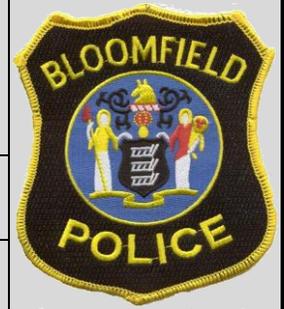


# BLOOMFIELD POLICE DEPARTMENT GENERAL ORDERS



VOLUME: 4

CHAPTER: 5

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**SUBJECT: SUSPICIOUS ACTIVITY & THREAT REPORTING**

**BY THE ORDER OF:**

**Public Safety Director Samuel A. DeMaio**

**ACCREDITATION STANDARDS:**

**3.7.8**

**Effective Date:**

**April 23, 2018**

**SUPERSEDES ORDER #:**

**PURPOSE:** The purpose of this policy is to establish procedures for personnel to follow to report suspicious activity with a possible nexus to terrorism, and any and all threats of violence generally to any public location or mass gathering area, threats of violence specifically to any school, workplace, or house of worship, or other criminal activity related to terrorism.

**POLICY:** It is the policy of this law enforcement organization to proactively seek out information that may prevent a criminal act of violence. All personnel are directed to seek out this type of information on an ongoing basis, as part of their regular duties, and immediately report information that fits the criteria of updated New Jersey Attorney General Directive 2016-7 (Immediate Notification of Investigative Tips and Leads).

## PROCEDURES:

### I. New Jersey Suspicious Activity Reporting System

#### A. Definitions:

1. All New Jersey law enforcement officers are directed to give the broadest meaning to the terms set forth below by the New Jersey Attorney General, realizing that suspicious activity and terrorism now include, among other things, threats of violence (in any form, through any medium and from any source) related to both hard targets (e.g., secure government facilities, military bases, etc.), and soft targets (e.g., schools, houses of worships, workplaces, shopping centers, transportation hubs, public gatherings, etc.).
  - a. "Counterterrorism Watch" or "CTWatch" (formally known as the "Tips and Leads Section" or "TLS") is an NJOHSP entity located within the State's fusion center, the Regional Operations and Intelligence Center (ROIC) tasked with assessing potential NJSARS entries, maintaining the quality control of existing NJSARS entries, properly categorizing SARs, and supporting the timely sharing of information to all levels of law enforcement.
  - b. "County Terrorism Coordinators" or "CTCs" are designated within each County Prosecutor's Office to act as the central points of contact to receive, share, collect, and disseminate terrorism-related material within their county, and are charged with submitting all SARs and accompanying reports to NJOHSP's CTWatch Unit; each County Prosecutor's Office appoints a primary and secondary CTC.
  - c. "Law enforcement agency" means any agency or department with law enforcement responsibilities operating under the authority of the laws of the State of New Jersey.
  - d. "Law enforcement officer" or "officer" means a regular, sworn officer employed by a law enforcement agency.
  - e. "Nexus to terrorism or other criminal activity" is established when behavior or circumstances are reasonably related to an individual's or organization's involvement or planned involvement in terrorism or other criminal activity related to terrorism and threats of violence (in any form, through any medium and from any source) related to both hard targets (e.g., secure government facilities, military bases, etc.) and soft targets (e.g., schools, houses of worships, workplaces, shopping centers, transportation hubs, public gatherings, etc.).
  - f. "NJOHSP" refers to the New Jersey Office of Homeland Security and Preparedness. It is the state organization that leads and coordinates New Jersey's counterterrorism and cybersecurity efforts.
  - g. "NJSARS" refers to the New Jersey Suspicious Activity Reporting System. It is not an intelligence database and does not contain intelligence information.



or his or her designee, any changes to NJSARS. All entries into NJSARS shall be reviewed by NJOHSP and vetted to ensure compliance. NJOHSP reserves the right to remove reports that do not meet the SAR threshold (this authority shall be executed with respect to the Federal Bureau of Investigation's lead agency responsibility for investigating crimes involving terrorist activities or acts in preparation of terrorist activities pursuant to 28 C.F.R. §0.85). NJOHSP also shall set standards for who shall have access to NJSARS.

E. SAR Process

1. The following is the SAR reporting process:

- a. **Initial Observation.** The information flow begins when a civilian or law enforcement officer observes behavior that, to a reasonable person, would appear suspicious and potentially related to terrorism or other criminal activity.
- b. **Initial Immediate Reporting.** All New Jersey law enforcement officers shall immediately report any suspicious activity with a possible nexus to terrorism, and any and all threats of violence generally to any public location or mass gathering area, threats of violence specifically to any school, workplace, or house of worship, or other criminal activity related to terrorism, observed or reported to them, immediately to their CTC and to CTWatch, utilizing the methods described in Paragraph B(1) of this policy.
- c. **Quality Control.** CTWatch personnel shall apply their training and professional experience to determine whether any reported suspicious activity has a nexus to terrorism or other criminal activity related to terrorism. If the observed activities are reasonably indicative of pre-operational planning related to terrorism or other criminal activity, CTWatch shall assess the validity and accuracy of the information received and check that no duplicate entry exists in NJSARS. If appropriate, CTWatch shall then document the information as a SAR by entry into NJSARS. If CTWatch determines that the SAR threshold has not been met, then CTWatch shall log the report into the CTWatch Contact Log.
- d. **Sharing and Dissemination.** SARS shall immediately be shared with the Federal Bureau of Investigation's Joint Terrorism Task Forces (FBI-JTTF) and CTCs. NJOHSP, the FBI-JTTF, and the CTCs shall work cooperatively to determine (1) how that information should be processed and shared beyond initial notification and (2) which agency shall handle the investigation, if any.
- e. **Storage.** Information shall be retained in compliance with the NJSARS Policies and the Attorney General Guidelines and Directives, for a period of five years. Information retained in the system must be reviewed and validated for continuing compliance with system submission criteria before the retention period expires.

F. Prohibitions for NJSARS users:

1. All law enforcement officers shall strictly adhere to Attorney General Law Enforcement Directive 2005-1 (establishing an official statewide policy defining and prohibiting the practice of racially-influenced policing) and the December 30, 2005 clarification to Attorney General Law enforcement Directive 2005-1 (preventing racial, ethnic, and religious profiling in the course of conducting counter-terrorism investigations and intelligence collection).
2. NJSARS users shall not collect or maintain information concerning an individual if no potential nexus to terrorism or other criminal activity related to terrorism exists and there is no reasonable indication of related pre-operational planning.
3. NJSARS users shall not collect or maintain information about the political, religious or social views, associations, or activities of any individual or group association, corporation, business, partnership, or other organization unless such information (1) has a potential nexus to terrorism to other criminal activity related to terrorism and (2) relates to conduct or activities that reasonably indicate pre-operational planning related to terrorism or other criminal activity.
4. NJSARS users shall not knowingly or intentionally receive, seek, accept, or retain information from a source that used prohibited means to gather the information or if there is a reason to believe that a source is not legally permitted to disclose the information.
5. NJSARS may be used only by authorized personnel for official purposes, including criminal, civil, and/or administrative investigations. Unauthorized access to or use of NJSARS may subject violators to criminal, civil, and/or administrative action.