



OFFICE OF THE DIRECTOR OF POLICE
THE UNIVERSITY OF TEXAS SYSTEM
POLICY AND PROCEDURE MANUAL



Subject Suspicious Activity Reporting (SAR) Process			Policy Number 842
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I. PURPOSE

The purpose of this policy is to establish administrative practices that support the participation of the University of Texas System Police (“UT System Police”) in the “Nationwide Suspicious Activity Report Initiative” established by the United States Department of Justice. This strategy is a multifaceted approach, designed to increase the effectiveness of identifying, reporting, evaluating, and sharing pre-incident terrorism, and criminal indicators to prevent acts of terrorism or crime. These efforts shall be carried out in a manner that protects the information, privacy, and legal rights of individuals, and therefore, such information shall be recorded and maintained in strict compliance with existing federal, state and department guidelines regarding criminal intelligence systems (28 Code of Federal Regulations, Part 23 and the *Texas Code of Criminal Procedure*, Chapter 61) This policy is designed to:

- A. Ensure that a Suspicious Activity Report (SAR) has been legally gathered and is determined to have the potential nexus with terrorism or criminal related activity while being cognizant of our responsibility to protect citizen privacy and civil liberties. The SAR process shall not collect or maintain criminal intelligence information about the political, religious or social views, associations, or activities of any individual or any group, association, corporation, business, partnership, or other organization unless such information directly relates to criminal conduct or activity and there is reasonable suspicion that the subject of the information is or may be involved in criminal conduct or activity.
- B. Support an implementation process that can be accomplished within the agency’s framework to gather, process, and report behaviors and events that are indicative of criminal activity.
- C. Support the institutionalization of standard processes by providing SAR training for executives, investigators, and officers.
- D. Establish the appropriate reporting procedures to the proper state and federal law enforcement agencies.

II. POLICY

It is our policy to be full and active partners in the Nationwide Suspicious Activity Report Initiative. Emphasize the importance of reporting suspicious activity to the proper law enforcement authorities. Statistical data regarding thwarted terrorist attacks are demonstrative that local law enforcement agencies can effectively contribute to the joint effort in combating crime and terrorism within the United States. The University of Texas System Police will document suspicious activity with a clear focus on the behavior and then process that information to contribute to the homeland security effort.

III. DEFINITIONS

- A. Information– Raw data that supports criminal intelligence investigative needs that may be gathered from tips, field contacts, open-source material, banking records, driver’s license information, criminal history records, witness statements, officer observation, and suspicious activity reports.
- B. Nationwide Suspicious Activity Report Initiative (NSI) – A partnership of agencies at all levels that provide law enforcement with another tool to combat crime and terrorism. The NSI has established a national capacity for gathering, documenting, analyzing and sharing suspicious activity reports.
- C. Suspicious Activity Report (SAR) – Official documentation of observed behavior reasonably indicative of pre-operational planning related to terrorism or other criminal activity. The information reported in a SAR may also be the result of observations or investigations by police officers, or may be reported to them by private parties. Examples of incidents which should be reported in a SAR Form, but not limited to, are:
 - 1. Engages in suspected pre-operational surveillance (uses of binoculars or cameras, takes measurements, draws diagrams, etc.).
 - 2. Appears to engage in counter-surveillance efforts (doubles back, changes appearance, evasive driving, etc.).
 - 3. Engages security personnel in questions focusing on sensitive subjects (security information, hours of operation, shift changes, what security cameras film, etc.).
 - 4. Takes measurements (counts footsteps, measures building entrances or perimeters, distances between security locations, distances between cameras, etc.).
 - 5. Takes pictures or video footage (with no apparent aesthetic value, i.e., camera angles, security equipment, security personnel, traffic lights, building entrances, etc.).
 - 6. Draws diagrams or takes notes (building plans, location of security cameras or security personnel, security shift changes, notes of weak security points, etc.).
 - 7. Abandons suspicious package or item (suitcase, backpack, bag, box, package, etc.).
 - 8. Abandons vehicle (in a secured or restricted location i.e., the front of a government building, airport, sports venue, etc.).
 - 9. Attempts to enter secured or sensitive premises or areas without authorization (i.e., offices, laboratories, secured areas at significant events such as appearances by dignitaries, etc.).
 - 10. Engages in test of existing security measures (i.e., “dry run,” security breach of perimeter fencing, security doors, etc., creating false alarms in order to observe reactions, etc.).

11. Attempts to acquire sensitive or restricted items or information; attempts to acquire illegal or illicit biological agent.
12. In possession, or utilizes, biological agents, or radiological material agent for illegal purposes or otherwise involved with weapons of mass destruction.

IV. PROCEDURES

- A. The primary focus is reporting on behaviors that would arouse suspicion in a reasonable person. Officers will be thorough in the documentation of the activity, while being mindful of individuals' freedom of expression and association. When the behavior or activity involves behavior that may be lawful or is constitutionally protected activity, the investigating officer will carefully assess the information and gather as much information as possible before taking any action, including, documenting and validating the information as terrorism or crime related.
- B. When personnel receive or observe behavior indicative any information regarding suspicious activity of this nature they shall:
 1. Properly investigate and take appropriate action, to include any requirement of special or tactical response or notification to specialized entities.
 2. Notify an immediate supervisor or watch commander.
 3. If the activity observed is not directly related to a reportable crime, officers shall record the information collected from the person reporting, or their own observations, on the ODOP SAR Form, entitled "Suspicious Activity Reporting" in accordance with the following guidelines:
 - a) If the person reporting is willing to be contacted by investigators, they shall be listed within the Reporting Persons portion of the SAR. (Any desire by a person reporting to remain anonymous does not exempt officers from the requirement to complete an SAR.)
 - b) If the information includes additional suspicious persons, officers shall identify or fully describe them within the narrative (page 2) of their report, along with any vehicle descriptions or other pertinent information.
 - c) If the information is related to a regular criminal investigation (such as a bomb threat, criminal threats, trespassing, etc.), the officers shall complete the criminal investigation, make any appropriate arrests, and complete any related reports. The officers shall include any additional information that provides the nexus to terrorism within the narrative of the crime or arrest report. Should officers come across information that indicates possible terrorism-related activity while investigating an unrelated crime or incident (e.g., such as officers conducting a domestic violence investigation observe possible surveillance photographs and a map of the region surrounding a government facility), or should they conduct an impound or found property investigation which is suspicious in nature, the officers shall make no mention of this potential terrorism-related material or activity within the impound, property, crime or arrest report. Under these circumstances, the officers shall complete a separate SAR in addition to the crime or arrest report, and shall note the criminal investigation, impound or found property investigation as their source of their activity.

d) If the information pertains to an immediate or quickly approaching event, personnel shall, as soon as possible, notify an immediate supervisor or shift commander.

(1) Watch Commanders/Supervisors –Responsibilities: Upon notification that personnel have received information regarding suspicious activity, the Watch Commander/Supervisor shall:

(a) Ensure the information supports the completion of a SAR report;

(b) Review the report for completeness and accuracy;

(c) Ensures no greater law enforcement response or notification to state or federal agencies is required.

(d) If no immediate threat exists, ensure that the Criminal Intelligence Officer for the institutional department is notified of the SAR within twenty-four (24) hours of the incident.

C. Upon completion of local agency vetting and when a nexus to terrorism has been identified, agencies should immediately engage their counterterrorism assets to include investigators, analysts, and intelligence units. Terrorism-related SARs should be made as soon as possible to:

1. The agency's local Joint Terrorism Task Force either directly or through the FBI's e-Guardian system; or

2. The Texas Department of Public Safety "Texas Fusion Center" at the following link.

<http://dps.texas.gov/sar/php/index.html>

Email: txfusioncenter@dps.texas.gov (Confirmed: 10/19/12)

Fax: 512-424-7418 (Confirmed: 10/19/12)

D. The Watch Commander/Supervisor shall be responsible for notifying the Criminal Intelligence Officer for the institutional department for proper and immediate dissemination and will ensure notification of supervisory personnel including the Office of Director of Police.

1. Criminal Intelligence Officer

a) Review the SAR for completeness.

b) Provide any additional information regarding subjects identified in the SAR, i.e., departmental records, other information reports.

c) Submit the SAR and additional information to the proper Federal Joint Terrorism Task Force and Texas Department of Public Safety Fusion Center or regional intelligence center if applicable.

d) Notify supervisory personnel of the date and time when the information is submitted.

e) Retain the original with an assigned intelligence file number.

f) Notify the Intelligence Coordinator of the Office of Director of Police.

g) Provide timely reports to authorized supervisory personnel regarding any investigative progress when available.

- E. Each Chief of Police will ensure that all sworn personnel have completed training on a behavior-based approach to the identification and documentation of suspicious activity which emphasizes the importance of protecting civil liberties and privacy by adhering to the constitutional standards for information reporting. This method ensures information collection is both lawful and ethical, and meets the stated goal of the “Nationwide SAR Initiative” of the United States Department of Justice.



Michael J. Heidingsfield
Director of Police