



NYPD BEGINS RANDOM BAG SEARCHES THROUGHOUT NYC PUBLIC TRANSIT SYSTEM

SUMMARY: After the second round of bomb attacks in London on July 21, 2005, the NYPD announced, that it would begin random searches of bags and packages carried by people entering city subways. The inspections began on a small-scale basis during rush hour the same day and were in full swing by the morning rush hour the following day. Officers, sometimes augmented by bomb-sniffing dogs, will randomly stop passengers carrying bags as they enter subways, commuter trains, buses and ferries around the city. For subways specifically, passengers will be stopped outside turnstiles. Anyone who does not consent to the search will be turned away, and those caught with illegal drugs or other contraband could be arrested. The NYPD had been considering search measures for the past three years, and the recent attacks in London have forced their hand. Police Commissioner Raymond Kelly stressed that officers posted at subway entrances will not engage in racial profiling, and that passengers are free to “turn around and leave.” Commissioner Kelly also downplayed the possibility of bottlenecks at subway entrances. Officials declined to specify where and how frequently the checks would occur or how long they would last; the NYPD has already doubled the number of officers patrolling the subway after the July 7 London attack, at a cost of \$2 million a week in overtime. “We just live in a world where, sadly, these kinds of security measures are necessary,” New York City Mayor Michael Bloomberg said. “Are they intrusive? Yes, a little bit. But we are trying to find the right balance.” The announcement of bag searches drew complaints from civil liberties advocates in a city where an estimated 4.5 million passengers ride the subway on an average weekday. The New York City transit system is the largest in the country with more than 468 stations, most with multiple entrances.

ANALYSIS: The bag search program is a deterrent measure designed to incrementally enhance security while not causing serious disruptions for commuters. Random searches are a last line of defense, and the incremental increase to security comes from using this tactic in conjunction with others, such as presence patrols in the subway system, undercover operations, K-9 units, and cameras and other technology. Additionally, an aggressive public communications campaign, which details these efforts in general terms, serves to reassure the public and further deter terrorists.

Many critics have suggested that police use some form of profiling to focus searches on people more likely to be involved in terrorist related activities. Three things should be considered here. First, civil rights organizations will challenge any profile that includes physical features, thus requiring law enforcement to expend assets and emotional energy

in defending such a regime. Second, randomness helps remove the one thing successful terrorists have repeatedly exploited: predictable security. The 9-11 murderers, for example, observed and exploited very predictable security procedures. They chose weapons (box-cutters) they knew would escape scrutiny. Similarly, a countermeasure that routinely searches people who look or act a certain way can be observed, predicted, and exploited. And third, by definition, homegrown terrorism - as nearly all post 9/11 terrorism has been - is carried out by local residents of local ethnicities and cannot simply be identified by physical features.

It's often said that while police "waste" time doing random searches, the real bomber is likely to just slip by. This may be true. One method of overcoming this objection is to deploy other officers – in uniform or not – to scan crowds looking for targeted *behaviors* that indicate the potential for trouble (see the Chameleon Group's Terrorist Threat Mitigation Guide at <http://www.chameleon1.com>). The idea is to create multiple layers of defense that can trip up a bomber or deter him from pursuing a target at a location where he believes there are robust security measures – both visible and invisible – in place. When used in conjunction with other tactics, random countermeasures make things more difficult for the attacker, by making his operating environment less predictable.

