprehend/prosecute suspects, and resolve conflicts in the community such as civil unrest, breakdown of basic services, emotional stress, and potential public health issues. Additionally, as part of this project, several initiatives were undertaken. These initiatives included:

? Introduction of a community policing program termed Agro*Guard;

? Development of regional response teams (KBI special agents and KAHD veterinarians) throughout the state of Kansas; and

? Training for local interdiction officers on un-inspected food products being smuggled into Kansas.

Since testifying at the Congressional Field Hearing held in Abilene Kansas on August 20th, 2002, I am happy to report that planning and training initiatives have made progress. An important component of first responder training is participation in simulation exercises. These field exercises offer the participants an opportunity to better understand their roles in an emergency. Equally important, some level of stress arises from hands-on problem solving in real time. In the case of a simulated agroterrorism event, first responders are provided the opportunity to work closely with industry professionals and identify technology, statutory, and policy/procedure flaws that could hamper an actual response. Additionally, the problems first responders deem insurmountable may be resolved easily by the industry and vice-versa. When developed and conducted effectively, these field exercises provide participants with the necessary knowledge to plan for emergency situations. Likewise, it provides first responders with an opportunity to build a relationship with peers and industry professionals.

A number of exercises have been completed across the country. As part of the NIJ project, two simulation exercises were developed and evaluated. The first, Sudden Impact took place in Dodge City, KS. on January 20th, 2004. Due to the strong agriculture industry presence in western Kansas, officials in Ford County continue to play a key leadership role in developing a dynamic preparedness plan for an agroterrorism attack, specifically an intentionally-introduced foreign animal disease (FAD). Through the FAD sub-committee of our Local Emergency Planning Committee (LEPC), we have established an integrated emergency plan that serves as a role model throughout the state of Kansas. This sub-committee is a partnership between local government and key representatives from the livestock industry. This partnership incorporates expertise from all disciplines including veterinarians, feed yard managers, ranchers, transportation experts, animal health professionals, meat processors, law enforcement and other first response agencies to form a diverse team in combating the threat of agroterrorism in western Kansas.

The purpose of exercise Sudden Impact was to provide an advanced-level of testing for all phases of the emergency plan established by the Ford County FAD Committee. Because the emergency plan had undergone an initial exercise in October, 2002, Sudden Impact was designed to challenge changes in the plan, primarily in the areas of coordination and communication. Objectives for this exercise included: (a) assess the effectiveness of a public health quarantine; (b) identify issues for law enforcement in implementing a human quarantine; (c) identify concurrent issues evolving from a zoonotic animal disease; and (d) observe improvements in the emergency operations center (EOC) from the previous (Oct. 2002) exercise.

From this exercise it was realized that foreign animal disease emergencies will create an immediate reaction by the public and necessitate a continuous flow of up-to-date and accurate

information. Public education concerning the impact of a foreign animal disease should be treated as a priority. Law enforcement officials should review the number of officers that would be available to enforcement any type of emergency quarantine, and develop additional manpower resources, such as: reserve officers, conversion of non-commissioned officers, trained volunteers, etc. It is imperative that local law enforcement have immediate access to the identity of suspects and organizations that pose a threat to their community. A central database, similar to KsLEIN (Kansas Law Enforcement Intelligence Network), should be amended to specifically include suspects and organizations involved in possible agro-terrorism threats. This database should be connected to the federal terrorist tracking systems, such as the FBI's Terrorist Screening Center (TSC) and the Terrorist Threat Integration Center (TTIC) [now the National Counter Terrorism Center (NCTC)] in Washington, D.C. The Kansas Animal Health Department (KAHD) and the Kansas Bureau of Investigation (KBI) should establish Regional Response Teams, comprised of veterinarians and special agents, to train together and respond to any foreign animal disease at the "highly likely" level. This partnership would combine animal health and criminal investigation expertise.

Based on these findings, a second exercise titled, Endangered Species, was developed to test law enforcement's capacity to receive and analysis threat information and take preventive action. Since public events are likely targets of terrorism, a scenario was designed to test participants in a state fair setting. The primary goal of Endangered Species was to assess the connectivity of public health, animal health, and law enforcement in an emerging terrorist threat. Agency coordination was a key factor in recognizing the threat and implementing necessary safeguards. This exercise was conducted in Reno County Kansas in October of 2004.

When preparing for an emergency response for an outbreak of a foreign animal disease, prevention is a primary consideration. Preventative measures to protect agriculture, particularly the livestock industry, from an act of agroterrorism, reduce the potential economic impact to the community. Further, it would eliminate the need to allocate resources required for response.

Understanding the critical nature of information sharing is paramount to successful intervention. Industry leaders should develop an infrastructure that facilitates information sharing with law enforcement. Front line employees should be trained to recognize vulnerabilities, threats to the industry, the nature of suspicious activity, and reporting procedures. It is important that law enforcement be notified to investigate any suspicious activity. Once received, law enforcement can then begin the process of evaluating and converting threat information into intelligence, thereby providing first responders an opportunity to prevent acts of terrorism. With actionable intelligence, industry officials can then also place additional safeguards and increase awareness in and around their facility.

Intelligence databases and analytical centers are now in place to track suspects, activist or extremist groups, and suspicious activities to alert local authorities to potential threats related to terrorism. The purpose of this network is to provide law enforcement with an advanced warning for appropriate action in dealing with threats, including acts of agroterrorism.

From our perspective, information sharing between local, state, and federal agencies has improved, but further improvement can be made. The importance of intelligence information being forwarded from the ground up and from the top down is critical. The local deputy sheriff

responding to a report of suspicious activity forwarded by an alert industry professional is equally likely to identify and prevent agroterrorism as is the development of intelligence information at the national or international level. Therefore emphasis on sharing information at all levels must be maintained. The industry must realize the importance of reporting such activity and being an equal partner in protecting itself.

Agro*Guard is a community policing program. The ultimate goal of the program is to build a partnership between local law enforcement and the agriculture industry - an alliance that has likely never been forged before. Best described as Neighborhood Watch for the agriculture industry, the program is designed to educate front line employees and stakeholders in the principles of identifying and reporting suspicious events to police. Understanding the threat, the vulnerabilities, what exactly their role is, how to report suspicious activity and how to most appropriately manage the risk will give stakeholders the ability to be an active partner protecting the nation's food supply. The significant communication gap that exists between law enforcement and the agriculture industry must be closed to increase the chances of prevention. When this occurs, the above mentioned early warning for law enforcement occurs, thus offering the chance for intervention and prevention. The research partners along with the Kansas Animal Health Department and Department of Agriculture support and promote the program.

In addition to field exercises, a number of initiatives geared towards training have been held. The FBI Kansas City Field Office and the Heart of America Joint Terrorism Task Force recently hosted the International Symposium on Agroterrorism (ISA). Attended by some 800 participants from around the world, this venue offered participants a look at the roles of different agencies in the prevention and response to agroterrorism. What's more, it may have laid the groundwork for an international prevention approach.

Several other initiatives evolved from the NIJ project. In May of 2005, a consortium of state and local animal health, law enforcement, emergency management and academia officials met in Kansas City to discuss strategies in prevention and response issues that will clearly know no state borders. Members from the Dakota's, Nebraska, Kansas, Oklahoma, Missouri, Colorado and Iowa were present for this important planning initiative. Most importantly, the ability to manage movement of agricultural products in a terrorism event was identified as being critical to success. A separate but partnering multi-state ag security coalition currently is conducting research and furthering strategies for animal health, ag and emergency management.

Regional Response Teams first identified in Sudden Impact are now in place in Kansas. The importance of these teams can not be understated as they insure the proper collection of evidence for the purpose of prosecution. These teams, which are comprised of state investigators and animal health officials, respond to investigate suspicious signs and symptoms in the livestock population. Previously carried out only by animal health officials, this innovative partnership puts law enforcement eyes on a potential terrorism event from the onset leading to more efficient resource allocation and the above mentioned crime scene management and evidence collection. Law enforcement now works closely with veterinarians from the Kansas Animal Health Department and the Kansas Livestock Commissioner on a routine basis. In the past, this would only have occurred "after-the-fact" when a major theft had been reported

or some crisis had taken place

Local and state first response agencies are far better equipped to respond to a weapon of mass destruction event because of funding from the Office of Domestic Preparedness. Agencies who just a few years ago could not offer their personnel protective equipment can now do so. Training and education efforts through ODP are now offered in different locations throughout the country. More can be done. The identification of more equipment specific to agroterrorism response is needed and then made available to local and state agencies. Because of the diversity of the industry, training initiatives for first responders must be specific to each community emphasizing the predominant facets of agriculture present there. Further the need for funding additional street level officers is ever present and programs that have allowed for this must somehow be maintained.

Overall we have made progress, but have a long way to go. The reality is that some industry professionals are more likely than others to participate in local planning initiatives. Also, as unfortunate as it is, some Sheriffs have been reluctant to embrace agroterrorism as a priority for their department even when their local community has an agriculture-based economy.

Law enforcement and agriculture must develop local partnerships and establish preventive strategies. Further research must be conducted related to law enforcement and its role in agroterrorism. The diversity of our agricultural economy and food supply leaves many unanswered questions as to how law enforcement may interface with the industry in all facets. Some incentive must be directed at agriculture to increase its willingness to place more safeguards to protect its assets from within, rather than simply relying on state and federal government.

We recognize that in the end an agroterrorism event will probably look much different than a natural occurrence or accidental introduction. We should carefully evaluate our national response strategy to insure that is appropriate for terrorism and not just cases of accidental introduction or natural occurrences. It would be unacceptable to think that terrorists would fail at initiating a wide scale event if it were their intent. This in itself should motivate all stakeholders, public and private, to unite and address this serious threat.

The key to protecting against acts of agroterrorism is the development of new partnerships and new thinking in terms of preventive initiatives. We must join forces, share information, and most importantly, work together as equals in developing prevention and emergency response strategies.