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[Unclassified]

MEMORANDUM FOR THE RECORD

Event: Investigator Joel Downing, NYSP [redacted]

Type of event: Interview

9/11 Law Enforcement Sensitive

Date: September 3, 2003

Special Access Issues: None

Prepared by: Peter Rundlet

Team Number: 6

Location: [redacted]

Participants - Non-Commission: Sean O'Neill, Assistant General Counsel

Participants - Commission: Peter Rundlet and Janice Kephart-Roberts

Background. Joel Downing has been with the New York State Police (NYSP) for 17 years, assigned to New York City since 1991. He received his B.A. in Psychology in 1991 from Hofstra University and he completed his Master's degree in Public Administration in 2001. He started his career as a Trooper with the K Troop in Poughkeepsie, NY and in 1991 became an Investigator (which is the NYSP equivalent of a Detective) as part of the Bureau of Criminal Investigation (BCI). He was first assigned to the Violent Predator Task Force, which was a joint task force with the NYPD, to apprehend repeat offenders. In 1992, he was transferred to the Major Case Squad at the NYSP office at the World Trade Center. One month prior to the 1993 WTC bombing, the NYSP had moved its office to the Bronx. Downing indicated that the NYSP had no involvement in the 1993 WTC bombing. "Our role was different then. It took place in the City and so the NYPD would handle. Now we have a more active role in the City." The NYSP has approximately 4,500 law enforcement officers, of which approximately 1,000 are Investigators. In 1993, he was assigned to the State Commission on Investigation, which conducted investigations into misappropriated public funds in towns and counties. Downing moved to the Queens DA office in 1994 and stayed there until he came to the New York Division's [redacted]

[redacted] in 1999. He currently has a [redacted]

Job Description Pre-9/11. When Downing first arrived, the [redacted] worked with the NY Port Authority on a major [redacted] They had an undercover location set-up as a storefront to buy stolen property; eventually over 100 people were arrested. This success led to the Cargo Theft Task Force (CTTF), which included officers from the FBI, Port Authority, NYSP, and the Queen's DA Office. They worked on cargo theft cases, but also worked on other cases with [redacted]

[redacted] in late 2002. Pre-9/11 he spent about 90% of his time doing CTTF work and 10% of his time [redacted] By the time 9/11 occurred the CTTF was only doing a lot of "post-active" follow-up work on terrorism-related cases - but "we were

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not working active terrorism cases.” At present, he rarely has to do NYSP exclusive work “unless some crisis emerges and they need bodies (normally in an overtime capacity).”

When asked if there was any nexus to terrorism in the cargo cases, Downing said there was none. At that time, “we started to look at cargo loopholes.” They worked in conjunction with the Cargo Security Initiative (CSI) at Customs. The Customs Inspectors would conduct inspections abroad – pre-flight. “We would receive alerts – and learn stuff that may be terrorism related.” But he was not involved in any cases that had a direct link to a terrorism case so far as he was aware.

Post-9/11 Training. Since 9/11, Downing indicated that “we have a structure” and they have received additional training on different terrorist groups. This training included two seminars at 290 Broadway where several experts discussed language, Islam, culture, and the meanings of different names. They also received some suggested readings. However, Downing stated that he hasn’t been able to use any of the training. He does carry a “cheat sheet” with him that has a breakdown of the meanings of different names that he is hoping to be able to use during an interview.

Immediate Response to 9/11. Immediately after 9/11, the cargo cases were dropped – well into 2002. Downing worked at the [redacted] [redacted] They worked [redacted] [redacted] and fielded questions. In November, the [redacted] shut down, and he went with 3-4 person teams to conduct interviews for 9/11-related leads.

Job Description Post-9/11. At present, the original CTF members are spread out. “After 9/11, we really had to regroup and to reestablish our contacts [redacted] to let people know that we are still here [working the cargo issues].” When Alerts are elevated, the [redacted] [redacted] open up their command posts, “so I’ll get pulled to sit at the Command Post at One Park Plaza.” When an “alert” happens, the media will get some information and we’ll go through a checklist of things to focus on protecting.

During the recent blackout, the [redacted] lost all power and all of the representatives had to work out of the [redacted] which had generators.

Now, there are no ongoing cargo cases. There are [redacted] and all are on the [redacted] works on cargo theft.

Access to databases. Downing indicated that he has access to [redacted] [redacted] the NYSP’s “MetroSearch” program; access to Crime Analysis in Albany, and the High Intensity Drug Trafficking Area (HIDTA) databases.

Interaction with CIA, NSA. Downing said that he has no contact with either.

Recommendations. When asked for his recommendations to improve the [redacted] capacity to prevent terrorism, Downing stated that they needed “more manpower” and more training (“we need more than one day’s worth; and we need to be able to take training materials

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home with us). He also stated that they had not adequately evaluated and investigated the possible nexus between cargo cases and terrorism cases.

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