



State of Delaware
Homeland Security Advisory Council
(HSAC)

Minutes

09/21/16

0900-1100

Public Safety Building
Main Conference Room
303 Transportation Circle
Dover DE 19901

1. PUBLIC SESSION - Welcome, Call to Order, and Room Introductions

- **Secretary James Mosley, Chair** made an opening statement welcoming members and thanking them for attending. He stated that not everyone in the room knew each other and asked members to provide brief introductions. He advised that following the introductions the members of the board are going to step across the hall to go into executive session in order to receive a briefing. Following the executive session briefing all members will return to the room to provide everyone with a portion of the briefing that that they are able to provide non-securely. Unfortunately, the security level of the briefing does not allow everyone to receive it. After introductions he will accept a motion to enter into executive session, following approval the board members will leave the room.
- Secretary Mosley called the meeting to order following roll call to determine that 18 of the 23 voting members were present constituting a quorum to conduct business. Those in attendance were as follows:

Voting Council Members

Secretary James N. Mosley Department of Safety & Homeland Security - **Chair**
Raymond Holcomb, HSA Department of Safety & Homeland Security – **Co-Chair**

Lt. Colonel Monroe Hudson	Delaware State Police
Elayne Starkey, CSO	Department of Technology & Information
John Sadowski	Department of Education
Gene Donaldson, TMC Mgr.	Department of Transportation/TMC
Colonel Richard Arroyo	Delaware River & Bay Authority, Chief of Police
Steven Blessing	DHSS/Division of Public Health, Section Chief
Ed Klima	Emergency Services Coordinator, Dover Motorsports Inc. (DMS)
Robert May, Deputy	Bureau Chief of Prisons, Department of Corrections
Warren Jones, EM	Delaware Volunteer Fireman's Association
Joseph Aviola, President	Wilmington University
Chief Paul Bernat	Delaware Police Chiefs Council, Authorized Designee
LTC Wiley O. Blevins	Delaware National Guard, Director, Military Support
Director Scott Vien	DelDOT/Division of Motor Vehicles
Joseph Hughes	Delaware League of Local Governments (DLLG)
Captain Drew Aydelotte	Department of Natural Resources & Environmental Control
Arnie Maas, Planner II	Terrorism & Technology Hazards, Delaware Emergency Management Agency
Dr. Heather Hirst	State Veterinarian, Department of Agriculture

Non-voting Attendees

Council Support

Captain Daniel Meadows	Delaware Information & Analysis Center (DIAC)/OIC
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Council Legal Staff

DAG Jennifer Noel	Department of Justice, Civil Division
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Federal, State & Local Partners Non-voting Attendees

SSA James Markley	Federal Bureau of Investigation (FBI)/Joint Terrorism Task Force (JTTF)
Dwayne Day, HS Planner	Department of Transportation/TMC, Alternate
Major John Evans	Special Operations Officer, DSHS/Delaware State Police
Julie Fedele, JSC Analyst	Legislative Council
Renee Hupp	Terrorism Preparedness Planner II, Delaware Emergency Management Agency
Paige Fitzgerald	Training Assistant, Delaware Emergency Management Agency
Trevor Wilson, DSH Liaison	Department of Homeland Security to DIAC
Tim Kerstetter, M/Cpl.	Terrorism Liaison Officer, Delaware Information & Analysis Center (DIAC)/DSP

Absent Council Members

Secretary Ed Kee	Department of Agriculture
Director A. J. Schall	Delaware Emergency Management Agency
Chief Robert Legates	Department of Natural Resources & Environmental Control

Mayor Donald Tinari
Lt. Col. Dana G. Metzger
Michael McLean,
Wayne Smith, President
George "Jody" Sweeney

Delaware League of Local Governments
Dover Air Force Base, USAF AMC 436 SFS/CC
Amtrak, Regional Emergency Mgr. & Corporate Security
Delaware Healthcare Association
President/Councilman DE Association of County
Governments
Department of Corrections, Special Operations

Warden David Hall

2. Approval of Minutes

- Lt. Col. Hudson made a motion to approve the minutes as presented, which was seconded by Gene Donaldson and unanimously approved by voting members of the Council in attendance.

3. **EXECUTIVE SESSION:** Gene Donaldson made a motion to enter into executive session that was seconded by Lt. Col. Monroe Hudson and unanimously approved by the voting members in attendance. Following approval of the motion, voting members left the room to receive a secure briefing in the OSEC Conference on recent events and threats. Following the executive session briefing Lt. Col. Hudson made a motion to return to public session that was seconded by Gene Donaldson and unanimously approved by the voting members in attendance who then returned to the large main conference room to continue the public portion of the meeting.

4. PUBLIC SESSION - State, Federal, Local & Private Briefings

Secretary Mosley advised everyone upon returning from executive session that we are going to take a break from the agenda to give everyone a brief overlay of what was discussed in the other room as much as they can. He stated that he had to attend another meeting; however, he asked everyone that as they receive this brief overview and return to their respective organizations to continue to stress to the public at every opportunity the need to stay vigilant. The importance of the "See Something, Say Something" initiative is not going away because it pertains to terrorist activity and the criminal aspect of our job and pertains to anything within our respective jurisdictions including in our communities. If we can get that kind of mentality and support from the general population it will help as it did in many ongoing cases to stop this stuff and better protect the people. Secretary Mosley announced that he was turning the meeting over to Co-Chair Raymond Holcomb. He thanked everyone for what they do stating that he really appreciates it.

Ray Holcomb asked if James, Trevor, and Danny minded providing a short wave top briefing of what was discussed in the other room. Ray introduced SSA James S. Markley for a briefing from the FBI.

SSA Markley, FBI advised everyone that he was part of the Joint Terrorism Task Force (JTTF) based out of Wilmington and thanked everybody for having him this morning. He took over the Joint Terrorism Task Force back in May from SSRA Jeffrey Reising, who many of you probably worked with over the past years. He spoke briefing about the events over the weekend in New York and New Jersey from the perspective of the FBI investigation and perhaps some lesson's learned. He was fortunate enough from an investigative experience standpoint after being assigned to headquarters at the Boston Marathon bombing terrorism desk and spent about 4 months in Boston working that investigation. There were obviously a lot of good lessons learned from that.

- Events this weekend started in Seaside Park, NJ at 9:30 a.m., with a bomb placed in a trash can that the detonation was shortly before the kick-off of a 5K Marine Corp run. Later on at approximately 8:30 pm of the same day in the Chelsea neighborhood of mid-town Manhattan, NY a bomb went off in a dumpster. Approximately 2 hours later a couple of police officers were canvassing the neighborhood for secondary devices and came upon a pressure cooker bomb approximately 6 blocks away. The FBI, NYPD, and other local and state law enforcement officers in the course of their investigation were able to identify some commonalities between the 3 devices, which led the FBI to an individual that they had identified as a suspect, Adnon Rhamni.
- The next day at approximately 10:00 a.m., a similar set of bombs in a backpack were found in the Elizabethtown, NJ train station. Again similarities in the bombs connected back to the 3 devices discovered the previous day.
- The FBI put out a "Be On the Look Out" (BOLO) on Monday morning with a picture of the identified individual Adnon Rhamni and thankfully a member of the public in NJ was able to contact local police. Local police officers reported to the scene and a brief shootout occurred in which 2 of the police officers were wounded and the subject was wounded before being taken into custody. Right now the FBI is basically trying to determine if there was a larger conspiracy. They are looking at a number of individuals who are associated with the subject although it is still too early to tell to what extent these individuals may or may not have played a role in potentially assisting with putting these devices together or actually placing the devices. They know that the individual in 2014 travelled over to Pakistan and the FBI is very interested in that trip to try to determine who, if anyone this person was meeting with in terms of terrorists organizations over there and whether this

individual was able to obtain any bomb making training over there. The initial review of the materials and devices used, the FBI's preliminary analysis is that the design precursors are all readily available on the Internet.

- Following his briefing he opened the floor to questions.

Captain Danny Meadows stated that he would cover briefly whatever he is able to share that was covered during the executive session. He spoke to everyone about some of the source materials that were used stating that they cannot really say definitely what was used. However, from a speculation standpoint he shared some of the things that may have been used in the devices, how devices can be concealed and SAR reporting.

- Captain Meadows stated that they have seen some very compelling information recently on some of the things that may have been used, how easy they are to conceal, and the staggering effect that they can have when used similarly or placed in other locations and the impacts that it could have. This of course ties into to the whole importance of suspicious activity reporting and educating those in the workplace about the kind of things that are considered pre-operational indicators of terrorism. What to do with that information when someone sees it and there certainly is a role for the DIAC so it is very important that the state fusion center receives that information. Looking at how that played out in New Jersey and New York, he posed a question to the collective group during the executive session and he will ask those attendees in the room here now, the same question. Feedback, feedback on what you didn't get and what you did get in the wake of the events.
- He was very upfront with everyone stating that if their expectations were for the fusion center to keep up with the main stream media that it can't be done because they don't have to be accurate, nor do they have to have a lot of due caution in how they handle information that could have an adverse impact on an active criminal investigation. He stated that they have to weigh all of that into their decision making process when information hits their radar. This was happening fast and furious in the wake of when these events occurred. Within minutes they were being made aware that something was going on that started in NJ and the pipe bombs in the trash can at the 5K Marine Corps run. This initiated dialogue with both the leadership at the Delaware DIAC and those with responsibility for the fusion center in New Jersey. The dialogue was: is this true, what is happening, and what can you tell us now? At the same time we have to be aware that they are in the midst of processing an active event. However, the feedback Delaware received from them very early on was

helpful. It helped Delaware's Fusion Center to get a better handle on what they were seeing there and what was the applicability to Delaware. Then Delaware starts basing their decisions on (a) their handling instructions – who is really able to have this information. (b) Is it law-enforcement sensitive information where no one outside of that community can have it because it could put an active case in jeopardy or can they find other applications for the information to allow them to share it with a wider audience? The next thing they did was look at the landscape to see the venue, noting that it occurred at a fairly large scale event and then started canvassing Delaware to determine where those events were. The DIAC has a fairly involved calendar of events for things that occur within Delaware. Then the DIAC does their research to determine who needs to know now that something just happened in New Jersey.

- The DIAC did reach out to law-enforcement Chiefs in those jurisdictions with information to (a) make sure that they were aware that this event had occurred, and (b) some of the trade craft that was used so they can hopefully mitigate those risks within their jurisdictions.
- As the day progressed, the DIAC began to learn more information from New York when they began to start to see events up there and the DIAC staff repeated the same process over and over again a constant evaluation of what more we learned about what is going on at the event, who has a need and a right to know, and what is the best mechanism for getting that information in their hands.
- Captain Meadows is aware that sometimes the DIAC receives feedback from its customers that they are disappointed that they did not receive information about what was occurring directly from their fusion center especially early on in the wake of an event and he stated that it is a really tough tightrope to walk. – To figure out how to be certain that you are not doing things that adversely impact case sensitive details and still make sure that they inform everyone in this room and a wider audience of what threats might be present in our environment.
- Captain Meadows ended his briefing by opening the floor for questions prior to turning the floor over to Trevor.

Trevor Wilson briefed members stating that he had just 3 broad points to make on the attacks that we have seen and particular to the explosive issues (IEDs) including:

- (1) In the last couple of years with the growth of some of these safe-havens overseas, the bad guys and ISIS in particular, have a lot more time to focus on if not mastering, then tinkering

with how they devise bombs. They have gone and gotten much more creative, not just more sophisticated but more creative in a lot of ways.

(2) In particular with ISIS we have seen a willingness to prioritize low-level attacks. They are not looking for these big symbolic attacks. They are willing to pursue and identify and celebrate some of these lower level things. This means that they take that bomb making mastery and skills that they have and they transfer it to anyone who is willing to go for it.

(3) Lastly, they are transferring this over the Internet with detailed instructions and manuals that are geared towards people like Rhamni like we have just seen. With this proliferation of instructions, with this focus on lower level attacks, and their ability to get more creative in how they create some of these bombs and IEDs it makes things more challenging for us and it makes it easier for some of these not too sophisticated domestic extremist to do some of the things that they are trying to do.

Raymond Holcomb, Homeland Security Advisor and Co-Chair briefed members on information in-line with what Trevor just spoke about that is found in the CTC Sentinel article on “The Evolving Challenges for Explosive Detection in the Aviation Sector and Beyond”, recent attacks and advised everyone to read about the development and changes in IEDs.

Master Corporal Tim Kerstetter briefed members on the 9/11 Commission’s Final Report written in July of 2011 asking if anyone remembered the primary contributing factor leading up to the events of 9/11? Number 1 was the failure to use imagination and number 2 was the failure to share information. With the:

- Failure to use imagination – we have terror groups such as the Islamic State and Al Qaeda publishing online periodicals such as “Inspire” and “Dabique”.
- Facing Homegrown Violent Extremist (HVE) in the United States - If we are not facing a “card carrying terrorist” then we are facing individuals that are inspired regardless of brand name, but ultimately homegrown violent extremist here in America, many of which are born and raised here. This weekend the individual involved moved over here when he was 7 years old. Nevertheless, the individual is in the country many, many years and could even be second or third generation. When we see radicalization, inspiration, motivation, and trying to appeal to individuals that one can exploit we look at the magazines.
- Seeing more pressure cooker bombs - He spoke briefly about Inspire magazines most famous article “How to Build a Bomb In The Kitchen of Your Mom”. While not grammatically

correct, it is a very well documented/well known article. We saw that on April 15, 2013 with the pressure cooker device up at the Boston Marathon. We saw a pressure cooker in the rear seat of a Nissan on May 1, 2010, which was the Times Square bomber. We also see more pressure cooker bombs overseas and saw a pressure cooker used again this weekend.

- How to build a homemade grenade - The pipe bombs recovered from this weekend showed some consistency with the article written in Inspire magazine, which was published in September 2015 entitled "How to Build A Timed Homemade Grenade". It is also called an elbow joint pipe bomb, called a homemade grenade, call it what you will. We saw that out in San Bernardino, in Boston being dropped as essentially grenades, and we may have seen that this weekend. That is what we are looking at – these coincidences in the trade craft as a strategy.
- Use of vehicles to mow down civilians – A one page article entitled "The Ultimate Mowing Machine" was written in the summer of 2010 in the Inspire magazine had a Ford pickup truck and encouraged those who were inspired to use a very rudimentary plot without technology, engineering designing, or manufacturing of an IED or acquiring a weapon and ammunition to simply drive over people. We unfortunately saw that on July 14 of this year in France where 130 individuals were killed and over 360 were injured simply by a rudimentary plot during their patriotic celebration by being driven over in an open recreational area while celebrating their independence during the fireworks show.
- Targeting civilian targets – We have the pressure cooker, homemade grenades, and the mowing machine and of course the Al Shebab when they put out their press release last year encouraging soft targets, retail targets, and mass violence. They identified 7 shopping malls in the west, one of which was Minneapolis, Minnesota, the Mall of America. We saw this past weekend in St. Cloud, Minnesota where 10 individuals were stabbed by an individual who developed a very rudimentary plot with a 10 inch steak knife that could be potentially as the result of inspiration from the Inspire magazine or as a result of inspiration by the press release of Al Shebab last February. So we don't have high frequency, we don't see quick turn-around, however, we see some articles being written, the mowing machine, mass violence in retail, homemade hand grenades, pressure cooker devices and then we see some response to that. Granted, sometimes there is an 18 month or even a 2 year or 3 year gap before we see some follow-up on some of the articles that are reaching individuals to exploit them, motivate them, or inspire them. We are now seeing the turn-

around on many of these articles that have been produced and disseminated online. We are seeing the failure to use imagination in some of these creative rudimentary plots coming to fruition in the homeland.

Raymond Holcomb, Homeland Security Advisor added to what Master Corporal Kerstetter by stating that there is definitely a change going on in terrorism tactics. They are morphing again. In just this past month, they are looking to go softer and softer targets. They are getting more brutal and more vicious. In the past month there were 3 horrific attacks on weddings in the Middle East. There was one suicide bombing where a 12-year old girl walked into the middle of the wedding party and blew up dozens of people. There were a couple of more similar attacks all within the past month. There are more attacks on hospitals and schools so they are going after softer and softer targets and are doing it with more viciousness.

- What Ray would like to do is to receive 3 quick briefs from several people in the room that he would like to start with right now prior to going around the room to hear everyone's comments, updates, briefings and anything that they would like to discuss relative to terrorism and crime. Ray stated that to begin with, Dwayne Day is going to give us the state of UAV Regulations.

Dwayne Day, Homeland Security Manager for DeIDOT stated everyone should have a copy of the committee brief and that the UAV Subcommittee scheduled four meetings since the last time the Council met and one of those he had to cancel because he did not have a quorum. As a matter of fact, the last meeting they held they did not have a quorum either and if this trend continues he might have to restructure the committee as it relates to the membership. He provided members a briefing on the state of Unmanned Aerial Vehicles (UAVs) and provided a situational Awareness Report on recent changes in federal regulations for commercial drone operators from the Delaware Valley Intelligence Center.

- House Bill No. 195 as Amended by House Amendment No. 1 and Senate Amendment No. 4 was signed by Governor Jack Markell on September 6. Dwayne disseminated a copy of this legislation to members. Highlights from the legislation include:
 - No flying is permitted around Critical Infrastructure and Key Resources (CIKR) or first responders for security reasons. There are loop-holes all around this that the committee continues to work on.

- Cannot fly over mass-gatherings of 1,500 people although there are exceptions to that basically for commercial flyers.
- This legislation also identifies penalties for someone's first offense and second offense.
- Provides pre-exemptions with the cities, local counties and municipalities that are trying to set-up regulations on UAVs / State regulations and law trumps town resolutions
- Dwayne also briefed members on:
 - Availability to buy UAVs from stores
 - Definition of restrictive air space
 - A counter UAV program hacked out of Aberdeen, MD; and
 - Delaware CI/KR Threat assessments.
- This legislation actually came out about 2 days after the Federal Aviation Administration (F.A.A.) released its small unmanned aircraft systems (UAS) rule known as CFR Part 107 on August 29 that provided a clear regulatory framework for civil and commercial operations of small UAS under 55 lbs. What CFR Part 107 does is allow small individual business to get their F.A.A. small UAS certification.
 - He believes that we will see a lot of people out there flying UAVs legitimately as a business.
 - As state agencies, we can fly under CFR Part 107; however, most all of your state agencies that his committee looked at, that were thinking of applying for Certificate of Authenticity (COAs) have now put that process aside and are looking at flying under CFR Part 107.
 - It is easy, all your employees have to do is to go down and pass the test with the FAA that cost \$150.00. If they pass, and your agency has its aircraft and it is registered your program is up and running. However, Dwayne stated that this is the minimums and he doesn't recommend it because an employee also needs the proficiency to fly before agencies get involved in flying UAS. Because of this several state agencies have gotten together along with State Representatives and are working with the Delaware State Fire School to develop some UAV trainings that will cover basic and advanced flying.
- DelDOT completed a policy on how to and where to fly UAVs.

- Returning to the topic of House Bill No. 195 and CFR Part 107, Dwayne told members to expect to see a lot of UAS flying in Delaware. Dwayne advised that flying from the C & D Canal in Delaware has not been restricted except for a 5-mile perimeter around Dover Air Force Base. Once you get above the C & D Canal it gets a little bit more restrictive because you are in flight paths for the Philadelphia Airport.
- Dwayne told members that the UAV Subcommittee received a briefing at their last meeting from the Army Counter UAV program out of Aberdeen that included information on nefarious uses of UAVs by ISIS. The Army Counter UAV program looks at the use of UAVs, the tactics and procedures that ISIS uses already as a terrorist organization and try to replicate that build UAVs from scratch and train themselves. They put together a Red Team they develop TTPs and present them to the other Services. The Army now is the lead agency for all the military agencies on counter UAVs research and development. While the UAV Committee was in Aberdeen they had some discussions and they are actually going to start flying over at the Dover Fire School as they were impressed with that facility. They will come over to Delaware with that and will allow the UAV Committee to come observe their flying techniques firsthand on what they are developing. They also offered as a counter to come in and do critical infrastructure assessments which is also geared toward UAVs for example the speedway or Punkin' Chunkin. They will assess that area and based on what they have learned from ISIS or whomever, they will say where that this will be the probability of where they would take off or fly out of and provide that information back to the state.
- Dwayne asked them, and they agreed to come back and provide that same presentation to the HSAC Council. With the next Council meeting scheduled for January 18, he will work with Ray to be sure that he gets the presentation on the schedule. They also offer a classified secret and top secret version of the briefing. He is working with the DIAC to secure that for the analysts and State Police with that background.
- Gene Donaldson stated that the Department of Transportation, thanks to Dwayne's efforts completed a policy of how they want to work with as a department with UAVs. They have laid out how they are going to operate with all of the numerous rules. It also defines how any contractor working for instance over on 301 have to operate now
- Ray Holcomb asked if Dwayne saw power line, rail line and CI/KR inspections in the future for UAVs in Delaware. Is there any movement in that direction for companies to use UAVs?

- Dwayne stated that yes utilities are starting to use UAVs for conduit inspections, Delmarva Power is having talks about using UAVs and he just received an email from Ohio that they are starting to use UAVs for bridge inspections. A lot of companies, especially the consulting and contracting companies are planning to use UAVs. The last contractor that came to work on the DeIDOT Admin Bldg., came with a UAV for aerial inspections.
- Colonel Arroyo stated that the DRBA tied in with New Jersey Institute of Technology flying UAVs out of the Cape May Airport. There have been tests already for flying the UAVs over the bridge to do structural inspections. DRBA may be getting really big into the use of UAVs. We see using them in our events with our runs and our triathlons and see in the future actually videotaping these things. DRBA is very much into the commercial use of UAVs.

Elayne Starkey, Chief Security Officer for the Department of Technology Information briefed members on the state of cyber affairs in Delaware.

- The Governor's Cybersecurity Advisory Council that we've talked about in previous meetings is up and running. Captain Danny Meadows, Director A. J. Schall, and Colonel Cristman are members of that as well as private sector members. There have been a lot of energy with this council and as part of their kick-off they have gone through a mini strategic planning process that identified their mission statement and initial focus areas which include information sharing, awareness training, exercises, preparedness, prevention, and response. This Council is setting themselves up on a regular monthly meeting schedule where the subcommittees will meet one month and then the full council will meet the next month.
- Elayne told members that we are entering the cybersecurity awareness month in October. She advised that they already kicked it off a little early in Delaware on September 7 with DTI's Secure Delaware Workshop, their conference held at Dover Downs that some of the HSAC members attended. She thanked the members for their support. She advised that they had 3 different keynote speakers, with 12 breakout sessions, and 320 attendees from all sectors within Delaware. DTI is very grateful to DEMA for the funding for this along with the vendor sponsors and Joe Hughes, who was a part of the planning team for this event. DTI partnered with the Delaware League of Local Governments (DLLG), the University of

Delaware (U of D), and the Greater Wilmington Cyber Group. This is DTIs 7th successful event.

- We are heading into exercise season of October and the fall is typically when we do our statewide exercises especially the cybersecurity exercise and our statewide disaster recovery test.
- DTI is also paying attention to election security and are seeing an uptick in ransomware.

Steve Blessing, Public Health Preparedness Section Chief provided members a public health briefing on issues since our last meeting that included Delaware's:

- The Division of Public Health continues to work on preparedness for Ebola response, which is out of the news now; however, there is still some mild threat there. They have a lot of funding and are working their way through it to build infrastructure and response. Steve advised that the current state of the Ebola threat is in a waning period and the threat is low. The Division of Public Health is no longer doing any surveillance of individuals returning from affected areas and there are no countries on the watch list. There are places that have had outbreaks in a city in Africa with one person who returned to Delaware from that area exhibiting symptoms of Malaria.
- Steve advised that ZIKA is not a direct threat to the security of the state; however, there are several issues and they have funding and are working with several other agencies to work through the Zika Action Plan that they put together. This is really targeted towards women who are pregnant and can contract the disease because it is going to affect the child. As far as it being a threat to security, it is not. Zika remains in the news and it is a serious disease; however, they continue to work through the funding and resources that they have.
- Delaware is coming into the flu season and Delaware has actually had more flu deaths than they do from any other of the threats that are being discussed. Steve advised members that it is extremely important for employees who are in the customer service field dealing with heavy amounts of public contact to make sure that they are vaccinated. Failure to do this puts your workforce at risk if we have a widespread flu event, which is not out of the realm of possibility.

Dr. Heather Hirst, Delaware's state veterinarian provided a briefing on behalf of the Department of Agriculture.

- Dr. Hirst advised that approximately 3 weeks ago on August 26 there was a detection of Avian Influenza (AI) HPAV was found in Fairbanks, Alaska in captured mallard, a wild waterfowl species. The bird was not sick but as part of ongoing surveillance, this was detected. For those of you who may not have heard the other briefings, the Department of Agriculture looks at the wild waterfowl testing as sort of a sentinel for what might be coming through the flyways down into the greater part of the mainland. She advised that we are in the Atlantic flyway in Delmarva. Dr. Hirst spoke with the people who were hunters and who study these things and was told that the birds that are mingling in Alaska now will cross over all the way into all of the flyways in the country. Dr. Hirst advised that the Department of Agriculture had a tabletop approximately 1 year ago with the help of Delaware Emergency Management Agency (DEMA). Delaware is on alert and is dusting off their plan at the Department of Agriculture and resuming their preparations for the fall and winter, which is when we might expect to see the avian influenza in our broiler chickens.
- There are approximately 50 million broiler chickens on Delmarva at any given time. In Delaware, on the Delmarva peninsula there are approximately 110 million and they are all very closely packed together, so if we detect the avian influenza in one flock it can spread very quickly. The Department of Agriculture's response plan involves immediately depopulating the affected flock before it can spread.
- This is a one billion dollar industry for the State of Delaware so it is really always at the top of their priority list at the Department of Agriculture. She advised that we have 750 farms in Delaware that have broiler chickens. Their plan to respond is to use ICS and unified command with federal, state, and industry support.
- Ray Holcomb advised Agent Markley that the reason the HSAC members are discussing this is that initially the concern of this Council was that we looked at this from the aspect of an insider threat and conducted some research and found that this influenza moves pretty voraciously across the United States last year.
 - Dr. Hirst added that the federal input last year was about 1 billion dollars to compensate the farmers for the destruction of 45 million birds during 2015. spoke about HPAV stating that the HSAC looks at the threat for Delaware.
- Ray stated that the Council's concern was, as the folks down in DC confirmed was that this disease can survive inside of a dead poultry carcass so that if someone decided to destroy

the industry it would be easy to do which is why this Council started to look at this issue. So now you all know how important chickens are to the State of Delaware.

Arnie Maas, Planner III attended on behalf of Director A. J. Schall to provide an update on Delaware Emergency Management Agency grant activities since our last meeting.

- Arnie announced that DEMA personnel are closing out a few of the grants with 2013 grants closed with nothing remaining. The 2014 grants closed out in September and we are currently in the 90 day reconciliation period to close out a zero funding for that. 2015 is off to a good start with Delaware already having spent approximately \$1.3 million with \$2.4 million remaining and all of the disciplines moving ahead. For 2016 Delaware received the same amount of funding as 2015 so it is kind of flat budget right now as there has been no increase. He advised that DEMA is waiting for clearinghouse motion on this and disciplines should expect funding to be available around January or February.
- Since Arnie was speaking about grants, he mentioned that he has a couple of new planners in their section for the Delaware Homeland Security Terrorism Preparedness Working Group and Natural Hazards area that introduced themselves earlier; however, we have Renee Huff and Paige Fitzgerald who are helping them out and you will probably see them more often for events such as this.
- Starting in August for the Delaware Homeland Security Terrorism Preparedness Working Group they are having disciplines provide project briefings to discuss how their projects are coming in, how they have a nexus to terrorism, and what their goals and objectives are so DEMA can clearly show that the working group is using the funding as dictated by the homeland security grant. If members are not aware, the money is getting tighter all around and FEMA and DHS are requesting DEMA to have better justifications for the use of these funds. There are a couple of things that they have to correct for the 2015 and 2016 budgets now because they want more clarification. Don't shoot the messenger when DEMA personnel are asking your disciplines for additional information in the future as it is not because they want to bug everyone but because they are being asked to provide further information.
- Arnie stated that there is also talk about combining the funding subcommittee and the working group because there is a duplication of efforts at these meetings so DEMA is going to streamline the process and take up less time for attendees as time is a commodity that most of us do not have. DEMA is also working with the Delaware Volunteer Firefighters

Association (DVFA) to update the fire service representatives. The discipline leads has been exchanged to where they are working through a committee to get a better feel for what all of the fire services need across the state for their equipment needs.

- DEMA staff is working on the Threat Hazard Education & Risk Analysis (THRA) and the State Preparedness Report (SPR). They have a new product coming out that Renee has really spearheaded. DEMA personnel has conducted at least a dozen interviews right now with disciplines to bring in their information to help prepare our State Preparedness Report which will be completed in December of this year for submission on time. He actually expects to have it done a little of head of time for early submission.
- Arnie wanted to piggyback on the back of Dwayne's UAS briefing by stating that DEMA has been engaged in UAS Program and actually has an initial cadre of 6 certified pilots right now on staff. DEMA is looking into the acquisition of what platform they want to use for their missions and their goals. DEMA will be up and running too, like a lot of other state agencies. They are incorporating with DeIDOT and the Fire School to pursue further training to work along with the state so everyone has a standardized training program.
- Arnie advised members that DEMA has a couple of upcoming Radiological Emergency Preparedness (REP) exercises. For 2016 DEMA passed the FEMA graded exercise, which was back in March or May of this year with no write ups at all which is really impressive. They had a lot of good things to say about Delaware's programs. In 2017 there is another exercise coming up which involves Calvert Cliffs which is west and south of us. They have already talked to a few disciplines that will be involved in this with DEMA. It is more of a plume and ingestion exercise.
- He briefed members on the Domestic Nuclear Detection Office (DNDO), a federal program at Ray's request to see what kind of threats there are and what the capabilities are to monitor these threats. What we can do to detect and deter these threats.
 - Delaware started a program, the Delaware Nuclear Detection Program (DNDP) with several discipline leads including law-enforcement, DNREC, Public Health, and a few other agencies. Right now they are working on determining what their actual detection capabilities are. Regrettably, they are finding out that they are sort of limited right now; however, they are trying to get information and data feedback from some of the agencies.
 - This program is heavily law-enforcement centric because our law-enforcement and our first responders are the first line for identification and detection capabilities so

they are trying to coordinate that together. He believes that they are moving forward; however, they are still developing some of their programs toward that end to determine what we are going to need in the future.

- Ray Holcomb advised that the Army of One is working on the concept of operations for the DNDP. In addition, something came down from DHS not all that long ago when DHS decided that they needed to start investing in countering violent extremists. What that means, Ray is not quite sure however; he believes that it would include radicalization and radicalization efforts.
 - **Arnie Maas** was familiar enough with the subject to speak a little about it. DHS moved to enter that with the Homeland Security Grant Program which is heavily terrorism centric; however, they came out with funding when they came out with the counter violent extremism grant they were just going to tie it into that but not apply any additional money funding and just stated that we need to reprogram some funding from this. However, they went for the FY17 and said that they were going to make this a separate grant; however, it is going to be a competitive grant. It is only \$5 million dollars all together between all states. Since it is competitive, you are going to have to have a justification that is going to be matched against some other states. We will be competing with New York, Washington, Philadelphia, etc., and we will be very limited as to what we can do with this grant. We cannot purchase equipment; it has to be for projects for community development, community resilience, getting the message out and other issues similar to that. Arnie is not sure if they are going to change that or if they are going to make it a little bit more lenient for us as we have not received any further guidance about it other than what he just provided. Ray confirmed that DEMA is following up on this.
 - **Captain Danny Meadows** from the Delaware Information & Analysis Center advised members that they work with New Castle County Emergency Management as well and had asked for funding for program entities which had a vested interest in our individuals for providing funding for outreach for that type of program.

Ray stated that it was time to go around the room and ask everyone for their input, comments, briefings and editorial comments of any kind stating that we will probably be able to get everyone out a little bit earlier than normal today.

Deputy Superintendent Lt. Col. Monroe Hudson from the Delaware State Police revisited the issue of the avian influenza stating that they previously had a few tabletop exercises on this issue with one table top exercise where they brought up the issue about the authority to quarantine patients and what enforcement action could take if an individual refused to comply with quarantine and he does not believe that the issue was ever answered. This issue is something that we are going to need to take a look at.

- Ray Holcomb stated that we will follow up on the quarantine issue and referred the issue to Dr. Hirst.
- Dr. Hirst inquired if the Lt. Col. was speaking about Ebola or the table top that was held approximately a year ago to which the Lt. Col. replied that it impacted both issues and advised that it was left at the Attorney General's hands to do some research about the totality of quarantine for a patient and then what enforcement action could be taken if they refused. Dr. Hirst believes that her AG at the Department of AG spoke with the DAG Rae Mims for DSP and she believes that they determined that we could officially quarantine people in their homes that live on the farms. She will review her notes to confirm that we would have the authority to do so. She did not get involved with Ebola as that was a public health issue.
- Ray believes that for the record we need to follow up on both and get absolute clarity on this issue.
- Lt. Col. Hudson advised that Major Evans is working on developing an internal policy for response to events, risk to the officer, and potential lawsuits for action taken.
- Ray advised that the Council had asked Kathleen Jennings who was involved over the last year, and had brought it up to the Delaware Police Chiefs' Council asking for a white paper from the Attorney General's office giving us guidance per the discussion on this; however, we never heard back. This is another issue that we need to coordinate follow-up on.

Gene Donaldson asked Dwayne if someone operating off of Delaware roads and out of the DelDOT right of way was covered anywhere in the legislation. .

- Dwayne advised that the only thing we can control in this state is where a UAV can take off and where they land because once they are in the air, it falls under FAA regulations.

- Dwayne advised that we currently have nothing on that as far as someone pulling off of the side of the road to launch a UAV there is nothing to prevent them from doing that. This is a topic that we would need to have further discussion about. Because once a UAS user is airborne it falls under federal air space.
- Gene advised that it may fall under current rules or regulations relating to their right-of-way but it is definitely something that we need to look into.
- Another issue was brought up related to the issue of if someone is operating a UAS in a commercial sense it is also a federal violation to restrict the operation of that aircraft although another member stated that they believed that applied to manned aircraft. Because of this we have to look at our existing laws that are in place so that even if they are flying, if they are flying and they are reckless then they can be cited for reckless endangerment, or if they are trespassing, or being a peeping tom; however, you cannot write a law specifically targeting the UAV in the national airspace. We also have to ensure that they safely control the airspace.
- Gene Donaldson raised another issue stating that Captain Meadows and the DIAC continue to work with DeIDOT where they are trying to do a department wide Active Shooter training and video.
- Dwayne Day stated that Master Corporal Kerstetter came to DeIDOT about two months ago to provide information on active shooter and emerging threats. Then last week he provided another presentation where they asked him to gear the presentation to more of what DeIDOT needed and he did a great job of it. DeIDOT filmed it and that is what is going to go out to all 2,000 DeIDOT employees that can't make a presentation. Dwayne stated that they also asked Master Corporal Kerstetter to return for DeIDOT's winter workshop in the January/February timeframe to present a 30-minute presentation on IEDs. He is fantastic.
- Ray Holcomb agreed that Master Corporal Kerstetter did excellent work stating that it is a shame that we can't clone him. Ray requested Captain Meadows to give members a brief on the swatting concerns with the schools.

Captain Meadows briefed members to make them aware of social movements that have occurred the wake of shootings down in Louisiana and Missouri and although there is not always a direct correlation, to necessarily movements, there is certainly a huge uptick in violence against law-enforcement.

- In just looking at the last 90 days there were the terrible events in Dallas where 5 were killed and 9 were wounded by a shooter lying in wait for an attack and then right in the wake of that 3 Officers were killed in Baton Rouge, Louisiana. There was an incident in Baldwin, Missouri where an Officer was ambushed on his way back to his patrol car after doing traffic enforcement and although that motive is not necessarily clear at this point, it is still an ambush scenario. There was an incident in eastern Georgia where once again an Officer was ambushed while on his way to a call of a person carrying a firearm and although this motive truly isn't clear, it also appeared to be an ambush scenario. We are also all aware of the events in Phoenix, Arizona where 3 Officers were in a convenience store were intentionally driven over by an attacker whose vehicle was his method of attack, and we have obviously the Sergeant in Philadelphia, PA who was just released from the hospital yesterday. All of this brings us into a lot of what Ray mentioned earlier about the incident in Philadelphia where the female sergeant was shot 8 times. Of course the shooter did not only target law-enforcement in this event as they then moved right down the line and basically took victims of opportunity including shooting the manager of a night club and random people in another vehicle. We have seen a lot of this and Captain Meadows wanted to highlight all of this violence against law-enforcement as a backdrop. We are absolutely seeing as Ray mentioned the increase in violence with soft targets which is obviously a concern for all of us. From the law-enforcement end a lot of things that are occurring now do a lot to remedy that and outreach and community relationships play a huge part in this.
- Chief Bernat's department was recently recognized for their efforts there and the DSP Colonel also places a lot of resources into community outreach and he believes that this is part of the solution and equation for DSP. However, as far as all of the other disciplines that are represented in the room, he asked: what is the best thing that we can be doing now for preparedness? He offered to everyone that it was just mentioned to everyone in the form of a program that the DIAC just completed and piloted by offering it in draft form to some audiences and it was received well. We are now in the process of our staff review for final approval and review; however, he said with a high-level of confidence that it will be ready for wide audiences really soon (basically now) and that is their Violent Intruder Preparedness and Emergency Response (VIPER). What we did was take a lot of the best material that is out there now, some basic things like "Run, Hide, Fight!" some best practices of what we can do when a violent intruder

appears at our workplace or wherever we are and some of the best recommendations of what we can do. Right now we have Master Corporal Kerstetter as our point for this program; however, VIPER is something that is good and something that he would like to see reach a wide audience in some form. Captain Meadow's stated that the DIACs intention is to do some kind of Train the Trainer where they empower others within their organization to really embrace that message and be able to then take it out and act as force multipliers to provide the training to others as well as some other options as Ray mentioned as far as making it available as a recording to where it can be played. He believes that the direct training is one of the better options as it actually provides an opportunity for dialogue and interaction; however, it would have to be someone that has that kind of passion for this discipline because there is a lot of context to these types of discussion that raises a lot of questions with ties to violent or terrorism events and you may not even realize that there was actually a Delaware nexus.

- Captain Meadows provided an update on the telephonic bomb threats and the swatting that we have been briefed on at the conclusion of the last school year as far as what we have seen now that the school year has resumed. The good news is that we have not seen any significant examples of that tactic recurring although we have seen a few up north and basically these events were assigned to a detective for investigation. The moral of the story here is that we were able to take a lot of what we learned last year and a lot of the dialogue that occurred in the wake of these events and use it for preparedness coming into the school year. There was a lot of training going on with our SROs as far as the kind of things that members were briefed about and some of the things that we offered for consideration. They were brought back to the school administrators using the SROs as a conduit and we are seeing a different reaction. We are seeing a lot more examples of a lot less public reaction, it is getting a lot less attention in public facing medium like other websites or even to some degree text blasts and more shelter in place. These are the decisions that the school administrators would have to make independently sometime prior or when these events occur. Captain Meadows believes that it is important to keep that dialogue going because we are doing things differently this year and as a result, he cannot say definitively that this is why we are seeing less replication of it; however, it is an argument that can be made for it. He advised that they have not seen those examples down south. They did have one other

criminal case dealing with some swatting events and some penetrate and grab events but that is more of an isolated criminal case being investigated by DSP.

- Captain Meadows brought up one last issue since there were no questions on robocalls or bomb threats and that is a joint initiative that is going on. DIACs Deputy Director Tim Kerstetter who is not in the room right now because he is back at the DIAC engaged in a meeting for what is called a “Drug Monitoring Initiative”. This initiative has a lot of contributors as far as counterdrug and the Division of Public Health, HITDA, and the fusion center participating in where is all of the best data that we have in regards to where different data points are in relation to the opioid epidemic. Where are we seeing the administration and parking, where are we seeing the deaths, where are we seeing forensic science? Where are the best places that we can find data related to heroin deaths or overdoses and then put it through a process of analysis and what kind of reporting can we get from that so we can make decisions about early notification to first responders, things that might put them at risk of dermal absorption, things that can be offered to the treatment facility here so we know where to float resources and can offer guidance and treatment. A lot of these kinds of actionable decisions can be made in relationship to heroin. He thinks that this is some good news and helps with some of the aspirations of what we wanted to do for a while and now it is really starting to come together.
- Gene Donaldson returned to the soft-target issue stating that DelDOT always has a concern about the transit system and their gathering areas for the buses asking if there was anything that comes through the DIAC for training or anything could they please share it with him.
- Ray Holcomb suggested that since the holiday season is approaching that it might be to revisit the mall evacuation plan that we worked on two years ago along with similar plans to ensure that they are up to date and whether or not those contacts are still accurate and maybe even have a tabletop walkthrough on this issue before we get into the holiday season.

Chief Paul Bernat stated that they are gearing up for the NASCAR Race and are currently working with Ed Klima and the Dover International Speedway personnel. He is glad to hear that we are really stepping up with the emphasis on the heroin because heroin is truly an epidemic in the state. He stated that he would attribute it to 90% of the crime in the City of Dover. Robberies

are up 150% and burglaries are up 80% and it is all attributable to the heroin epidemic in the state. He stated that the good news is that their clearance rate is excellent with their robbery clearance rates at 84% right now so 8 out of 10 people are getting caught and for burglars it is 69% so it is well above national average. He is happy to report that his Officers are going a great job.

- Ray Holcomb stated that now we just need the facilities for all of the offenders being caught.

Deputy Bureau Chief Robert May stated that their population hit a spike this past month with their Level 5 actually increasing by 100 so they are moving to that point.

- He thanked the FBI, the DIAC and DSP as they helped them with some investigations with some really good information, really good arrests and for those that they couldn't arrest they terminated as it is always great to keep their core clean.
- He agrees with the heroin epidemic stating that they are seeing it statewide and it is a problem coming into the jails, releasing back into the community. His department is trying to work programs involving methadone working with their vendors and trying to assist. However, heroin is tough! There is probably something there that he believes that we need to address as a whole with social services and law-enforcement as there is definitely a problem.
- Ray Holcomb inquired if there was a state body that addresses this issue at large perhaps a task force, or commission?
- Captain Meadows stated that it kinds of speak to the reason why you have to have a multi-agency approach to this issue. Everyone has different data to offer that speaks to how you remedy the problem. Now it is really kind of any one certain law-enforcement agency bears responsibility for the criminal investigation and things that involve enforcement that involves prohibited substances. You cannot arrest your way out of this problem by any stretch. What it comes to is kind of packaged as a hometown security risk and a public health problem. You really have to have the contributions from all of those disciplines.
- **Deputy Bureau Chief Robert May** stated that when you look at other states, a lot of states have looked at it as instead of a criminal issue, they made it a public health issue and are treating it as such. So you get the offender treatment. Heroin is the one drug where counseling is not the cure. It requires methadone, it requires a substance to replace the substance and some people are on methadone treatment for years. Then you have those

who abuse it and use methadone regularly as the alternative when they cannot afford their heroin. It is a battle throughout the state. It is cheap and that is how it starts.

- **Ray Holcomb** added that it is a battle throughout the country unfortunately. Ray thanked James for coming down to the meeting. He asked Joe Aviola if he had anything to report reminding him that the academic institutions are soft targets. He is sure that they are preparing as such security wise.

Joe Aviola from Wilmington University stated that yes; they have had a huge uptick in international students which is a concern with them staying in compliance with CEVIS especially when the State Department regulates them through the embassies. However, there are quite a few students that are remaining in the country that migrate not only to our institution but also to other institutions within the state. He believes that this is something that we need to be aware of and he has been working with Captain Meadow's group on this for balance to ensure that we do our part with compliance.

- Ray welcomed Director John Evans, congratulated him on his new position and wished him good luck. Ray advised members who may not be aware that Director Evans is assuming leadership of the Division of Forensic Science which is going to be quite a challenge. However, that lab is very important to all of us. The lab works as well as it possibly can
- Ray believes that there should be some type of gathering of all of the entities that have a piece in this fight. He stated that we will probably never get the DEA or the FEDS there; however, there should be a body that sits at least every once in a while to try to come up with a joint plan.

Director John Evans from the Division of Forensic Science thanked him and said that he was glad to hear those remarks as the employees are working very hard.

Captain Meadows stated that there are a lot of initiatives and the majority of that is exactly what that is and you do get points of intersection from the higher agencies. There is a lot of dialogue back and forth that uses HIDTA as kind of a conduit. They provide information that stimulates discussions. We have a lot of partners there, it has just been a while with everyone trying to get their heads wrapped around what is happening and you have some organizations that experienced changes like happened with the data in a common manner. A lot of the information has a pretty short self-life. We are getting there.

Lt. Col. Wiley Blevins briefed everyone stating that their CSTs have been very involved in working with the racetrack for the next couple of weeks and they have been involved in lots of different activities including the DNC and so forth. We will be engaged with the inauguration as well so we are preparing although actually the requests are already coming from more folks than last time. It completely depends on what happens on the 8th of November as to what way it is going to go. The planning is well underway and very intense. As far as counterdrug activity they have been very busy especially recently. Also, the state has a new interoperability communications package that just came to the state from the National Guard and is good stuff. You find really willing partners with the sales support team who went way out of their way to make us more aware of what the capabilities were and the ways that they can support that capability. He would not hesitate to reach out to them with questions.

Lt. Col. Metzger briefed members on C-5s and DAFB involvement with state events.

Ed Klima from Dover International Speedway briefed members that under DHS under the commercial facilities sector there is a sports subsector as well as an entertainment subsector. From a best practices perspective, patron screening based on existing technology that is affordable, that is pretty well known, and what we all do with magnetometers or wandings. However, there has been a pretty interesting shift within the last couple of years to start the focus on the fact that no matter what we do at these events from a patron screening perspective no matter what we do incidents can still occur. There is a little bit more of a shift on the response aspect of those particularly mass casualty incidents. How many people have heard of the “Stop The Bleed Program?” This is something that you are going to start to see more prevalent in the sports and entertainment world and is essentially a push that just like AEDs are commonplace, that there is a 3-step process that can save lives from bleeding whether it is from an active shooter or an IED. This is starting to get pushed out a little bit, particularly in the sports world. If you come to his facility in the future, where you see an AED you are going to see a trauma kit above it. It is not geared toward first responders it is geared toward the people that are there every single day.

- He stated that they tend to focus in their world of mass gatherings on the security issues but the reality is this summer in Camden, NJ there was a rail collapse in which several hundred people were injured at the amphitheater and at Made In America in Philadelphia, PA there was a major incident on the stage. We cannot lose sight of the “All-Hazards” perspective.

- Finally, from the point of educating the public, DHS pushed out something yesterday, which he had never seen before, that he believes is a new product called “Pathway to Violence”. It is a one-pager that talks about the pre-cursors from a behavioral perspective that are very well documented. It is very simple and when you are training housekeeping staff and event staff you have to keep it real simple. It is three little bubbles that say “Hey! If one of your co-workers or employees exhibits this behavior, contact the HR. He thought that it was very well done and certainly something that if the DIAC gets ahold of copies could be pushed out to our private sector partners.

Colonel Arroyo provided an update on the Delaware River & Bay Authority Police use of licence plate readers (LPRs) stating that they have an LPR in Cape May and one south bound on the bridge. They just identified the funding where they are going to be able to purchase one for the northbound side of the bridge and are currently in the process of identifying the vendor. He believes that they should be able to have the northbound LPR up within a matter of months. He has a meeting next week to identify the funding to be able to put an LPR up at the Lewes Ferry. He advised that if anyone needs them to check anything they keep the information for a five-year retention period. If you give him a plate, he can check to see if it has come over or if you give him a plate they can also identify it when it comes over. The DRBA LPR Program is a success and he absolutely wants to share the information because it is useless if we don't share the information.

Ray Holcomb told everyone that we need to dust off plans for the holiday season particularly for the shopping malls. He wanted to add from when we were discussing the poultry industry and tampering with the poultry, it is interesting to him that the guy who was shot and killed in St. Cloud, Minneapolis, if you read a little bit about him, he was a security guard at a food distribution company. It only takes a little bit of genius to figure out “How can I really pull off a really nasty event?” Contaminating food is limitless for what the bad guys can do. Ray believes that more and more the bad people are getting dangerously creative as Detective Kerstetter pointed out earlier. The lack of thinking outside of the box leads to problems. We have to start thinking outside of the box all of the time because we are up against a very dangerous enemy.

- With that said Ray thanked everyone for coming when he knows everyone's schedule is very, very busy and that you have a lot on your plates.

Recurring Business: - N/A

5. **Old Business** – N/A
6. **New Business** - N/A
7. **Recommendations** – N/A
8. **Dates to Remember** – N/A
9. The meeting adjourned at 11:00 am following a motion made by Lt. Col. Hudson that was seconded by Lt. Col. Arroyo and unanimously approved by the voting members in attendance.

Next Meeting: Wednesday, November 16, 2016

9:00 am – 11:00 am

Location: Public Safety Building
Large 2nd Floor Conference Room