Maritime Suspicious Activity Reporting (SAR) Initiative (MSI)

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National Maritime Intelligence-Integration Office (NMIO)

Develops "Unity of Effort"

Established by the Director of National Intelligence (DNI) in Jan 2009 as an Intelligence Community "Service of Common Concern"

<u>**Principal advisor to DNI on maritime intelligence**</u>

Whole of nation maritime solution leveraging global partnerships to close analytic & collection gaps to operate as a "single integrated team"

<u>**Small / agile Interagency staff of 31**</u>

-**Carved out of existing DoD and Interagency resources to prevent growth but still address national mission**

-**Focus is on Information Sharing solutions and integration of Analysis, Collection, and IT Architecture**

-**Goal is synchronization between federal, state, local, tribal and territorial USG and our global partners**

Ensuring optimal intelligence support to Maritime Domain Awareness

Direct support to National Security Staff Deputies Committees (Piracy; National Oceans Council) and related Interagency Policy Committees

Unified maritime voice of the IC

*** *Coordinate, Collaborate, Integrate* ***

Nationwide SAR Initiative (NSI)

- **Managed by Program Management Office in Department of Justice's Bureau of Justice Assistance**

- **Partnership among state, local, tribal and federal agencies**

- **Framework defining the standards, processes, and policies that facilitate the sharing of terrorism-related SAR**

Increased Information Sharing

Standards, Processes & Policies

Protect Privacy & Civil Liberties

Nationwide Training Program

Federal, State & Local Partnerships

National Strategy for Information Sharing

NSI responds to the NSIS mandate that the federal government support the development of a nationwide capacity for sharing suspicious activity.

The NSI PMO

- In March 2010, the Nationwide SAR Initiative (NSI) Program Management Office (PMO) was established within the U.S. Department of Justice, Bureau of Justice Assistance

- This interagency office is composed of representatives from DHS, DOJ, the FBI, and the PM-ISE

- Responsible for implementing the NSI in the National Network of Fusion Centers, as well as with state, local, and tribal law enforcement

- The NSI PMO staff coordinates closely with the DHS I&A staff, which provides support to fusion centers

Maritime SAR Initiative

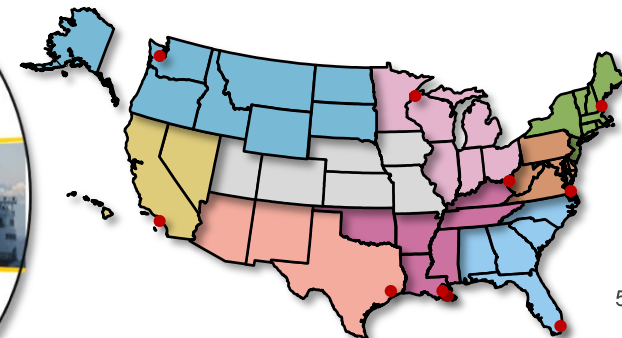- **A NSI PMO/NMIO Partnership…*in coordination with the U.S. Coast Guard, DHS, & the FBI***

- **MSI supports the DoJ Nationwide SAR Initiative (NSI)**
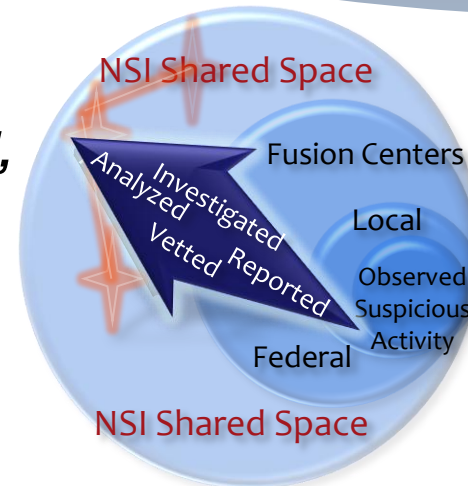
<u>**NMIO's program has two components:**</u>

- **Maritime Sector Training**
- **U.S. Port Site Visits**

Maritime Sector Training

- **Targeted and tailored for the maritime industry as a module in the NSI HSP series**

- **Availability pending review/endorsement by NSI, USCG and DHS**

(http://nsi.ncirc.gov/training_online.aspx)

Port Visits

- **Increase awareness of the NSI**
  - ➢ **Convey the critical role <u>YOU</u> play**
- **Enhance information sharing between port authorities and state/major urban area fusion centers**
- **Document "best practices" and lessons learned to share across the maritime enterprise**

Seattle

Duluth

Portland

SF/Oakland Bay

Hampton Roads

Lake Charles/New Orleans

Everglades
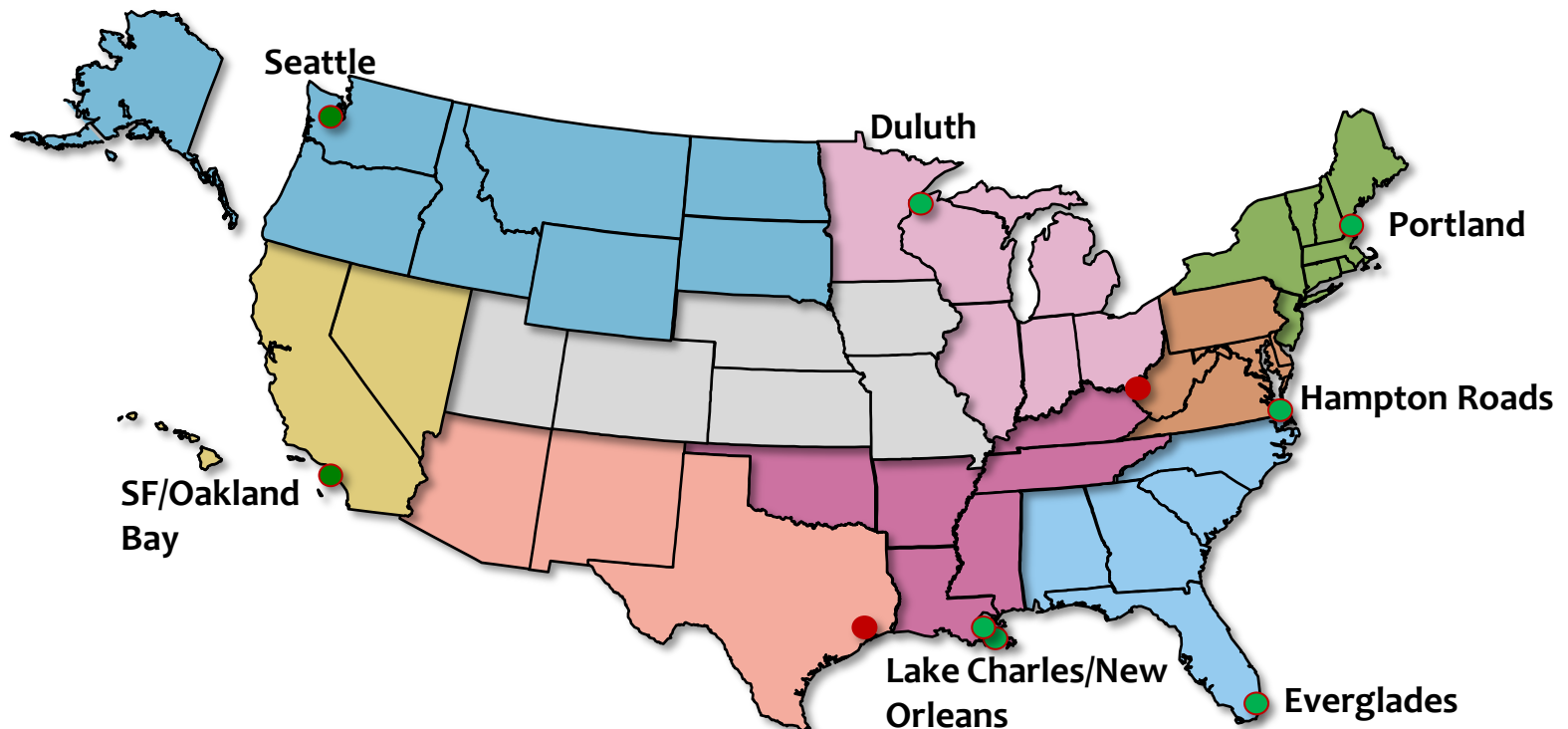
Related Programs

- DHS - "If You See Something, Say Something™" public awareness campaign (http://www.dhs.gov/if-you-see-something-say-something-campaign)

- DHS/USCG - America's Waterway Watch (http://aww.uscg.mil)

Along with NSI, both programs underscore the notion that *homeland* security begins with *hometown* security, where an alert public plays a critical role in keeping our nation safe.

MSI Way Forward

- **"Findings and Recommendations" Document**

- **FY14**
  - **Spanish version of training**
  - **Additional 10 port visits**

NSI Background

- **The need for the NSI was revealed by intelligence failures of September 11, as noted in The 9/11 Commission Report**
- **Legislation and Policy**
  - Intelligence Reform and Terrorism Prevention Act (2004)
  - National Strategy for Information Sharing (2007)
  - National Strategy for Information Sharing and Safeguarding (2012)
- **Development of the NSI Program**
  - Behaviors-based—the what, not the who
  - Incorporated SLTT LE, P/CR/CL Community, Federal Partners
  - Privacy, Civil Rights, Civil Liberties Framework
  - Training Programs
  - Technology Platforms
  - Outreach and Awareness
    - Commitment from the field / associations
    - Community Outreach
- **NSI PMO is responsible for implementing the NSI in the National Network of Fusion Centers, as well as with state, local, and tribal law enforcement**

NSI: The Need and Response

- Lack of terrorism-related information sharing among federal, state, local, tribal, and territorial law enforcement agencies
- Partnered with SLTT LE to define the needs, scope, and processes for suspicious activity reporting
- Developed the 16 behaviors based on SLATT and feedback from SLTT LE that are potentially indicative of terrorism activity
- Decentralized, distributed system—allows local control and ownership of information (called for by federal law)
- Built in privacy framework
- Partnership with the FBI's JTTFs and fusion centers

What is Suspicious Activity?

- A citizen observes or reports to law enforcement authorities that something is alarming, out of the ordinary, or "just not right"

- Law enforcement or government official observation
  - Based on training or experience in recognizing behaviors and indicators that are associated with a criminal activity related to terrorism
  - Knowledge of laws and regulations
  - Interaction with other agencies

- A SAR is observed behavior reasonably indicative of preoperational planning related to terrorism or other criminal activity
  - Studies and research have been done on activities leading to crimes and terrorist acts (e.g. LAPD, NCTC, FBI)
  - Online HSP training will cover in depth

What is the SAR Process?

- **The NSI provides a nationwide capability that establishes a standardized approach to sharing and analyzing information about suspicious activity that could be an indicator of future terrorism or other related criminal activity**
  - ➤ **Involves the gathering, processing, reporting, analyzing, and sharing of suspicious activity – also known as the SAR process**

- **Focuses on what law enforcement agencies have been doing for years—gathering information regarding behaviors and incidents with a potential nexus to terrorism—and establishes a process whereby information can be shared to detect, deter, and prevent acts of terrorism**

- **Rigorously protects the privacy and civil liberties of Americans**

SAR Indicators and Behaviors

Behaviors	Descriptions
Potential Criminal or Noncriminal Activities Requiring Additional Information During the Vetting Process or Investigation	
Eliciting Information	Questioning individuals at a level beyond mere curiosity about particular facets of a facility's or building's purpose, operations, security procedures, etc., that would arouse suspicion in a reasonable person.
Testing of Security	Interactions with or challenges to installations, personnel, or systems that reveal physical personnel or cybersecurity capabilities.
Recruiting	Building operations teams and contacts, personnel data, banking data, or travel data.
Photography	Taking pictures or video of facilities, buildings, or infrastructure in a manner that would arouse suspicion in a reasonable person. Examples include taking pictures or video of infrequently used access points, personnel performing security functions (patrols, badge/vehicle checking), security-related equipment (perimeter fencing, security cameras), etc. All reporting on photography should be done within the totality of the circumstances.
Observation/ Surveillance	Demonstrating unusual interest in facilities, buildings, or infrastructure beyond mere casual or professional (e.g., engineers) interest such that a reasonable person would consider the activity suspicious. Examples include observation through binoculars, taking notes, attempting to measure distances, etc.
Materials Acquisition/ Storage	Acquisition of unusual quantities of precursor materials such as cell phones, pagers, fuel, and timers, such that a reasonable person would suspect possible criminal activity.
Acquisition of Expertise	Attempts to obtain or conduct training in security concepts (military weapons or tactics) or other unusual capabilities that would arouse suspicion in a reasonable person.
Weapons Discovery	Discovery of unusual amounts of weapons or explosives that would arouse suspicion in a reasonable person.
Sector-Specific Incident	Actions associated with a characteristic of unique concern to specific sectors (such as the public health sector) with regard to their personnel, facilities, systems, or functions.
Defined Criminal Activity and Potential Terrorism Nexus Activity	
Breach/Attempted Intrusion	Unauthorized personnel attempting to enter or actually entering a restricted area or protected site. Impersonation of authorized personnel (e.g., police/security, janitor).
Misrepresentation	Presenting false or misusing insignia, documents, and/or identification to misrepresent one's affiliation to cover possible illicit activity.
Theft/Loss/Diversion	Stealing or diverting something associated with a facility/infrastructure (e.g., badges, uniforms, identification, emergency vehicles, technology, or documents [classified or unclassified] which are proprietary to the facility).
Sabotage/Tampering/ Vandalism	Damaging, manipulating, or defacing part of a facility/infrastructure or protected site.
Cyberattack	Compromising or attempting to compromise or disrupt an organization's information technology infrastructure.
Expressed or Implied Threat	Communicating a spoken or written threat to damage or compromise a facility/infrastructure.
Aviation Activity	Operation of an aircraft in a manner that reasonably may be interpreted as suspicious or posing a threat to people or property. May or may not be in violation of Federal Aviation Regulations.

Training

- **Executive Briefing**

- **Analytic Training**

- **Line Officer Training**

- **Hometown Security Partners**
  - ➢ **Probation/Parole/Correction**
  - ➢ **9-1-1 Public Safety Communications**
  - ➢ **Fire/EMS**
  - ➢ **Emergency Management**
  - ➢ **Private Sector**

http://nsi.ncirc.gov/training_online.aspx

NSI TRAINING OVERVIEW

NATIONWIDE SUSPICIOUS ACTIVITY REPORTING (SAR) INITIATIVE (NSI)

The NSI training strategy is a multifaceted approach designed to increase the effectiveness of state, local, and tribal law enforcement and public safety professionals and other frontline partners in identifying, reporting, evaluating, and sharing pre-incident terrorism indicators to prevent acts of terrorism. The overarching goal of the training strategy is to facilitate appropriate agency implementation of the SAR process and to enhance a nationwide SAR capability. To increase the effectiveness of this multifaceted approach, the NSI has developed training programs for frontline officers, analysts, and chief executives regarding the behaviors and indicators of terrorism-related criminal activity, as well as a SAR awareness training for partners with similar missions to those of law enforcement constituencies, or "hometown security partners," who are important to the SAR effort, including fire and emergency medical services personnel, public safety telecommunications professionals (e.g., 9-1-1 operators), emergency managers, corrections and probation and parole officers, and other related occupations, such as those charged with protecting the nation's critical infrastructure.

LINE OFFICER TRAINING

Frontline law enforcement personnel are trained to recognize behavior and incidents that may indicate criminal activity associated with terrorism. Their routine duties position them to observe and report suspicious behaviors or activities. The SAR Line Officer Training focuses on the critical role line officers have in the effective implementation of the SAR process by identifying and documenting suspicious activity. To efficiently deliver training to a large number of line officers in a timely manner, this training is delivered through a 15-minute CD that has been posted to several online/distance-learning formats and can also be customized for an agency's distance-learning platform.

FOR MORE INFORMATION:

NSI TRAINING OVERVIEW

ANALYTIC TRAINING

Ensuring that SAR information is properly reviewed and vetted is critical to promoting the integrity of information submitted; protecting citizens' privacy, civil rights, and civil liberties; and successfully implementing the SAR process. The SAR Analytic Role Training focuses on the evaluation of suspicious activity reports to identify behaviors that may be associated with pre-incident terrorism planning and the process for sharing this information nationwide. Through this curriculum, analysts and investigators are trained to recognize terrorism-related pre-incident indicators and to validate whether the behavior has a potential nexus to terrorism and meets criteria for submission. The training is delivered in an eight-hour workshop format.

EXECUTIVE BRIEFING

Law enforcement executives play a vital role in ensuring that the SAR process is not only successfully implemented but effectively supported. The SAR Executive Briefings focus on executive leadership, policy development, privacy and civil liberties protections, agency training, and community outreach. Fusion centers, law enforcement professional associations, and additional entities conduct these types of briefings in a variety of venues.

HOMETOWN SECURITY PARTNERS

The NSI has developed a SAR awareness training for partners with similar missions to those of law enforcement constituencies, or "hometown security partners," who are important to the SAR effort, including fire and emergency medical services personnel, public safety telecommunications professionals (e.g., 9-1-1 operators), emergency managers, corrections and probation and parole officers, and other related occupations, such as those charged with protecting the nation's critical infrastructure. The purpose is not to empower public

safety officials to act on behalf of law enforcement but to have them understand the critical role they play in identifying and reporting suspicious activity to state, local, tribal, and territorial law enforcement.

OUTREACH AND COORDINATION

The success of the NSI largely depends on the ability to earn and maintain the public's trust. As such, advocacy groups served an essential role in the shaping of the NSI Privacy Protection Framework and also assisted in the development and review of NSI products and resources. As the NSI moves forward, community outreach will help in addressing concerns of citizens and advocates by demonstrating that agencies engaged in the SAR process have adopted and maintain appropriate privacy and civil liberties safeguards.

The NSI is a critical aspect of the U.S. Department of Homeland Security Secretary's "If You See Something, Say Something™" campaign, which is a simple and effective program to raise public awareness of indicators of terrorism and terrorism-related crime and to emphasize the importance of reporting suspicious activity to the proper local law enforcement authorities. Both the "If You See Something, Say Something™" campaign and the NSI underscore the concept that a secure homeland begins with hometown security, where an alert public plays a critical role in keeping our nation safe.

These key foundational elements of the NSI are being administered within the development of all NSI training products. As a part of this engagement effort, the NSI has also developed and participated in the Building Communities of Trust (BCOT) initiative. The BCOT initiative supports local law enforcement agencies and fusion centers as they interact with their various communities to explain the SAR process, the NSI, and the role of fusion centers. Additionally, agencies can use this opportunity to present their privacy policy and outline the safeguards built into the information sharing system.

FOR MORE INFORMATION: NSI.NCIRC.GOV

State/Major Urban Area Fusion Centers

- **Focal points w/in the state and local environment for the receipt, analysis, gathering, and sharing of threat-related information between the federal gov't and state, local, tribal, territorial (SLTT) and private sector partners**

- **Fusion centers support their SLTT partners by developing actionable intelligence, disseminating relevant information to homeland security partners, participating in the Nationwide SAR Initiative, and supporting the maturation of their statewide fusion processes**

Collection and Reporting

- **The public should contact law enforcement via 9-1-1 when an immediate response is needed regarding suspicious activity for any type of crime, including terrorism**

- **This information is then submitted to law enforcement for initial review**

- **Law enforcement conducts an initial review and reports information to the fusion center and/or the FBI Joint Terrorism Task Force (JTTF)**

*** Recognizing CG regulatory reporting is a separate process ***
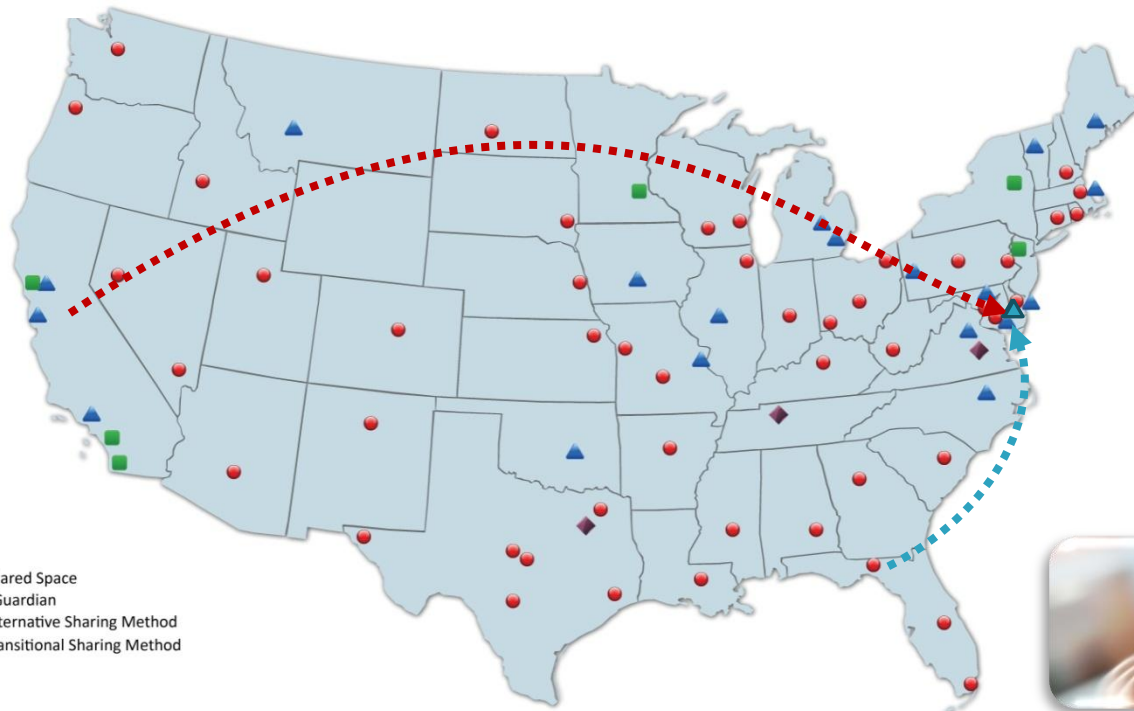
Vetting and Submission

- **Information submitted by law enforcement is reviewed by a trained analyst against the NSI Vetting Guidelines**
  - ➢ **Assessing the circumstances and interpretation of the behaviors**

- **Functional Standard-compliant information is submitted to the NSI Federated Search and shared with other NSI users**

- **Only the information determined by the local agency as shareable is available for search/view**

Different Paths. . .Same Result

eGuardian

Shared Space

- Shared Space
- eGuardian
- Alternative Sharing Method
- Transitional Sharing Method

Success Story—Orange County Intelligence Analysis Center (OCIAC)

- In 2012, OCIAC effectively produced a variety of suspicious activity reports (SARs) that identified 14 possible members/associates of Foreign Terrorist Organizations (FTOs) and 9 inmates with possible Mexican drug trafficking organization (DTO) affiliation

- Increased outreach and training by the OCIAC in the Orange County correctional system during 2012 resulted in increased suspicious activity reporting between the correctional system and the fusion center

- Two noteworthy SARs indicated that Mexican DTOs coordinate illicit activities with Middle-Eastern individuals and/or groups and one specific individual who was present in the United States to serve as a DTO "hit man"

- A correctional SAR identified information that a subject was posing a grave threat to a federal justice official

Government Accountability Office

Report to congressional requesters

March 13, 2013

http://www.gao.gov/products/GAO-13-233

> *"Available data show stakeholders have increasingly used the NSI to investigate and analyze ISE-SARs"*

Current Status

- **73 of 79** fusion centers NSI-compliant/operational
- **31,453** SARs in Shared Spaces (**17,093** eGuardian)
  - ➢ **280** SARs in last two weeks
- Approximately **958** new FBI investigations (PI + FI)
- **79,332** Federated searches

- Over **297,861** line officers trained
- **2,223** analysts trained
- **72,802** persons trained in homeland security partners SAR awareness training

Data as of April 26, 2013

Intelligence Product Development

- **Intelligence Community organizations are using SAR in all-source analysis efforts**

- **Inform LE about evolving trends, current threat streams and to show nationwide aggregated metrics of SAR across regions and infrastructure sectors**

- **DHS Office of Intelligence and Analysis is integrating SAR into the interagency "Roll Call Release" (RCR)**
  - ➢ **Produced jointly with the FBI**
  - ➢ **Presents key points to inform, highlight, raise awareness of ongoing threats and general concepts of illicit activity, and document actual incidents**

Domestic Terrorism

- **Violent attacks**
  - 2000–2011—29 state and local police officers killed in violent encounters with individuals linked to domestic criminal extremist groups
  - March 19, 2013—Colorado Corrections Executive Director Tom Clements
  - May 20, 2010—Sovereign citizens Jerry Kane (father) and Joseph Kane (son) murder West Memphis, Arkansas, Police Officers Brandon Paudert and Bill Evans

- **The Shared Spaces Portal contains 784 reports that reflect suspicious activity reporting pertaining to sovereign citizens**

- **Submit ISE-SARs on domestic terrorism to fusion center and the FBI**

NSI PMO Message to Fusion Center Directors on Domestic Terrorism 4-9-13

MSI Goals

- **A voice at the national level**

- **Knowing you're a critical part of a larger team responsible for securing our nation from future terrorist activities**

- **Improved security awareness…locally, regionally, nationally**

- **Potential reduction in criminal/terrorist activity in your port**

- **Nationally standardized approach to sharing SAR information**
    - ➢ **Improved accessibility to suspicious activity information**

Questions?