ELIZABETH POLICE DEPARTMENT
GENERAL ORDERS

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SUBJECT: SUSPICIOUS ACTIVITY AND THREAT REPORTING

EFFECTIVE DATE: **March 18, 2025**	ACCREDITATION STANDARDS: 3.7.8 (NJLEAP) 3.2.4 (NJCOMS)
BY THE ORDER OF: Chief Giacomo Sacca	
BY AUTHORITY OF: Police Director Earl J. Graves	
SUPERSEDES ORDER #:	

PURPOSE: The purpose and goal of this directive is to provide a protocol for receiving, reporting, and investigating a SAR and to provide a process that enables the constant flow of information among local, county, state, and federal law enforcement authorities. Protecting our communities against potential acts of terrorism requires an effective and integrated network of partnerships and communication. Federal law enforcement agencies cannot do it alone. All law enforcement plays a vital role in this process and possesses critical information about individuals, locations, and activities within their communities. Local and county law enforcement is one of the best sources for such information and, therefore, serves as a key component in detecting, disrupting, or preventing a potential targeted act of violence incident.

POLICY: It is the policy of the Elizabeth Police Department to proactively seek out information that may prevent terrorism or other criminal acts of violence. All personnel are directed to seek out this information on an ongoing basis, as part of their regular duties, and immediately report information that fits the New Jersey Office of Homeland Security and Preparedness criteria.

PROCEDURE:

I. DEFINITIONS

A. Counterterrorism Watch (CTWatch) is a New Jersey Office of Homeland Security entity located within the State's fusion center, the Regional Operations and Intelligence Center (ROIC), tasked with assessing potential New Jersey Suspicious Activity Reporting System (NJSARS) entries, maintaining the quality control of existing NJSARS entries, properly categorizing Suspicious Activity Reports (SARS), and supporting the timely sharing of information to all levels of law enforcement.

B. Counter-Threat Coordinators (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 law 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 the threats of violence related to hard target (i.e. secure government facilities, military bases, etc.) and soft targets (schools, houses of worship, workplaces, shopping centers, transportation hub, public gatherings, etc.)

F. NJSARS refers to the New Jersey Suspicious Activity Reporting System, which collects and disseminates SARs to various law enforcement agencies but is not an intelligence database and does not contain intelligence information.

G. Suspicious Activity Report (SAR) is an official document of observed behaviors reasonably indicative of pre-operational planning related to terrorism or other criminal activity.

II. THE NEW JERSEY SUSPICIOUS ACTIVITY REPORTING SYSTEM ADMINISTRATION

A. The New Jersey Office of Homeland Security and Preparedness (NJOHSP) is responsible for administering, coordinating, and leading New Jersey's counter-threat and preparedness efforts.

B. Controlling Agency of NJSARS: The NJOHSP shall be the lead authority for monitoring and managing NJSARS. NJOHSP shall have the authority to determine how NJSARS are handled and if and when any changes should be made to its system and procedures.

1. All entries into NJSARS shall be reviewed by NJOHSP and vetted to ensure compliance with policies and procedures.

2. NJOHSP reserves the right to remove reports not meeting the SAR threshold.

3. Authority shall be executed with respect to the Federal Bureau of Investigation's lead agency responsible for investigating crimes involving terrorist activities or acts in preparation for terrorist activities pursuant to 28 C.F.R. §0.85).

4. NJOHSP also sets standards for those who have access to NJSARS.

C. Reporting of SAR and any follow-up investigation is coordinated with the NJOHSP.

III. COUNTY COUNTER-THREAT AND MUNICIPAL COUNTER-THREAT COORDINATOR PROGRAM

A. County Counter-Threat Coordinators (CTC): The Union County Prosecutor's Office has assigned counter-threat duties to a unit within their individual organization. This unit is essential to coordinating all law enforcement homeland security initiatives, including coordinating all "suspicious activity" in their respective areas of responsibility. One or more CTC(s) are appointed as a point of contact for each Municipal Counter-Threat Coordinator to coordinate the collection and dissemination of SARS reports throughout the county.

B. Municipal Counter-Threat Coordinators (MCTC): The Chief of Police shall appoint one or more person MCTC(s) who will be the agency's liaison to NJSARS. The MCTC(s) should:

1. Attend training and meetings scheduled by the CTC or NJOHSP.

2. Be the point of contact to receive, share, collect, and distribute threat-related material within this agency's jurisdiction, including any intelligence and information bulletins.

3. Ensure threat-related directives, bulletins, or requests from CTC are sent to the Chief of Police or designee for appropriate action.

4. Oversee, review, and monitor daily police reports and CAD entries regarding suspicious or criminal activity for a possible nexus to terrorism.

5. Submit all SARs and accompanying policy reports to the CTC and/or NJOHSP's CTWatch Unit.

6. Maintain a working knowledge of ongoing location and regional homeland security initiatives and projects while facilitating information exchange about these initiatives.

7. Update and report on Critical Infrastructure/Key Resources and asset locations within this agency's jurisdiction, including appropriate contact information to the CTC as necessary.

a. Maintain open lines of communication with the critical infrastructure points of contact.

b. Assist NJOHSP with any pre-plans or protection procedures for critical infrastructure.

8. Provide a listing of significant special events occurring to the CTC or NJOHSP.

IV. SUSPICIOUS ACTIVITY REPORTING

A. A SAR may be received from various sources and is an integral component of the investigative and analytical functions of counter-terrorism efforts. The goal of gathering raw information is the prevention of targeted acts of violence, terrorist activities, and criminal conduct and the apprehension of those engaged in these actions before they commit them.

B. Immediate Reporting: All Law Enforcement Agencies in New Jersey shall immediately report the following to the CTC and NJOHS's CTWatch Unit:

1. Suspicious activity with a possible nexus to terrorism. These behaviors include, but are not limited to:

a. Trespassing or Breach Attempt: Unauthorized personnel attempting to enter or entering a restricted area, secured protected site, or nonpublic area. Impersonation of authorized personnel.

b. Misrepresentation: Presenting false information or misusing insignia, documents, and/or identification to misrepresent one's affiliation as a means of concealing possible illegal activity.

c. Theft/Loss/Diversion: Theft, loss, diversion, or stealing something associated with a facility/infrastructure or secured protected site (e.g., badges, uniforms, identification, emergency vehicles, technology, or documents (classified or unclassified)), which are proprietary to the facility/infrastructure or secured protected site.

d. Sabotage/Tampering/Vandalism: Damaging, manipulating, defacing, or destroying part of a facility/infrastructure or secured protected site.

e. Cyber-attack: Compromising or attempting to compromise or disrupt an organization's information technology infrastructure.

f. Expressed or Implied Threat: Communicating a spoken or written threat to commit a crime that will result in death or bodily injury to another person or persons or to damage or compromise a facility/infrastructure or secured protected site.

g. Aviation Activity: Learning to operate, operate, or interfere with the operation of an aircraft in a manner that poses a threat of harm to people or property and that would arouse suspicion of terrorism or other criminality in a reasonable person. Such activity may or may not be a violation of Federal Aviation Regulations.

h. Eliciting Information: Questioning individuals or otherwise soliciting information at a level beyond mere curiosity about a public or private event or particular facets of a facility's or building's purpose, operations, security procedures, etc., in a manner that would arouse suspicion of terrorism or other criminality in a reasonable person.

i. Testing or Probing of Security: Deliberate interactions with, or challenges to, installations, personnel, or systems that reveal physical, personnel, or cybersecurity capabilities in a manner that would arouse suspicion of terrorism or other criminality in a reasonable person.

j. Recruiting/Financing: Providing direct financial support to operations teams and contacts or building operations teams and contacts; compiling personnel data, banking data, or travel data in a manner that would arouse suspicion of terrorism or other criminality in a reasonable person.

k. Photographing/Videotaping: Taking pictures or video of persons, facilities, buildings, or infrastructure in an unusual or surreptitious manner that would arouse suspicion of terrorism or other criminality in a reasonable person. Examples include taking pictures or video of infrequently used access points, the superstructure of a bridge, personnel performing security functions (e.g., patrols, badge/vehicle checking), security-related equipment (e.g., perimeter fencing, security cameras), etc.

l. Observation/Surveillance: Demonstrating unusual or prolonged interest in facilities, buildings, or infrastructure beyond mere casual (e.g., tourists) or professional (e.g., engineers) interest and in a manner that would arouse suspicion of terrorism or other criminality in a reasonable person. Examples include observation through binoculars, taking notes, attempting to mark off or measure distances, etc.

m. Materials Acquisition/Storage: Acquisition and/or storage of unusual quantities of materials such as cell phones, pagers, radio control toy servos or controllers; fuel, chemicals, or toxic materials; and timers or other triggering devices, in a manner that would arouse suspicion of terrorism or other criminality in a reasonable person.

n. Acquisition of Expertise (Training): Attempts to obtain or conduct training or otherwise obtain knowledge or skills in security concepts, military weapons or tactics, or other unusual capabilities in a manner that would arouse suspicion of terrorism or other criminality in a reasonable person.

o. Weapons Discovery: Collection or discovery of unusual amounts or types of weapons, including explosives, chemicals, and other destructive materials, or evidence, detonations or other residue, wounds, or chemical burns that would arouse suspicion of terrorism or other criminality in a reasonable person

2. All threats of violence generally to any public location or mass gathering area.

3. Threats of violence specifically to:

   a. Any school.

   b. Workplace.

   c. House of worship.

   d. Mass Gathering Events.

   e. Public Facilities.

   f. Other criminal activities that may be related to terrorism.

C. School Threat Criteria: For a school-related incident to be considered for inclusion into NJSARS, the NJOHSP NJSARS School Thresholds Criteria Checklist must be completed. If the answer to any of the questions on the checklist is "Yes" additional documentation elaborating on the response shall be included with the report.

D. Special Events: NJOHSP works with the Department of Homeland Security (DHS) to support its Special Events Data Call.

1. A special event is a planned, nonemergency gathering occurring in a particular place during a particular time interval.

2. Gatherings of 1,000 or more people at open-air events such as street fairs, faith-based events, runs or marathons, and holiday events are some examples of special events.

3. NJOHSP compiles and disseminates a weekly list of all special events occurring throughout the State in four-month increments.

4. Special events should be submitted to NJOHSP.

E. SAR Process:

1. 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 a targeted act of violence, terrorism, or other criminal activity.

2. Initial Reporting: All New Jersey law enforcement officers shall immediately report any suspicious activity with a possible nexus to terrorism and all threats of violence generally to any public location or mass gathering area, threats of violence specifically to any school, workplace, house of worship, or other criminal activity related to terrorism, observed, or reported to them, immediately to their CTC and NJOHSP's CTWatch Unit.

3. 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 reasonably indicate pre-operational planning related to a targeted act of violence, 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. CTWatch shall document the information as a SAR by entry into NJSARS if appropriate. If CTWatch determines that the SAR threshold has not been met, then CTWatch shall log the report into the CTWatch Contact Log.

4. 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.

5. 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 compliance with system submission criteria before the retention period expires.

F. SARS Reporting and Notification: Whenever this agency receives a suspicious activity report, the supervisor shall ensure the following notifications are made:

1. CTC: Notification to the Union County Prosecutor's Office CTC shall be made by a supervisor or designee.

2. NJOHSP's CTWatch Unit: Notification to CT Watch will be made by the Union Prosecutor's Office CTC to satisfy the AG's directive unless the CTC advises otherwise. When this agency is responsible for notification to CT Watch, the following methods may be used:

a. NJSARS: Direct Entry into the NJSARS System

b. Email: ctwatch@njohsp.gov

3. MCTC: Notification shall be made to our Liaison, who will assist in coordinating our compliance with this reporting system.

4. Chief of Police

G. Notifications via telephone should be made using a recorded phone line whenever possible.

H. All emails and online forms reporting SARS shall be printed and retained with the original incident/investigation report.

I. The information gathered in making the report, including the name and title of the CTC and CTWatch accepting the report, shall be documented in an incident/investigation report.

J. Reporting shall include all pertinent information and supporting documents, if any.

K. An investigation/incident report shall document all relevant information, notifications, and supporting documentation. The completed reports shall be forwarded to the MCTC and the intelligence function. All reports will be retained according to the agency's Records Access and Security General Order.

V. SARS INVESTIGATIONS

A. When a suspicious activity is entered into NJSARS, an automatic and simultaneous notice is sent to the Federal Joint Terrorism Task Force (JTTF), NJOHSP, the CTCs, and other key law enforcement partners. Once the SAR has been entered, it is reviewed by the JTTF, which has the first right of refusal for all SARs in New Jersey. The SAR is either "pursued federally" or "relinquished to NJOHSP."

B. Any investigation with a nexus to terrorism shall not be pursued without being vetted through the JTTF.

C. No further action should be taken on the SAR without the explicit consent of the FBI or NJOHSP.

D. If the SAR is relinquished by federal partners, NJOHSP will assign it to a Detective, who will coordinate the investigation with the CTC and MCTC.

E. If this agency discovers additional information during its criminal investigation that may show a nexus to terrorism, the MCTC must contact the CTC immediately to forward the new information to NJOHSP, which will notify the JTTF for further review.

F. An NJOHSP Detective is assigned to Union County as a liaison and is available for investigative assistance and resources. The Detective is responsible for the case until it is determined that there is no nexus to terrorism. At that point, the case will be relinquished to the CTC or this agency, and NJOHSP will ensure that the final disposition is entered into NJSARS.

VI. COUNTERINTELLIGENCE PROGRAM

A. The NJOHSP's Counterintelligence Unit works in conjunction with the FBI Newark's Counterintelligence Task Force (CITF) to prevent or thwart intelligence gathering, theft of proprietary or sensitive technologies and sabotage by foreign intelligence entities.

B. Efforts include countering malign foreign influence and identifying transnational repression efforts.

C. CTCs and MCTC shall have the following responsibilities in the Counterintelligence Program:

1. Ensure they have received an initial Counterintelligence (CI) briefing at a prescheduled NJOHSP CTC/MCTC event or individually.

2. Notify the NJOHSP Counterintelligence Unit of all known foreign delegations to or contacts with government, critical infrastructure, or other potentially sensitive sites.

D. CI SARS may fall into a category of sensitive requiring alternate CI SARS reporting/notification methods.

1. For additional information on the Counterintelligence Unit or questions regarding the reporting of sensitive information, contact the Counterintelligence Unit via email. notify@njohsp.gov.

VII. PROHIBITIONS

A. 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).

B. 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.

C. 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.

D. 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.

E. 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.

VIII. NJSARS SYSTEM ACCESS

A. To gain access to NJSARS:

1. Complete NJSARS Basic User Training (Modules 1 through 4) on NJLEARN.

2. Complete the User Participation Agreement Form (Obtained through NJOHSP)

3. Email OHSP Intelligence Management at intelmgt@njohsp.gov.

IX. TRAINING

A. All newly appointed MCTCs shall be invited to NJOHSP for onboarding and orientation where in-person briefings, training, and a meet-and-greet with the Director may occur.

B. Assigned MCTCs shall establish and maintain access to the NJSARS, enabling them to search, review, and enter leads.

C. The following training recommendations are considered the minimum core competencies needed for personnel assigned to the MCTC role within the agency:

1. Online Courses via NJLEARN:

a. NJSARS Basic User Training: Modules 1-4

b. Terrorist Screening Center

c. NJ Intelligence System: Modules 1 and 2

d. Counterterrorism Awareness for Law Enforcement in the following courses:

1) Introduction to Law Enforcement Counterterrorism – Roles

2) Law Enforcement Counterterrorism – Officer Safety

3) Law Enforcement Counterterrorism – Domestic Terrorism

4) Law Enforcement Counterterrorism – International Terrorism

e. SANS Securing the Human Cyber Training

f. Chemical-terrorism Vulnerability Information – CVI (access through the State Asset Database)

g. Protected Critical Infrastructure Information - PCII

2. Classroom Courses:

a. Surveillance Detection Training for Municipal Officers – 3-Day Course

b. P.A.T.R.I.O.T. Behavior Assessment Training – 1-2 Days

c. Intelligence Collections Course – 1-2 Days