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## Barriers to Family Suspicious Activity Reporting (SAR) of Mobilization Behaviors and Pre-Operational Planning: Report to the U.S. Department of Homeland Security

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*Report to the U.S. Department of Homeland Security*

February 2021



**NCITE**

NATIONAL COUNTERTERRORISM,  
INNOVATION, TECHNOLOGY,  
AND EDUCATION CENTER

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## About this Report

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## About NCITE

This new Department of Homeland Security Center of Excellence is an academic hub based at the University of Nebraska Omaha focused on bolstering counterterrorism efforts and terrorism and targeted violence prevention. We are 50-plus academics at 18 universities in the U.S. and U.K. working on 16 research projects. The projects will result in innovation, technology, and education for today's counterterrorism workforce and inspire the workforce of the future.

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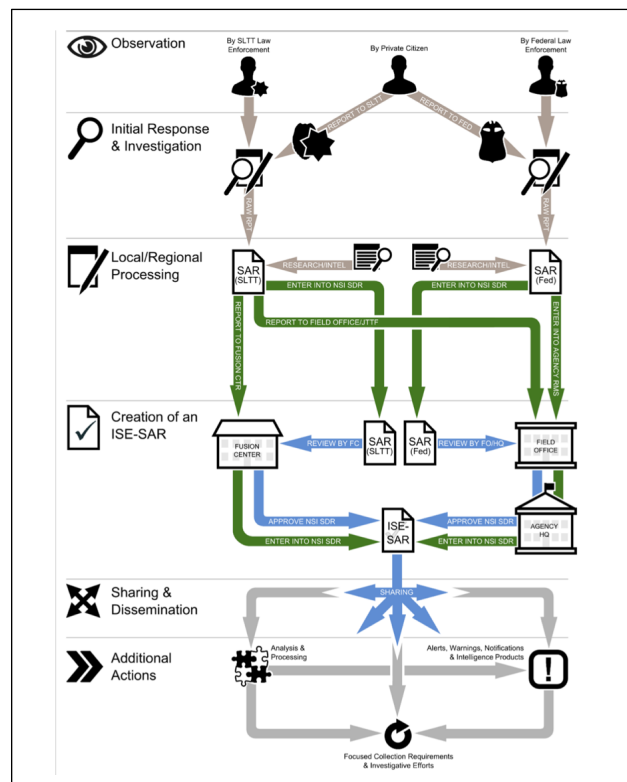
## Overview

The Nationwide Suspicious Activity Reporting (SAR) Initiative (NSI) is one of many tools used by law enforcement to help prevent terrorism and terrorism-related activity (see Figure 1). In addition to state, local, tribal, and territorial (SLTT) agencies and federal law enforcement, the Department of Homeland Security (DHS) relies on communities to report suspicious behaviors. While much is known about the actual SAR process,<sup>1</sup> less is known about an essential segment of the community: family members.

Family members of violent extremists (VE) play an important role in countering violent extremism (CVE), whether by supporting disengagement and deradicalization or by alerting authorities when concerned for the safety of their loved one(s) and/or others. However, due to issues like mistrust and fear of law enforcement, or a general lack of understanding about SAR and the investigative process, family members may be reluctant to report suspicious behaviors. This fundamental issue reduces the effectiveness of any CVE program or policy. It thus warrants an investigation into how law enforcement agencies can better support and promote family members reporting of suspicious activity.

This report seeks to determine whether the DHS and the NSI collaborative have protocols to address family engagement in CVE and report suspicious behaviors.

**Figure 1. SARS Flowchart**



The following two research questions will guide the remainder of this report:

- (1) How do SAR trainings address family engagement in suspicious reporting?
- (2) How do members of the NSI collaborative perceive family engagement in the SAR process (i.e., report suspicious behavior)?

<sup>1</sup> Gruenewald, Jeff, William S. Parkin, Brent L. Smith, Steven M. Chermak, Joshua D. Freilich, and Paxton Roberts Brent Klein. (2015). Validation of the Nationwide Suspicious Activity Reporting (SAR) Initiative: Identifying Suspicious Activities from the Extremist Crime Database (ECDB) and the American Terrorism Study (ATS). Report to the U.S. Department of Homeland Security. College Park, MD: START.

## Methods & Findings

This needs assessment is not intended to offer a full account of the SAR process, which is complex and conducted primarily in secure settings (e.g., fusion centers). Instead, the focus of this assessment is exclusively on family engagement in the reporting of suspicious activity.

To answer the above research questions, we attended and reviewed online seminars, workshops, and training modules. We also conducted focused, in-depth interviews with twelve members of the NSI collaborative.

### Training & Document Review

The Department of Homeland Security provides online SAR-specific training modules for the NSI collaborative.<sup>2</sup> The purpose of these training modules is to “increase the effectiveness of...partners in identifying, reporting, evaluating, and sharing pre-incident terrorism indicators to prevent acts of terrorism.”

**Figure 2. Online SAR Training for Law Enforcement and Hometown Security Partners**



Between September 7 and September 25, 2020, our team watched and analyzed twelve online SAR training modules for law enforcement and hometown security partners (see Figure 2) and three supplemental online training resources. The purpose of this review was to identify if and how these resources address family member engagement in the SAR process.

Eleven of the twelve training videos had working hyperlinks. The “Private Line Officer” training module had a broken hyperlink and was therefore excluded from the review. Each of the eleven training modules shared the exact same first 21 minutes. The remaining content was comprised of examples and scenarios applicable to the target audience. For instance, the NSI training “Explosive Precursors Point of Sale” training video included an explanation of how to determine when the purchasing of explosive materials at a retail store moves from normative, everyday behavior to suspicious activity. Likewise, the NSI training “Private Sector Security” training video provided instruction for

<sup>2</sup> See <https://www.dhs.gov/nationwide-sar-initiative-nsi/online-sar-training>

determining when tourist behavior (e.g., photographing attractions) shifts from normative to suspicious activity.

The training modules occasionally referenced links to additional training and educational resources; however, these hyperlinks were either missing or broken. For example, the “SAR Line Officer Training” module referenced supplemental information about privacy, civil rights, and civil liberties under an “info” icon; however, the icon did not connect to a functioning website or related content.

There was no discussion of the family or family members in any of the eleven training videos. We identified zero instances of references to family members or instructions for how the NSI collaborative can promote or respond to a family member’s suspicious activity reporting.

We also reviewed the *Nationwide SAR Initiative Privacy Fact Sheet* and the *Suspicious Activity Reporting Training for Hometown Security Partners*. While both documents emphasized community engagement, neither form directly mentioned family engagement.

The fact sheet addressed privacy protocols that fusion centers must adhere to when reviewing suspicious activity reports before forwarding them to national repositories (e.g., e-Guardian). While community engagement was briefly mentioned, there was no discussion of family engagement.

The *SAR Training for Hometown Community Partners* defined and listed community partners who described the “If You See Something, Say Something®” campaign and recognized the importance of balancing crime and terrorism prevention with privacy concerns. Again, there was no mention of family engagement.

Last, we attended three DHS-related trainings and one public health non-profit advocacy event:

- U.S. Secret Service (USSS), “Mass Attacks in Public Spaces – 2019” (Sept. 15, 2020)
- “If You See Something, Say Something®” Campaign Webinar (Sept. 16, 2020)
- Understanding NTER - National Threat Evaluation & Reporting Webinar (Oct. 13, 2020)
- Parents for Peace “National Teach-In on Overcoming Bigotry: Families on the Frontlines Confronting Extremism” (Oct. 14, 2020)

Similar to the above findings, the three DHS-related events had no mention of family engagement. In contrast, the Parents for Peace Teach-In provided education on the risks of radicalization and the resources available to at-risk youth, parents, teachers, and others. Panelists for the event included former extremists and parents of children who have been radicalized.

## Summary

In summation, our review suggests SAR trainings and related documents reference the importance of community engagement as it relates to suspicious reporting but provide little specific focus on family engagement. Materials did not include explicit guidance on how NSI partners should engage with the community, nor was there information on how NSI partners can educate community members about identifying and reporting suspicious behaviors. There is a clear emphasis in the trainings regarding the importance of civil and privacy rights, an essential component of community engagement and community trust. This latter point will be further addressed in the next section.

## NSI Stakeholder and Partner Interviews

We conducted nine focused, in-depth interviews with twelve members of the NSI collaborative. The interview subjects included police officers and state troopers, FBI agents, fusion center directors, and DHS deputy officers and regional directors. Interviewees were asked to reflect on three main topics: (1) training, staffing, and funding, (2) inter-agency collaboration, and (3) community and family engagement. We focus this section on two principal categories relevant to family engagement: internal barriers and external barriers (see Figure 3).

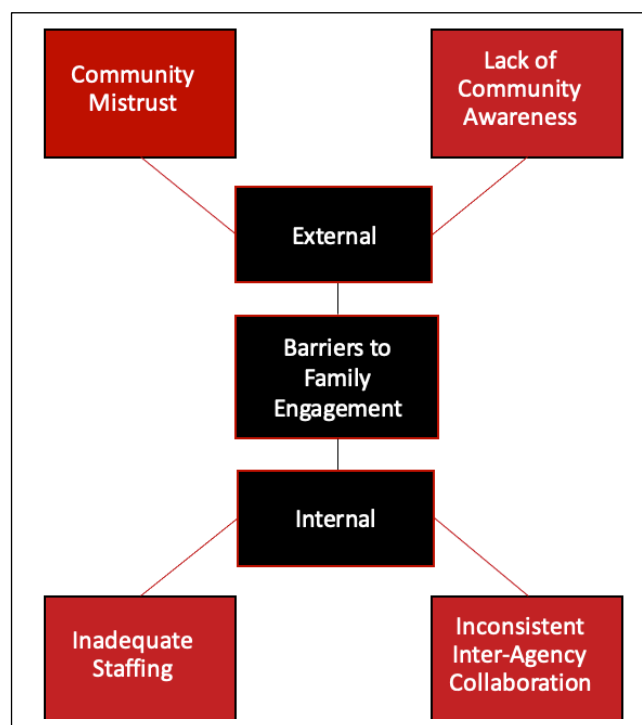
### *Theme 1: Internal Barriers*

The NSI partners and stakeholders reflected on various internal, agency-related challenges in their day-to-day operations, including human resources, time management, and interagency collaboration.

- *Inadequate Staffing to Build Community Ties*

Inadequate staffing is a common barrier that prevents organizations from achieving stated goals. An insufficient number of personnel may prevent additional attention directed to community engagement. Interviewees discussed the importance of education related to families' cultural differences and the importance of understanding the nuanced nature of cultural norms, including gender roles. While there was agreement about the need for improved training to address these issues, there is a lack of money or time to dedicate personnel or hours to achieve these goals. For example, the Maine Information & Analysis

**Figure 3. Barriers to Family Engagement**





Center (MIAC) has five full-time workers but is comprised mostly of part-time staff. One MIAC interviewee acknowledged that “outreach is time and labor-intensive” and the “biggest impediment [to building community ties] is the number of personnel.”

Time management is a significant aspect of human resource allocation. Since a person’s time is finite, the development of new goals and tasks may generate role strain and conflict. As one interviewee asked, “Do I do the job or do I train?...[There is] not enough time to do both.” Interviewees discussed the need to prioritize other issues like high-risk threats over things like family engagement and community building. Interviewees also cited a lack of time necessary to participate in trainings. Some of the time conflicts are closely related to logistical issues such as balancing training schedules related to onboarding versus annual refresher courses, functional drills, and webinars. As part of the needs assessment, we found that trainings appear to be collaborative and include input from multiple agencies, especially between DHS and FBI. We also found no formal family-related training.

- *Inconsistent Inter-Agency Collaboration*

Organizations often experience a variety of obstacles related to collaboration. Within intelligence and law enforcement professions, this is no less true. Since 9/11, there has been a substantial focus on building collaboration across different agencies charged with assessing potential terror threats and conducting criminal investigations related to terrorism. Common goals, however, do not automatically translate into effective collaboration. Our interviewees reported myriad ways in which collaboration may be undermined. A competitive tension between local, state, and federal agencies was noted among some of our respondents. For example, one respondent explained, “I’ll tell you the ugly first. We have lots of tension between agencies.” Other interviewees described tensions related to the FBI’s prerogative to oversee any type of SAR determined to be related to terrorism.

DHS established a network of fusion centers to improve the effectiveness of inter-agency collaboration. Fusion centers, which are state-owned and operated, receive, gather, and share threat-related information across the NSI collaborative, including SLTT, federal, and private sector partners. The interviews indicated a perception that fusion centers have been effective in terms of facilitating collaboration between agencies and providing a “reduction in silo-based” thinking. Moreover, respondents report that fusion centers help clarify the investigative process by emphasizing “do not disrupt/interfere...deconflict with local agency.”

## *Theme 2: External Barriers*

In addition to internal barriers, there are also several external barriers that are important to recognize as it relates to terrorism prevention. The NSI partners and stakeholders reflected on various challenges specific to their operations within the community: mistrust and lack of community awareness.

- *Community Mistrust*

Mistrust of law enforcement and government more broadly weakens relationships with the community and encourages “legal cynicism” where individuals perceive that it is justifiable to “take the law into your own hands.” As one interviewee succinctly put it, “You gotta be able to build the trust.” This statement recognizes the imperative of trust between citizens and government agencies of all kinds, especially law enforcement. However, there are contemporary and historical factors that may undermine confidence in general and specific to DHS. For example, in some regions, DHS has a history of allegedly mishandling private information;<sup>3</sup> however, DHS counters this assertion by stating that these issues happened in DHS’ “infancy” but are no longer problems. In any case, there are concerns among segments of the general public regarding civil rights and civil liberty violations, and DHS seems to understand these concerns and stresses the importance of civil rights and civil liberties across training resources available to NSI partners.

- *Lack of Community Awareness*

Awareness and trust are deeply connected. When individuals are less familiar with a person or organization, it can often be challenging to build trust. When coupled with negative experiences, familiarity can breed contempt. Similarly, *a lack of* familiarity can be a considerable obstacle in understanding mutual goals and potential areas of collaboration. Interviewees indicated a perception that there are general deficits in information among the public in terms of fusion centers, such as “what they do and don’t do,” the SAR process, and the investigation process related to terror threats. Interviewees also perceived a lack of awareness in terms of “suspicious behaviors” (i.e., the activity, not the person) and the public’s role in thwarting violent attacks. In this vacuum of minimal awareness, there is both under and over-reporting of suspicious behavior: “Civilian calls range from bizarre and paranoid to real...[and these calls] increase after an attack in the U.S.”

## *Summary*

In summation, our interviews with NSI partners and stakeholders revealed internal and external barriers that have both an immediate and a distal impact on family engagement in the SAR process (i.e., reporting suspicious behaviors). It is important to acknowledge that interactions with family members and the community are primarily outside the scope of both DHS and fusion centers. Interaction with family members is mostly the work of the FBI and local police departments. Fusion centers do not conduct investigative work; instead, they gather intelligence and help steer SAR reports’ analytical processing. In short, while DHS may do additional vetting, there is no actual engagement with family members or the community after a SAR has been submitted. DHS, however, does engage with the community through the Office of Targeted Violence and Terrorism Prevention (OTVTP), especially the Regional Prevention Coordinators (RPC).

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<sup>3</sup> German, Michael and Jay Stanley. (2007). What’s wrong with fusion centers? ACLU. Retrieved from [https://www.aclu.org/files/pdfs/privacy/fusioncenter\\_20071212.pdf](https://www.aclu.org/files/pdfs/privacy/fusioncenter_20071212.pdf)

Overall, several interrelated internal and external barriers impede DHS's ability to engage with and promote family members' reporting of suspicious activity. Internally, financial- and time-related limitations and variable inter-agency collaboration restrict DHS' engagement with family members and the community. Externally, the compromised relationship between community members and the NSI collaborative has clear causes and consequences. The NSI partners and stakeholders acknowledged the lack of trust community members have in DHS and, more broadly, agents of the criminal justice system. Interviewees also expressed concern about the public's general awareness and understanding of the community's role in terrorism prevention. Relatedly, there was consensus that the community, perhaps, was unaware of the work DHS and the NSI collaborative have done to ensure the protection of citizens' privacy and civil rights. There was much discussion on how community engagement and community education can improve the relationship between DHS and the greater community.

## Policy Implications

In this section, first, we reflect on the interrelated nature of trust and legitimacy and how these constructs impact community engagement. Second, we provide general and specific ideas for moving forward and addressing some of the current gaps related to family engagement. The recommendations are based on the interviews and our review of existing literature related to these issues and are organized according to several themes.

Legitimacy is paramount for government institutions and organizations. Legitimacy refers to the sense of obligation that citizens should follow the law and defer to legal entities' decisions. Legitimacy includes beliefs that rules are justified and legal norms are shared widely across society. Legitimacy is an essential element of democratic governments as it provides citizens with a reason to voluntarily participate with government officials' demands.<sup>4</sup>

The sense of legitimacy, trust, and fairness are at the center of notions of democratic legal principles. Recently, criminal justice officials have shifted their philosophies towards broader engagement with the public as they have transitioned from legal authority based on compliance to authority based on cooperation and engagement. A shared sense of legitimacy among community residents has been shown to foster more participation with legal processes (e.g., report to law enforcement, attend court). Law enforcement agencies have found that inclusive solutions that engage a variety of community members contribute to resolving issues among aggrieved community groups.<sup>5</sup> Legitimacy results

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<sup>4</sup> Tyler, T.R. and Jackson, J. (2013) 'Popular legitimacy and the exercise of legal authority: motivating compliance, cooperation, and engagement', *Psychology, Public Policy, and Law*, 20, 78–95.

<sup>5</sup> Crawford, A. (1994) 'Appeals to community and crime prevention', *Crime, Law and Social Change*, 22, 97–126.

from work that respects human dignity and all communities' rights to foster cooperation, increase fair treatment, and enhance community engagement.<sup>6</sup>

Criminal justice stakeholders rely on community participation and recognize that officials can foster positive relationships with community members. Improved relationships with community members increase the public's involvement in public safety through reporting and calls for service. Community engagement includes any process that individuals or groups engage in to improve their collective well-being.<sup>7</sup>

Community engagement policies address the relationship between justice agencies and the communities which those agencies serve. Criminal justice agencies rely on community engagement to improve public safety and to cultivate legitimacy. Advocates have raised concerns about the legitimacy of criminal justice agencies on these and other grounds. In the United States, people of color have more mistrust of the criminal justice system, which coincides with perceived adverse treatment and procedures with law enforcement, the courts, jails, and prisons.<sup>8</sup>

To foster suspicious reporting of potential extremism, DHS should improve the sense of legitimacy and trust. Research of legal institutions demonstrates that procedural fairness is one of the primary issues that affect people's sense of confidence. Procedural justice refers to people's perception of how officials treat them. It is not so much whether a police officer arrests an individual or if a judge sentences someone to jail that shapes perceptions of fairness. Instead, perceptions of justice tend to be rooted in individuals' sense of how they are treated. Thus, we recommend DHS address issues related to trust and legitimacy in three inter-related ways:

#### *Community Engagement*

- Increased engagement with K-12 and higher education
- More utilization of community forums and roundtables

#### *Building Trust*

- Partnership with another messenger (e.g., American Civil Liberties Union, Constitution Project) – as part of this, also consider whether other government entities such as the Center for Disease Control might help DHS deliver terrorism prevention messaging
- Expanded trainings that focus on transparency, cultural sensitivities, community policing, family engagement with greater sensitivity to language and terminology

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<sup>6</sup> Bottoms, A. and Tankebe, J. (2012) 'Beyond procedural justice: a dialogic approach to legitimacy in criminal justice criminology', *Journal of Criminal Law and Criminology*, 1, 119–70.

<sup>7</sup> Bowen, F., Newenham-Kahindi, A. and Herremans, I. (2010) 'When suits meet roots: the antecedents and consequences of community engagement strategy', *Journal of Business Ethics*, 95, 297–318.

<sup>8</sup> Kirk, D.S. and Papachristos, A.V. (2011) 'Cultural mechanisms and the persistence of neighborhood violence', *American Journal of Sociology*, 116, 1190–233.

### *Community Outreach*

- Partnership with community leaders to establish that NSI is not profiling so leaders can share this information with other community members
- Development of terrorism prevention within a larger framework of community policing

There is wide recognition within DHS and the broader terrorism prevention field about the importance of community engagement, including the well-known fact that intelligence gathering and criminal investigations rely on the general public to provide reports regarding suspicious behavior. Without such reports, various foiled plots and other “near misses” may not have been prevented. Despite this recognition, efforts to improve community engagement must overcome internal and external obstacles such as a lack of time and resources to successfully achieve more substantial community engagement. The DHS cannot build or foster community trust in the NSI collaborative without (re)allocating resources. These internal and external barriers are inter-related, and there is a reciprocal relationship between these barriers.

## Conclusion

As noted above, family members play an important part in CVE, particularly when it comes to recognizing warning signs and, if warranted, reporting suspicious behaviors. Despite a general reluctance to contact authorities, there are a number of cases in which family members assumed the role of informant. For example, Abraham Fazeem grew increasingly concerned with his brother’s ideological shift from moderate Muslim to Islamic State sympathizer and, in April 2014, made the “painful” decision to contact the FBI. Fazeem acknowledged that people like him—family members—are the first line of defense against violent radicalization:

It’s the families, it’s the brothers, it’s the mothers...[who] reach a point where you have to call the government to report your own brother, that’s the responsibility that’s thrown at people like us...If something is happening, the FBI isn’t going to know about it first. [Family members are] going to know about it first. It’s their job to protect their communities and their families.<sup>9</sup>

More recently, on January 6<sup>th</sup>, 2021 a violent mob stormed the Capitol in Washington DC to protest what they claimed was a “stolen election,” referring to the past November presidential election. The mob, which numbered in the thousands, was armed with flag poles, guns, flex-cuffs, and explosives, overtook the Capitol police and assaulted multiple officers and even killed one. Eventually order was restored and the mob was removed from the Capitol but not before substantial property had been destroyed, five lives lost, and multiple injuries sustained. Almost immediately, as scores of video images emerged and

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<sup>9</sup> Farwell, Jackie. (2016, Aug. 17). Maine doctor details sense of duty in alerting FBI to brother’s Islamic State ties. *Bangor Daily News*. Retrieved from <https://bangordailynews.com/2016/08/17/news/maine-doctor-details-sense-of-duty-in-alerting-fbi-to-brothers-islamic-state-ties/>

were plastered on social media platforms (in some cases even live streamed or posted by members of the mob themselves), family and friends of some of those present at the Capitol riot began submitting reports to law enforcement officials.

In both instances described above, the role of family-reported suspicious behavior(s) is pivotal to both the prevention of and response to terrorism. These instances beg the question of what government officials can do to help facilitate family reporting suspicious behaviors and whether certain types of engagement could reduce the barriers that family members experience as they consider whether or not to call the authorities.