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Mr. Chairman and distinguished Helsinki Commission Members: Thank you for this opportunity to testify today on the subject of “Anticipating and Preventing Attacks on the European Jewish Communities in Europe.” Today’s hearing comes at a critical juncture in the struggle against transnational terrorism, in the history of the Jewish communities in Europe, and in the progress of civilization in securing the safety of vulnerable communities worldwide.

My name is John Farmer. I am currently a University Professor of Law at Rutgers University. Prior to my current position, I served as Rutgers University Counsel, as Dean of Rutgers School of Law—Newark, as a partner in two law firms, as Senior Counsel to the 9/11 Commission, as New Jersey’s

Attorney General, as Chief Counsel to Governor Whitman, and as a federal prosecutor.

Of most relevance to today's hearing, I was the chief law enforcement officer in New Jersey on 9/11, a day when our state lost some 700 of its citizens. I can never forget that day, or the sense of failure and disbelief I felt that such an attack could have succeeded. Understanding exactly what went wrong and how public safety can be protected during a terrorist attack or other crisis has been a focus of my work in the years since.

As Senior Counsel for the 9/11 Commission, I had the opportunity to study the crisis as it was experienced in real time by everyone from the President to the evacuating civilians in New York's Twin Towers. I wrote a book, *The Ground Truth*, comparing the response on 9/11 to the response to Hurricane Katrina, and found disturbing parallels between the way the government reacted to a complete surprise attack and the way it reacted to a storm that had been anticipated for years and for which detailed plans were in place.

The responses to both events, I found, failed to take account of the fact that, as stated in *The 9/11 Commission Report*, "[t]he 'first' first responders on 9/11, as in most catastrophes, were private-sector civilians. ... [P]rivate-sector civilians are likely to be the first responders in any future

catastrophes.” The 9/11 Commission Report, at 317. Among trained emergency personnel like police, fire, and EMTs, moreover, both crises demonstrated that “critical early decisions will have to be made by responders who are not the top officials ... . Planning for a crisis should accept that reality and empower and train people ‘on the ground’ to make critical decisions.” John Farmer, *The Ground Truth*, at 324.

The truth of that observation has been borne out in subsequent attacks ranging from the London subway bombing to the murders at the Jewish museum in Brussels to the murders at the kosher grocery store in Paris to the most recent attacks at the Paris cafes, stadium, and concert hall and at the Brussels airport. As the threat has become more diffuse, and the attacks less predictable, I believe the following conclusion has become inescapable: Anticipating and preventing attacks on European Jewish communities – or, for that matter, on any vulnerable communities -- will be impossible without a dramatically greater engagement of law enforcement with the affected communities and people, and of the affected communities and people with each other.

For the past nearly two years, I have had the privilege of leading, along with Rutgers Professor of Criminal Justice John Cohen, formerly Counterterrorism Coordinator for the Department of Homeland Security, an initiative at Rutgers

University designed to identify the best ways to protect vulnerable communities in light of the evolving threat. Funded generously by Rutgers alumnus Paul Miller, former general counsel of Pfizer, and his family, Rutgers began what we have called the Faith-Based Communities Security Program two years ago by taking a close look at the evolving threat, and by taking an equally close look at the security situations of several European Jewish communities. To assist us, we have had the privilege of working with subject matter experts like Paul Goldenberg, Rabbi Baker, Sean Griffin, recently retired as Counterterrorism Coordinator for Europol, and Richard Benson, who helped establish the Community Security Trust in Great Britain.

The reasons for our initial focus on the European Jewish communities are two-fold. First, because the European Jewish communities are the original diaspora communities, and have survived in parts of Europe despite attempts to eliminate them for over two thousand years, we believe that these communities have much to teach other vulnerable communities about security and resilience.

These lessons are particularly important, in our view, because the demographics of our world have been transformed within our lifetimes; according to estimates that predate the recent Syrian refugee crisis, over 20% of the world's people

now live in a nation other than where they were born. That amounts to well over a billion people trying to adapt to foreign cultures. The world of the future is therefore a diaspora world, a world of vulnerable communities.

Second, we thought it would be instructive to look at European Jewish communities now because, as Jonathan Biermann, Paul Goldenberg and Rabbi Baker will describe in greater detail, they have been under renewed stress in Europe as a consequence of Islamist radicalization and, to a lesser but persistent extent, age-old European anti-Semitism. The occurrence of anti-Semitic incidents had spiked dramatically, culminating in the murders at the Jewish Museum in Brussels shortly before we began our study.

The threat evolved and became more deadly even as we undertook our work. Indeed, the urgency of our work has escalated with each new attack. A team from Rutgers was on the ground in Paris during the Paris attacks of 2015 and in the aftermath of December's attack, in the aftermath of Copenhagen's attack, in the weeks preceding the Brussels attacks last month, and also in sensitive locations such as Malmo, Stockholm, Amsterdam, London, Prague, Vienna, and Budapest. In those locations and others we have met and consulted with Jewish community security leaders and

representatives of law enforcement, the governments, and civil society.

At the same time, we have worked with U.S. communities and law enforcement partners to develop what FBI officials have called an “off-ramp” from radicalization: an adaptable, multi-disciplinary intervention strategy to attempt to identify precursor conduct and enable communities to protect themselves and each other. The development of such strategies is impossible without a high level of public, community, and civil society engagement with law enforcement.

We did a read-out of preliminary findings at a conference last year in Washington, co-sponsored by the International Association of Chiefs of Police, the Bipartisan Policy Center, and Rutgers, and hosted by the FBI at its headquarters. We also had the opportunity to describe our work at the Hague to an audience of European police chiefs. As a consequence of that meeting, we had planned to conduct a follow-up summit at Europol headquarters this summer.

But the time for conference-level discussion is over. The recent attacks in Paris and Brussels have made more urgent the need to take action now to protect vulnerable communities. The situation on the ground has become dire; the challenge to the Jewish communities has become nothing

less than existential. Many stalwart leaders have become ambivalent about remaining in Europe at all.

The communities have become caught in a double-helix of hate, in which terrorist attacks energize the forces of xenophobia and nationalism, which have tended historically to turn eventually on the Jewish communities. The only thing the Islamist terrorists have in common with such forces is that both hate the Jews. In short, this is a time of particular peril for the Jewish future in Europe, and it is incumbent upon us to do what we can to assure that future.

Why?

In addition to the fact that assisting these communities is simply the right thing to do, in my view the future of our world of vulnerable communities is at stake. If the oldest diaspora community in the world cannot survive in a place where it has lived for longer than two thousand years, in a place where it survived the Nazis, the future of other vulnerable communities can only be described as bleak. The wholesale slaughter of Christians and nonconforming Muslims in Syria and Iraq and elsewhere begins to look less like isolated atrocities and more like a harrowing vision of our children's future.

After consulting with our European partners in Brussels, Copenhagen, London, the Hague, and elsewhere, we have

decided to take action now in the following ways that are a direct outgrowth of our work.

FIRST, with the encouragement of law enforcement and the affected communities, we will be traveling back to Brussels and Copenhagen in the coming weeks to explore concrete ways in which we might assist the Jewish and other vulnerable communities and law enforcement in working together to enhance public safety. At a meeting of the OSCE last spring in Vienna, many joined the representative of France in calling for some variation of “if you see something, say something” training and public engagement as an essential step in improving public safety. The need for a similar kind of civil defense approach has grown with each attack since then. We are working on refining that approach to meet the needs of individual communities. But our assistance extends beyond that program.

SECOND, with a view to their application to all vulnerable communities, we are writing and plan to publish online this summer the Rutgers Guide to Protecting Vulnerable Communities. This work will provide a distillation of best practices that we have identified in the course of our work. These practices are adaptable to other vulnerable communities and to various law enforcement structures around the world. They will represent our assessment of the most effective ways

in which governments and communities can work together to provide safety for vulnerable populations. They range from relatively obvious and easily adaptable steps -- the creation of crisis management teams within communities; regular exercising in crisis management; facilities audits to ensure that potential soft targets are hardened – to more challenging but essential steps, such as regular communication with law enforcement, training of individuals to identify potential threats, and outreach to other vulnerable communities and elements of civil society in order to develop effective approaches to intervention. The guide will be available to all, and we plan to offer on the ground assistance to those who request it, within our means.

THIRD, we plan to focus our efforts on filling a need that has been highlighted in the United States and in every country we have visited, and echoed by communities, government officials and members of the private sector alike: improved information sharing of open source and social media information. After having consulted with current and former law enforcement officials as well as having heard the concerns of the faith community, ngos, and private sector entities, I believe that a lasting contribution of our project to public safety may well lie in facilitating the more efficient sharing of critical open source information with faith-based communities, ngos, human rights organizations, and the private sector.

This effort would not be meant to replace, but rather to complement, governmental information-sharing efforts which, while admirable, have a necessarily different and primarily law enforcement focus. Such an effort will be fundamental to promoting the enhanced level of public engagement that I believe is required in order to protect public safety.

Mr. Chairman, our work in Europe, and the recent attacks in Paris and Brussels, has underscored the ground truth of every attack and natural catastrophe since 9/11: it is more essential now than ever that the public be engaged at every level in its own protection. As FBI Director Comey and other law enforcement leaders have recognized for over a year now, the threat to public safety is evolving; law enforcement can no longer act alone – if it ever truly could -- in combating it. A better informed, trained, and engaged community is a safer community.

We are committed to providing the education, information, and training that will enable the Jewish and the vulnerable communities of other cultures and beliefs, wherever they are threatened and whenever they ask, not just to survive but to flourish. The stakes for the Jewish and other vulnerable communities today cannot be higher; if done right, however, the rewards from these efforts will be reflected in a safer and more peaceful future for all.

Thank you again, Mr. Chairman, for this opportunity.