

Suspicious Activity Reporting

431.1 PURPOSE AND SCOPE

This policy provides guidelines for reporting and investigating suspicious and criminal activity while protecting constitutionally protected rights.

431.1.1 DEFINITIONS

Definitions related to this policy include:

Involved party - An individual who has been observed engaging in suspicious activity, as defined in this policy, when no definitive criminal activity can be identified, thus precluding the person's identification as a suspect.

Suspicious activity - Any reported or observed activity that a member reasonably believes may have a nexus to any criminal act or attempted criminal act, or to foreign or domestic terrorism. Actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability should not be considered as factors that create suspicion (although these factors may be used as specific suspect descriptions). Examples of suspicious activity may include but are not limited to:

- Suspected pre-operational surveillance or intelligence gathering (e.g., photographing security features, asking questions about sensitive security-related subjects).
- Tests of security measures and response to incidents (e.g., "dry run," creating false alarms, attempts to enter secure areas without authorization).
- Suspicious purchases (e.g., purchasing large quantities of otherwise legal items, such as fertilizer, that could be used to create an explosive or other dangerous device).
- An individual in possession of such things as a hoax explosive or dispersal device, sensitive materials (e.g., passwords, access codes, classified government information), or coded or ciphered literature or correspondence.

Suspicious Activity Report (SAR) - An incident report used to document suspicious activity.

431.2 POLICY

The Fresno State Police Department recognizes the need to protect the public from criminal conduct and acts of terrorism and shall lawfully collect, maintain and disseminate information regarding suspicious activities, while safeguarding civil liberties and privacy protections.

431.3 RESPONSIBILITIES

The Investigations Division Supervisor (or lead detective if no supervisor) and authorized designees will manage SAR activities.

The responsibilities of the Investigations Division Supervisor (or lead detective if no supervisor) include, but are not limited to:

- (a) Remaining familiar with those databases available to the Department that would facilitate the purpose of this policy.

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- (b) Maintaining adequate training in the area of intelligence gathering to ensure no information is being maintained that would violate the law or civil rights of any individual.
- (c) Ensuring that SAR information is appropriately reported to the fusion center and disseminated to members in accordance with their job responsibilities.
- (d) Coordinating investigative follow-up, if appropriate, including with patrol, detectives, crime analyst, records and other department members as appropriate.
- (e) Coordinating with any appropriate county/state/federal law enforcement agency and/or fusion center.
- (f) Ensuring that, as resources are available, the Department conducts outreach that is designed to encourage members of the community to report suspicious activity and that outlines what they should look for and how they should report it (e.g., website, public alerts/service announcements, Clery timely warnings, etc.).

431.4 REPORTING AND INVESTIGATION

Any department member receiving information regarding suspicious activity should take any necessary immediate and appropriate action, including a request for tactical response or immediate notification of specialized entities, when applicable. Any non-sworn department member who receives such information should ensure that it is passed on to an officer in a timely manner.

If the suspicious activity is not directly related to a reportable crime, the member should promptly report the information to an officer who will prepare a SAR and include information about involved parties and the circumstances of the incident. The detective unit, including crime analyst, records personnel, and others as appropriate may assist in the investigation or development of materials to disseminate information.