

FDLE provides services across the state, with an agency headquarters in Tallahassee and seven regional operations centers (ROC):

- Pensacola;
- Tallahassee;
- Jacksonville;
- Orlando;
- Tampa Bay;
- Fort Myers; and
- Miami.³

Counter-Terrorism Duties

Section 943.03101, F.S., designates FDLE the lead agency to coordinate counter-terrorism efforts, working in conjunction with the Division of Emergency Management (DEM) and others involved in preparation against or response to acts of terrorism.⁴

Domestic security and counter-terrorism is a stated priority of FDLE:

“In implementing its statutory mandate, FDLE has incorporated domestic security and counterterrorism into its core investigative mission, working with all federal, state, and local domestic security partners to combat terrorism. In partnership with first responder and other domestic security partners, and consistent with our mission, FDLE developed and operates within the structure defined by Florida’s Domestic Security Strategy. The strategy is multi-disciplinary and multi-regional in scope, and assures all domestic security partners are vested in the state’s strategy and have access to resources to prevent, mitigate, respond or recover from acts of terrorism in this state.”⁵

FDLE’s Executive Director, or designee, serves as the Chief of Domestic Security, who:

- Coordinates efforts in the ongoing assessment of Florida’s vulnerability to, and ability to detect, prevent, prepare for, respond to, and recover from acts of terrorism;
- Prepares recommendations based on ongoing assessments to limit the vulnerability of the state to terrorism;
- Uses regional task forces to support the duties of FDLE with respect to domestic security;
- Reports suggestions for specific and significant security enhancements of state buildings; and
- Recommends and implements best practices for the safety and security of state buildings.⁶

³ Florida Department of Law Enforcement, *About Us*, <http://www.fdle.state.fl.us/About-Us/About-Us.aspx> (last visited 1/13/2018).

⁴ FDLE authority pertains to terrorism as defined in s. 775.30, F.S.

⁵ Florida Department of Law Enforcement, Proposal 26 Analysis, p. 2, on file with Executive Committee staff.

⁶ Section 943.0311, F.S.

FDLE operates a regional domestic security task force (RDSTF) in each of its seven ROCs.⁷ The RDSTFs serve in an advisory capacity and provide support pertaining to domestic security.⁸ Each RDSTF is co-chaired by FDLE's Special Agent in Charge of the ROC and by a local Sheriff or Chief of Police within the same region.⁹ Each RDSTF:

- Coordinates efforts to counter terrorism among local, state, and federal resources to ensure that such efforts are not fragmented or unnecessarily duplicated;
- Coordinates training for local and state personnel to counter terrorism;
- Coordinates the collection and dissemination of investigative and intelligence information; and
- Facilitates responses to terrorist incidents within or affecting each region.¹⁰

The RDSTFs, in conjunction with DEM and other entities responsible for establishing law enforcement and first responder standards, identify appropriate equipment and training needs, curricula, and materials related to the effective response to suspected or actual acts of terrorism or incidents involving real or hoax weapons of mass destruction.¹¹ The RDSTFs assist in making recommendations for funding for purchases of equipment, delivery of training, implementation of, or revision to basic or continued training required for state licensure or certification.¹² Additionally, the RDSTFs work with the Office of the Attorney General to ensure that hate-driven acts against ethnic groups who may have been targeted as a result of acts of terrorism are appropriately investigated and responded to.¹³

FDLE's Executive Director is a voting member on the Domestic Security Oversight Council (Council).¹⁴ The Council is an advisory body that:

- Provides guidance to the RDSTFs;
- Makes recommendations regarding the expenditure of funds and allocation of resources related to counter-terrorism and domestic security efforts;
- Reviews the development, maintenance, and operation of a comprehensive multidisciplinary domestic security strategy;
- Reviews the overall statewide effectiveness of domestic security and counter-terrorism efforts in order to provide suggestions to improve or enhance those efforts; and
- Reviews efforts within the state to better secure state and local infrastructure against terrorist attack and make recommendations to enhance the effectiveness of such efforts.¹⁵

⁷ Section 943.0312(1), F.S.

⁸ *Id.*

⁹ Section 943.0312(1)(b), F.S.

¹⁰ Section 943.0312(2), F.S.

¹¹ Section 943.0312(3), F.S. Hoax weapon of mass destruction is defined in s. 790.166(1)(b), F.S.

¹² *Id.*

¹³ Section 943.0312(4), F.S.

¹⁴ Section 943.0313(1), F.S.

¹⁵ Section 943.0313, F.S.

Other FDLE functions relating to domestic security efforts include:

- The Office of Domestic Security Preparedness within the Investigations and Forensic Sciences Division coordinates preparedness issues with all domestic security partners and RDSTFs throughout the state;
- The Chief of Domestic Security also serves as Florida's Homeland Security Advisor and works closely with DEM and other federal, state, and local agencies to enhance the state's domestic security preparedness through the implementation of Florida's Domestic Security Strategic Plan;¹⁶ and
- Counter-terrorism investigative squads in each region participate on all relevant Federal Bureau of Investigation Joint Terrorism Task Forces across the state, and work with all elements within the criminal justice system to identify, investigate, arrest and convict terrorists with ties to the state.¹⁷

Florida Domestic Security and Counter-Terrorism Intelligence Center

Section 943.0321, F.S., establishes a Florida Domestic Security and Counter-Terrorism Intelligence Center (Center) within FDLE. The Center is housed within the Office of Statewide Intelligence (OSI), which was created by FDLE in 1996 to “specifically address the need for a preemptive strategy to our state’s varied criminal elements and trends.”¹⁸ Special agents for OSI operate out of all seven FDLE regions across Florida.¹⁹

The Center gathers, documents, and analyzes active criminal intelligence and active criminal investigative information related to terrorism; maintains and operates a counter-terrorism database; and provides support and assistance to federal, state, or local law enforcement agencies and prosecutors that investigate or prosecute terrorism.²⁰ The Center produces a FDLE Daily Domestic Security Brief and maintains situational awareness of issues in Florida and across the globe.²¹ Other duties include strategic assessments on various infrastructure elements, monthly newsletters concerning domestic extremism, and providing information for Department of Homeland Security Information Reports that are disseminated to the United States Intelligence Community.²²

B. EFFECT OF PROPOSED CHANGES:

Proposal 26 creates the Office of Domestic Security and Counter-Terrorism (Office) within the Department of Law Enforcement. The Office is required to provide support for prosecutors and federal, state, and local law enforcement agencies that investigate or analyze information relating to attempted acts of terrorism or terrorism, or agencies that

¹⁶ The Florida Domestic Security Strategic Plan: 2015-2017 can be accessed at <http://www.fdle.state.fl.us/Domestic-Security/Documents/2015-2017DomesticSecurityStrategicPlan.aspx> (last visited 1/13/2018).

¹⁷ Florida Department of Law Enforcement, Proposal 26 Analysis, p. 2-3, on file with Executive Committee staff.

¹⁸ Florida Department of Law Enforcement, *Office of Statewide Intelligence*, <http://www.fdle.state.fl.us/OSI/OSI-Home.aspx> (last accessed 1/13/2018).

¹⁹ *Id.*

²⁰ Section 943.0321(2), F.S.

²¹ Florida Department of Law Enforcement, *Office of Statewide Intelligence*, <http://www.fdle.state.fl.us/OSI/OSI-Home.aspx> (last accessed 1/13/2018).

²² *Id.*

prosecute terrorism. The Office must perform other duties as provided by general law. The Office is required to establish regional offices in multiple regions of the state.

According to FDLE, the proposal “provide[s] FDLE original jurisdiction as the lead domestic security and counter-terrorism agency in Florida. The current structure recognizes the important roles played by all domestic security partners. It ensures collaboration and coordination across multiple disciplines, multiple levels of government and multiple regions across the state.”²³

C. FISCAL IMPACT:

FDLE has indicated, “If the intent of the new Office of Domestic Security and Counter-Terrorism is for it to be integrated into the department’s current regional/HQ structure there would be no fiscal impact or need for additional FTE. If the intent is to create a new Office with multiple locations statewide, this may require FDLE to request additional FTE positions or divert existing resources to create the new Office and establish regional offices.”²⁴

III. Additional Information:

A. Statement of Changes:

(Summarizing differences between the current version and the prior version of the proposal.)

None.

B. Amendments:

None.

C. Technical Deficiencies:

None.

D. Related Issues:

None.

²³ Florida Department of Law Enforcement, Proposal 26 Analysis, p. 3, on file with Executive Committee staff.

²⁴ *Id.*