

**Meeting of the States Parties to the Convention  
on the Prohibition of the Development,  
Production and Stockpiling of Bacteriological  
(Biological) and Toxin Weapons and on Their  
Destruction**

12 August 2010

English Only

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**2010 Meeting**

Geneva, 6–10 December 2010

**Meeting of Experts**

Geneva, 23–27 August 2010

Item 5 of the provisional agenda

**Consideration of the provision of assistance and  
coordination with relevant organizations upon  
request by any State Party in the case of alleged  
use of biological or toxin weapons, including  
improving national capabilities for disease surveillance,  
detection and diagnosis and public health systems.**

**Joint public health and law enforcement investigations:  
"enhancing relationships to improve readiness"**

**Submitted by the United States of America**

**I. Introduction**

1. In order to protect public health and safety by apprehending those responsible and mitigating health consequences, deliberate biological threat events require a coordinated response between law enforcement and public health. In the past, it was not uncommon for law enforcement and public health to conduct separate investigations, with limited coordination between the two disciplines. Unfortunately, this lack of coordination limited the effectiveness of these independent, but often overlapping investigations. In order to promote collaboration between the disciplines, the U.S. Centers for Disease Control and Prevention (CDC) and the U.S. Federal Bureau of Investigation (FBI) developed a Joint Criminal and Epidemiological Investigations Course for public health and law enforcement personnel. The Joint Investigations Course was designed to provide participants with an introduction to criminal and epidemiological investigations, enhance an appreciation of each discipline's expertise, identify potential conflicts that may be encountered between law enforcement and public health during a response, and develop solutions by using best practices when conducting joint threat assessments, investigations, and interviews.

**II. Joint Investigations Course**

2. The domestic Joint Investigations Course is a two-day curriculum of lectures and exercises that is facilitated by CDC and FBI instructors, which emphasizes the need for a

joint response to intentional biological events. The lectures provide an overview of investigative methods, information sharing practices, and case studies while the exercises reinforce joint investigation principles and techniques. In all, the course promotes a greater understanding among law enforcement and public health personnel of respective roles, responsibilities, and information needs regarding a response to a deliberate biological threat event. While a response requires coordination between law enforcement and public health, each group may be hesitant to share specific-types of information because of actual or perceived information sharing limitations. For example, law enforcement may be reluctant to provide investigative information that may jeopardize the safety of confidential informants or may result in suspects avoiding detection. Conversely, public health is concerned with being legally liable for the release of patient medical information without consent and maintaining the culture of ethics and trust that exists between a patient and the medical community. Through the use of practical exercise, the course helps identify and resolve these potential barriers in advance of an incident to ensure timely information is exchanged during an actual response.

3. The Joint Investigations Course promotes several different methods that may be used by law enforcement and public health to improve joint responses. It begins first with encouraging law enforcement and public health to develop positive and effective working relationships. Strong professional relationships between law enforcement and public health allow for greater exchanges of information since individuals generally develop trust in their counterparts once they have met and worked with them prior to an incident. A second method to increase the effectiveness of a joint response is to codify the relationships in a written protocol or agreement. An agreement or memorandum of understanding (MOU) allows law enforcement and public health to move beyond personal contacts and formalizes the concepts and principles for conducting joint investigations of intentional biological threats. A model MOU for Joint Public Health – Law Enforcement Investigations was developed by a work group convened by the U.S. Centers for Disease Control, U.S. Department of Health and Human Services and Prevention and the Bureau of Justice Assistance, U.S. Department of Justice. In the Joint Investigations Course, instructors review several key concepts outlined in the model MOU: the triggers/indicators required to initiate information exchange, procedures for conducting a threat assessment, instructions for conducting joint interviews, and protocols for information analysis and the sharing of investigative results. Finally, the Joint Investigations Course reviews the steps for conducting joint law enforcement and public health interviews. The joint interview is a process that pairs law enforcement and public health investigators together during interviews of case patients and exposed persons. The joint interviews allow both law enforcement and public health the opportunity to evaluate the initial information collected utilizing the expertise of each investigator, which could aid in identifying the source of the infection and/or the perpetrators and/or identify needs for additional information or avenues of investigation. If interviews are conducted separately, one investigator may not recognize the importance or significance of a piece of information, which could be critical to their counterpart's investigation.

### **III. Joint Investigations Course – domestic**

4. Since 2004, the domestic joint investigations course has been conducted 17 times and more than 1,800 students have been trained at Federal and state/local levels. Several states/local jurisdictions used joint investigation methods to successfully respond to smaller scale intentional incidents involving biological threat agents. Additionally, course evaluations indicate the training often serves as the first opportunity for law enforcement and public health interaction. As a result, several state/local jurisdictions have used the

Joint Investigations Course as the foundation for developing formal information sharing agreements and joint protocols between law enforcement and public health.

#### **IV. Joint Investigations Course – international**

5. While the Joint Investigations Course was initially developed in the United States, it has been adapted for use in other countries. The CDC and FBI have partnered with numerous international organizations and working groups (Interpol, Group of Eight Bioterrorism Experts Group, Association of Southeast Asian Nations, and the Organization of American States) to conduct international versions of the course. While the international version is based on the domestic course and provides the same general principles and methodologies, it has been modified to address country-specific issues and concerns where needed.

#### **V. Conclusions**

6. A joint public health and law enforcement investigation improves responses to intentional biological events because it increases information exchange and mutually supports the investigative goals of both disciplines. Joint investigations training is an effective way to promote the use of joint investigations.

#### **VI. References**

7. References:

- (a) Butler, J., Cohen, M., Friedman, C., Scripp, R., and Watz, C. (2002). Collaboration between public health and law enforcement: new paradigms and partnerships for bioterrorism planning and response. *Emerging Infectious Diseases*, 8(10), 1152-1156.
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  - (c) Joint Public Health – Law Enforcement Investigations: Model Memorandum of Understanding (MOU). (2008). Retrieved on December 7, 2008, at the website: <http://www.nasemso.org/Projects/DomesticPreparedness/documents/JIMOUFinal.pdf>
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