

## Chapter 2

# The Comparative Approach to Counterterrorism

### 2.1 Countering Terrorism with Community-Oriented Policing?

Community policing has become a common theme when discussing how a democratic society maintains law and order without jeopardizing the freedoms and rights of its citizens.<sup>1</sup> The definition of community policing varies among scholars and researchers, and an agreement of universal definition has yet to be established. Depending on the definition being utilized, confusion and difficulty may occur when attempting to determine whether or not community policing is actually being implemented within a police department.<sup>2</sup> However, the broad concept of community policing, which typically indicates problem solving and community involvement as key components for effective policing, seems to remain somewhat consistent among the majority of definitions.<sup>3</sup> Community policing may be defined as both a policing strategy and a philosophy that involves the partnership between police and the public in order to identify and solve community problems. As much controversy as the concept already created in the American literature on policing the international arena followed through with a myriad of customized interpretations based on the local needs and understanding.<sup>4</sup>

According to the Office of Community Oriented Policing Services (COPS), community policing employs proactive problem-solving techniques along with community partnership in order to control and reduce crime and social disorder.

Community policing focuses on crime and social disorder through the delivery of police services that includes aspects of traditional law enforcement, as well as prevention, problem-solving, community engagement, and partnerships. The community policing model balances reactive responses to calls for service with proactive problem-solving centered on the causes of crime and disorder. Community policing requires police and citizens to join together as partners in the course of both identifying and effectively addressing these issues.<sup>5</sup>

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<sup>1</sup>Ferreira (1996).

<sup>2</sup>Maguire and Mastrofski (2000).

<sup>3</sup>Skogan (2004).

<sup>4</sup>Haberfeld (1997, 2002) and Habelfeld, Walancik, and Uydess (2002).

<sup>5</sup>Office of Community Oriented Policing Services (COPS) (2008).

The 12 points of the Community Oriented Policing and Problem Solving (COPPS) philosophy are illustrated in the Haberfeld (2002) book on police training<sup>6</sup>:

1. Reassesses who is responsible for public safety and redefines the roles and relationships between the police and the community
2. Requires shared ownership, decision making, and accountability as well as sustained commitment from both the police and the community
3. Establishes new police expectations of and measurement standards for police effectiveness
4. Increases understanding and trust between police and community members
5. Supports community initiative by supplying community members with necessary information and skills, reinforcing their courage and strength, and ensuring them the influence to affect policies and share accountability for outcomes
6. Requires constant flexibility to respond to all emerging issues
7. Requires an ongoing commitment to develop long-term and proactive strategies and programs to address the underlying conditions that cause community problems
8. Requires knowledge of available community resources and how to access and mobilize them and the ability to develop new resources within the community
9. Requires buy-in of the top management of the police and other local government agencies as well as a sustained personal commitment from all levels of management and other key personnel
10. Decentralizes police services/operations/management, relaxes the traditional chain of command, and encourages innovation and creative problem solving
11. Shifts the focus of police work from responding to individual incidents to addressing problems identified by the community as well as by the police
12. Requires commitment to developing new skills through training

Despite various customized approaches around the world, these original 12 points appear to resonate with many police forces around the world, and the researchers' approach to the data collection was primarily focused on the feasibility of implementation of the aforementioned points.<sup>7</sup> The focus groups and individual interviews were very much informed by the researchers' curiosity with regard to how these points can be used to mobilize the desired response to the terrorism problem within a given community. The researchers aimed to find out if indeed the concepts of joint ownership of the problem, the responsibility, the accountability, the familiarity with resources, etc., would and could translate into the consciousness of our research subjects, both on the community and on the local law enforcement end.

Concepts and critiques of the professional model, as well as the findings and results from a series of police-focused experiments, compose the foundations of

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<sup>6</sup>Haberfeld (2002, pp. 160–161).

<sup>7</sup>Haberfeld and Cerrah (2007).

community policing. The concept of community policing is often traced back to Sir Robert Peel, the chief architect of the 1829 Metropolitan Police Act<sup>8</sup> that provided Nine Principles of Policing<sup>9</sup> (see Appendix A), which included advocating for a strong relationship between the police and the public. The term community policing was not presented until more than a century and a half later. During the 1970s and early 1980s, community policing strategies were being developed and employed in an attempt to improve policing and establish a more effective and appropriate approach of policing.<sup>10</sup> As time progresses, new objectives and recommendations continued to occur, thus greatly contributing to the expansion and advancement of community policing and what it is today.<sup>11</sup> One of the goals of this study was to add yet another dimension to the list of critiques and recommendations about the successful implementation of the various modalities of this philosophy.

Kelling and Moore (1988) describe and distinguish three eras of policing, in which the third and present era is defined as the community problem-solving era. As policing evolved into the community policing/problem-solving era, a noticeable increase in the application of foot patrol began to occur throughout many law enforcement agencies. Increased foot patrol was first initiated by politicians, typically around election periods, as a campaign strategy to reduce and control crime in order to attain popularity and votes. Yet, its recognition and approval rapidly took hold among citizens, as well as police officials, and the utilization of foot patrol began to spread.

Research on the usage of foot patrol indicated that it aided in the reduction of fear, increased police satisfaction among the community, improved the relationship between police and citizens, as well as increased and enhanced police performance. One of the concepts the researchers intended to discuss with our focus groups centered on the perception of the foot patrol and its effectiveness in combating and/or preventing local terrorist activities. As the foot patrol was historically considered as the backbone of policing, our sense was that the need to retrain this particular unit would be an obvious realization, at least by the law enforcement officials, as preparedness to counter terrorist activities, on a foot patrol level, requires a new orientation and very specific training. To the team's dismay, as will be addressed later on, none of the forces visited implemented a special training for patrol officers to make them more effective in the fight against terrorist activities in urban environments.

Another concept that had derived during the progression into this present era of policing was the importance of information when it came to police managing issues pertaining to crime efficiently. Citizen cooperation, such as through providing information or intelligence, was thought to have significant impact on local law

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<sup>8</sup>JSTOR: *1829 Metropolitan Police Act*. <http://www.jstor.org/>

<sup>9</sup>Reith (1948).

<sup>10</sup>Skogan (2004).

<sup>11</sup>Oliver (2000).

enforcement's ability to address crime and disorder. This communication between the police and citizens also allocated different problems and concerns of the community that police were unaware of beforehand. A shift toward a more proactive form of policing rather than the usual reactive technique also developed during the community policing era. Proactive policing encourages police discretion and decision making in order for police to manage and solve different problems that they as well as the community encounter.<sup>12</sup> The specific aspect of proactive approach based on intelligence and information provided by the community was yet another crucial aspect of the philosophy that the researchers decided to probe with regard to the terrorist phenomena. Would the local communities be more prone toward information sharing with the police when the "crime" is not on the list of the traditional ones like murder, rape, drug dealings, and theft but of a different nature and may be causality – like the act of terrorism?

Goldstein (1990) discussed the importance of analyzing problems police respond in order to develop operative tactics that could later be utilized in future similar situations.<sup>13</sup> The Problem-Oriented Policing (POP) approach encouraged police officers to search for patterns and commonality among the crimes they encounter, especially in cases where the crimes are habitual and frequent at a particular location or residency. The POP philosophy posits that understanding crimes and detecting solutions for their common causes will lead to a reduction in their occurrence. Goldstein (1990) further expanded upon these concepts to form the modern POP paradigm.<sup>14</sup>

Typically in police work, the different incidents that a police officer responds to or encounters during a given shift are viewed and handled as isolated occurrences, independent of one another. Most police officers mainly seek to solve the immediate problem, but once that is accomplished further investigation is rare. Attempting to establish connections among a series of crimes is atypical, unless by detecting a common crime pattern among similar crimes can help in identifying the perpetrator. POP, however, moves beyond this simple method of handling of incidents and provides a more profound and detailed perspective.

Police officers engaging in POP are required to identify and acknowledge relationships among crimes or disorder, as well as explore the factors that may contribute to their occurrence. Once a common cause among similar crimes is determined, an extensive amount of information gathering on this cause is essential in order to develop the most effective method for dealing with the issue.<sup>15</sup> POP promotes the use of research methods techniques in order to understand all aspects of the problem, in addition to the creation of a solution or method for controlling it. Furthermore, POP encourages police officers to assess their work and determine whether or not the solutions they established and employed were the most effective.<sup>16</sup>

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<sup>12</sup>Kelling and Moore (1988).

<sup>13</sup>Skogan (2004).

<sup>14</sup>Goldstein (1990).

<sup>15</sup>Ibid.

<sup>16</sup>Skogan (2004).

In discussions of modern policing strategies, POP and community policing are often associated with one another. Both paradigms were developed early in the community problem-solving era and share similar characteristics, such as the use of problem solving and community involvement. However, these two policing strategies are not identical and can be distinguished between each other. POP focuses on problems, making them the center of which all police activity revolves around. Furthermore, POP works with the community as a means to address problems, while community policing incorporates the involvement of the community in order to improve public support and the relationship between community and police, as well as to help in identifying and solving community problems.<sup>17</sup> When these two methods of policing were first introduced, the debate on which was more effective was often questioned, in an attempt to determine which type of policing strategy to employ.<sup>18</sup>

Another theoretical crime prevention concept that emerged during the earlier stages of the community problem-solving era is known as Broken Windows theory, which is based on the idea that a broken window, when left unrepaired, will result in decay and disorder, which in turn leads to an increase in criminality. This theory posits that crime can be prevented through problem solving and effective community and police action. Broken Windows theory suggests that by regulating smaller concerns such as disorder and quality-of-life issues, larger and more serious problems will be prevented.<sup>19</sup>

Currently, community policing is considered a central method for police practices within the United States. Many police agencies at both the local and state levels proclaim to actively practice community policing.<sup>20</sup> One rationale for the rise in community policing popularity among law enforcement agencies occurred after the passage of the largest federal anticrime venture enactment in the history of the United States. In September 1994, President Bill Clinton passed the Violent Crime Control and Law Enforcement Act, which promoted community policing as an effort in the fight against crime. The 1994 Crime Act provided \$8.8 billion to fund local law enforcement agencies to increase and improve their community policing capabilities. This act also resulted in the development of a new agency within the US Department of Justice, known as the Office of Community Oriented Policing Services (COPS), in order to direct and monitor grant programs that were being created.<sup>21</sup>

According to community policing advocates, such as Plummer (1999), the reasoning behind the massive movement toward this method of policing is not due to the pressures of politicians or legislative action; rather it is based on the fact that it works. The concept of creating a partnership between police and community in order to solve problems is an effective way for police to perform the tasks that

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<sup>17</sup>Ibid.

<sup>18</sup>Capowich and Roehl (1994).

<sup>19</sup>Wilson and Kelling (1982).

<sup>20</sup>Oliver (2000).

<sup>21</sup>Zhao, Scheider, and Thurman (2002).

are associated with the occupation and expected from society, such as maintaining social order and protecting the public. This communication enables police to be aware of the community concerns as well as the problems that exist, providing them with the direction they need in order to target such issues.

Since the idea of community policing was first introduced, it has been viewed as a positive development, in which politicians, citizens, police officials, and the media promote its function and use.<sup>22</sup> However, many researchers and academics often question the effectiveness and ability of this policing strategy. Criticisms such as the disparity that exists on the meaning of community policing due to the lack of a universal definition, as well as the difficulty in testing the effectiveness and impact community policing has on communities, are frequently referenced.<sup>23</sup> Community policing, by its very nature, must vary in its application in order to effectively respond to the needs and conditions specific to the individual community; therefore operationalization of community policing and empirical analyses of the effectiveness of its implementation across communities are problematic.

According to Skogan (2004), the definitive test to determine whether community policing works is to examine crime levels subsequent to the implementation of policies that support community policing.<sup>24</sup> The correlation between community policing and the recent dramatic decreases in crime rates is often speculated. After the 1994 Crime Act was passed, an interest on the impact of community policing and its effects on the country's crime rate greatly increased. Due to the enormous funding provided to encourage police departments to utilize community policing, many interested stakeholders wanted to know whether or not the money was well spent. The findings of the Zhao et al. (2002) study, which employ multivariate analysis of violent and property crime rates in the United States from 1995 to 1999, "imply that COPS program funding to medium- and large-size cities has been an effective force in reducing both violent and property crime."<sup>25</sup> However, it appears that the empirical analysis of this influence is not very conclusive as it fails to fully take into consideration all the factors that influence crime rates in a given environment, and the debates about the role police play in crime reduction are a long and inconclusive one.

A recent study by Worrall and Kovandzic (2007) disputes the Zhao et al. findings, suggesting that COPS funding had little to no effect on crime rates, stating that "a strategy of throwing money at the crime problem, of simply *hiring* more police officers, does not seem to help reduce crime to a significant extent."<sup>26</sup> Federal government grants made directly to law enforcement agencies to hire additional officers and promote innovations may be an effective way to reduce crime on a national scale. These results support the claim that community policing can reduce crime

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<sup>22</sup>Oliver (2000).

<sup>23</sup>Crank and Langworthy (1996).

<sup>24</sup>Skogan (2004).

<sup>25</sup>Zhao et al. (2002).

<sup>26</sup>Worrall and Kovandzic (2007, p. 185).

when it is utilized by law enforcement; however, determining whether or not such police departments really are practicing community policing may be more difficult to decipher.

The ideology of community policing greatly emphasizes the importance of police suiting the needs and expectations implied by the public. A key objective in policing is assuring the safety and well-being of citizens and make certain they feel secure within the community. When police make these goals a priority and their results are positive, an increase in police satisfaction within the community is likely to occur. The Xu, Fiedler, and Flaming (2005) study was conducted on the impact of community policing, which found that community policing reduces crime indirectly. Another focus of the study, which examined citizen perception, indicated that the individual's level of fear, judgment on the conditions of the community, and degree of life quality will greatly influence citizen satisfaction with the police. According to the study, when individuals experience fear of crime, they tend to feel as though the police lack either the motivation or the ability to handle community problems.<sup>27</sup>

The same philosophy can be applied when the conditions of community are poor and any motions for improvement are neglected. These factors emit the notion that the police have little concern for the welfare of the community they serve or the individuals residing in it. If citizens feel as though the police are performing inadequately and have little regard for the community, it is likely that police satisfaction among the community will greatly suffer.<sup>28</sup> In order for a positive relationship between police and community to persist, respect, trust, and communication must exist. If any of these elements starts to deteriorate, then the connection between the two groups will suffer.

Concepts of community policing are constantly being applied to different societal issues that affect law enforcement and the criminal justice system such as gangs, drug trafficking, prisoner re-entry, and domestic violence. A relatively new idea is whether or not community policing can be applied to the phenomenon of terrorism. Community policing techniques may result in increased communication between local law enforcement agencies and the communities they serve, which is a necessary component in the detection and prevention of terrorist attacks.

Since the terrorist attacks on September 11, 2001, there have been drastic changes in the world of policing and law enforcement. Increased advancements in security procedures, strengthened investigation capabilities, and the development or expansion of counterterrorism task forces are just a few of the various different amendments that have emerged in order to fight terrorism. Constant efforts are being made in order to determine the most effective ways for preventing and deterring violent terrorist acts, including policing methods. The Lum, Kennedy, and Sherley (2006) study on the effectiveness of counterterrorism strategies found that there was almost a complete absence of high-quality scientific evaluation evidence on

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<sup>27</sup>Xu et al. (2005).

<sup>28</sup>Ibid.

counterterrorism strategies. Furthermore, across all the interventions studied, there was no consistent indication of positive effects of counterterrorism policy.<sup>29</sup>

According to Sloan (2002), many law enforcement agencies have shifted toward the localization of intelligence gathering as a response to the threat of terrorism.<sup>30</sup> Intelligence can be defined as the collection, examination, and interpretation of confidential information in an effort to detect and prevent criminal activity. In order to be effective, local law enforcement agencies need to be aware of criminal activity within their jurisdiction. An increase in community involvement through crime watch programs or neighborhood surveillance may help to inform police of criminal activity. Utilizing a strategy such as community policing may provide increased intelligence gathering capabilities at the local police agency level as a result of community partnerships, which may also provide a diffusion of benefits, such as to serve to reduce other forms of crime and disorder, reduction of fear among residents, business owners and frequent visitors of a community, and the sense of ownership by members of the public.

In Ohio, in June 2000, a statewide conference was held, in which representatives from law enforcement agencies located in all of the 88 counties gathered to discuss critical issues involving preparedness in the possible event of a terrorist attack. One issue identified as a valuable factor in preparedness from the perspective of police was the relationship between the police agency and other agencies within the community. Communication and coordination between the different agencies within a community is integral to the effective response to a terrorist incident. The concept of public awareness and education in relation to terrorism was also mentioned as having an effect on the level of preparedness in the event of a terrorist attack. The interaction and ability to exchange information between police and community greatly influence how a police department will respond to and handle a terrorist attack. A police department must maintain communication with community agencies and groups about policies and procedures regarding terrorist attacks, as well as provide citizens education regarding the phenomenon of terrorism. The concept of community policing encourages the exchange of such knowledge as a means of establishing methods to effectively protect society while upholding the law.<sup>31</sup>

Different conditions of community policing, such as the utilization of community involvement and the encouragement to develop positive, trusting relationships between police and the public, can be beneficial for law enforcement agencies in their efforts to regulate and avert terrorism. The significance of community involvement within this policing method is that it provides police with the ability to exchange information with the public as well as collect community intelligence which may have been previously unknown to police. It also informs police of the different groups that exist within the community and the different thoughts and opinions they have regarding a particular issue or idea. The formation of trust between

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<sup>29</sup>Lum et al. (2006).

<sup>30</sup>Sloan (2002).

<sup>31</sup>Donnermeyer (2002).



law enforcement and citizens that community policing promotes may persuade and facilitate individuals to report information to police. Similar community policing methods that are practiced in other democratic countries, such as the United Kingdom, have been considered constructive in regard to obtaining beneficial information for law enforcement in their efforts to manage terrorism.<sup>32</sup>

The principles of community policing should be utilized when establishing effective methods to address the phenomenon of terrorism, as other policing models, such as the traditional or reactive, may be counterproductive. As Murray (2005) wrote, “community policing has proven to be a dramatic improvement to the traditional model of policing that is essentially reactive.”<sup>33</sup> The most important benefits resulting from community policing is the increased communication between the community and police. Eliciting thoughts and opinions of both individuals and groups in a community is extremely important and should be actively pursued, especially from those that are typically reluctant to collaborate with police. As the sense of trust between law enforcement and the community increases, the public will likely be more willing to provide information to police. As a response to the 9/11 attacks and due to increased federal funding for local counterterrorism, many local law enforcement agencies have increased personnel assigned to specialized counterterrorism or special weapons and tactics (SWAT) units, which may signal a shift away from community policing.

A concern with this shift in policing philosophy is impact on the relationship between the police and the public. As Murray (2005) posits, the abandonment of community policing as an overall philosophy would be counterproductive, as it will decrease the “critical facility of prevention and community cooperation which are inherent in community policing.”<sup>34</sup> The public will be more likely to voluntarily report information under the following circumstances: when there is an encouragement to do so, both from the community and the police; when there is a sense of trust between the police and the public; and when there is awareness that individual actions by members of the public may impact the interests of the community.

Community policing also entails the utilization of problem solving by police in a proactive approach to law enforcement. Through determining and detecting the fundamental cause or causes of crime and disorder, methods of regulation and prevention for future similar occurrences are created. These proactive efforts such as the SARA model, an acronym for scanning, analysis, response, and assessment, may also be applied to developing plans of monitoring and prevention of terrorism. In addition, these methods can also be useful when analyzing the concept of fear and its ties to terrorist attacks. Public fear associated with terrorism, which may vary in magnitude across communities, may also be addressed through the application of community policing.<sup>35</sup>

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<sup>32</sup>Innes (2006).

<sup>33</sup>Murray (2005), p. 347

<sup>34</sup>Ibid., p. 349

<sup>35</sup>Scheider and Chapman (2003).

Although the effectiveness of applying community policing to counter terrorism has not been empirically tested, there are two factors that may provide answers to its potential as a tool for local law enforcement. First, the way in which community policing is defined may range among agencies, as well as the researcher or academic gathering the information and conducting the evaluations. It is important that the definition of community policing is clearly operationalized in order to test whether its application is effective. Second, the expected results also require operationalization in order to consider the utilization of community policing as effective. If a decrease in terrorism indicates community policing as an effective method for the prevention and regulation of terrorism, the extent of the decrease expected to occur should be determined. If effectiveness is viewed as obtaining information or intelligence that results in the apprehension of terrorists and the prevention of terrorist attacks from occurring, then the frequency of such occurrences should be defined.

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