

CALIFORNIA HIGHWAY PATROL

GENERAL ORDER 100.98

REVISED DECEMBER 2024

COUNTERTERRORISM AND THREAT AWARENESS

1. PURPOSE. This General Order (GO) identifies the CHP's counterterrorism objectives and establishes departmental counterterrorism related policies, procedures, and responsibilities.

2. GENERAL.
 - a. Prior to the September 11, 2001, or "9/11," terrorist attacks, a majority of state, local, tribal, and territorial (SLTT) law enforcement officials viewed the prevention of terrorism under the purview of the federal government. Since 9/11, however, state and local law enforcement agencies have undertaken new counterterrorism and homeland security responsibilities, becoming an essential part of the nation's efforts to defend against terrorism.

 - b. As with state police and highway patrol agencies across the country, the Department has become involved in efforts intended to protect the people of California, as well as the state's critical infrastructure, from terrorist attacks. In this pursuit, the Department created the Counterterrorism and Threat Awareness Section to specifically focus on counterterrorism related activities. Additionally, in 2011, the Department expanded the Terrorism Liaison Officer (TLO) program to enhance the Department's ability to disseminate information and prevent acts of terrorism by ensuring each Area, Communications Center, Air Operations Unit, Commercial Vehicle Enforcement Facility, the Academy, and headquarters has at least one designated TLO and each Division has at least one designated TLO Coordinator (GO 100.87, California Highway Patrol Terrorism Liaison Officer Program).

3. OBJECTIVES. Consistent with the Department's mission to provide the highest level of Safety, Service, and Security to the people of California, departmental counterterrorism efforts are grounded in the following three objectives.
 - a. Prevent terrorist attacks in California through:
 - (1) Promotion of Suspicious Activity Reporting (SAR).

- (2) Assignment of departmental officers to work with law enforcement counterterrorism partners within the Federal Bureau of Investigation (FBI) Joint Terrorism Task Forces (JTTF), Regional Fusion Centers, and the State Threat Assessment Center (STAC).
 - (3) Education of Department personnel on counterterrorism measures.
 - b. Reduce California's vulnerability to terrorism through:
 - (1) Site Vulnerability Assessments of state infrastructure/facilities.
 - (2) Safety Services Program crime prevention and security program training to state personnel.
 - (3) Working with our law enforcement/emergency services partners to enhance information sharing and monitoring of threats to critical infrastructure and key resources, as well as large-scale, planned events.
 - c. Respond effectively and safely to attacks in order to minimize loss of life, property damage, and public fear attributed to the attacks through:
 - (1) Participation in Department of Homeland Security and California Office of Emergency Services terrorism response and recovery exercises, such as Golden Guardian.
 - (2) Department wide implementation of the Incident Command System as established by the National Incident Management System and the Standardized Emergency Management System.
 - (3) Issuance of personal protective equipment to officers for response to chemical, biological, and/or radiological incidents.

4. POLICY. In support of the State Threat Assessment System (Annex A) and in order to help protect the nation from terrorism, the following policies have been established to ensure the effectiveness of the Department's counterterrorism program:

- a. Joint Terrorism Task Forces. Full-time CHP task force officers (TFO) are assigned to FBI JTTFs throughout the state. The TFOs conduct and participate in terrorism related investigations in order to prevent terrorist acts in California and the U.S. They also facilitate the exchange of investigative information in areas of mutual interest between the CHP and FBI.

b. Regional Fusion Centers. Officers assigned to fusion centers will minimize reporting conflicts, provide statewide coverage, assist TLOs in their regions with information and training, and facilitate coordination between allied agencies. Officers assigned to the fusion centers will work as liaisons between the Division TLO Coordinator (TLO-C) and their respective fusion center to assist with identifying and meeting training needs, ensuring TLO-Cs are properly informed of tactics and trends in the region, ensuring all CHP submitted SARs are submitted properly and in a timely manner, and as a resource for the TLO-C to further the Department's goal of protecting the state from terrorist activity.

c. Suspicious Activity Reporting. Employees, upon becoming aware of an actual or perceived terrorist threat or action, or any suspicious event or vehicle that may pose a threat or be indicative of possible terrorist or criminal activity in support of terrorism, shall report the suspicious activity by submitting a SAR telephonically to the Emergency Notification and Tactical Alert Center (ENTAC) or electronically through the SAR link on the CHP Intranet site as soon as possible.

(1) Notification shall be made telephonically to ENTAC or electronically through the SAR link found on the CHP Intranet site, Alerts/News, Suspicious Activity Reporting, to ensure accuracy and timeliness.

(2) Personnel should obtain as much information as possible regarding the suspicious activity; however, lack of specific identifying information should not preclude the reporting of the suspicious activity.

(3) Employees shall ensure SARs focus on observed behaviors and incidents reasonably indicative of terrorism or other criminal activity. Employees reporting suspicious activity are prohibited from taking actions based on actual or perceived personal characteristics including, but not limited to: race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability, except when engaging in the investigation of appropriate suspect-specific activity to identify a particular person or group.

(4) A list of indicators and characteristics of possible terrorist activities, along with reporting guidelines are contained in the CHP 291, Redi-Ref, under Terrorism Indicators & Reporting Guide. This list is merely a guide to assist employees and is not all inclusive.

d. Terrorist Screening Center "Hits." Any CHP employee, who receives a National Crime Information Center (NCIC) response which includes a Terrorist Screening Center (TSC) handling code, shall follow the TSC instructions and immediately contact the TSC at the number provided. Contact with the TSC in a timely manner, preferably during the enforcement contact, will allow the TSC to

assist the officer/dispatcher with the encounter by providing additional identifying information to confirm whether the hit is a positive match to the Terrorist Watch-list. Refer to Annex B for detailed TSC information to include examples of the TSC handling codes.

5. **RESPONSIBILITIES.** The following information outlines general roles and responsibilities for departmental personnel:

a. **Employee Responsibilities.** **All employees, regardless of rank, classification, position, or assignment are expected to:**

(1) **Report any and all suspicious activity that could be linked to terrorism to ENTAC as a SAR as soon as possible.** “If you see something, say something.” – Department of Homeland Security.

(2) Contact TSC immediately if an NCIC response includes a hit or the TSC handling code (Annex B). Timely communication with the TSC following a hit is a crucial step in the counterterrorism process. It allows the TSC to positively identify the contact as a match and it allows the FBI to determine an appropriate intervention when necessary.

Provided the contact to the TSC does not unnecessarily delay or obstruct the subject in question, the employee should contact TSC during the contact by either calling them directly from the field or indirectly through dispatch.

NOTE: The presence of a TSC handling code DOES NOT provide probable cause in and of itself to arrest the subject. DO NOT disclose the hit information to the subject in question.

(3) Report the hit to ENTAC as a SAR as soon as practical.

(4) Protect privacy, civil rights, and civil liberties as expected in other daily law enforcement duties:

(a) Collect information in a lawful manner.

(b) Protect the rights of the individual.

(c) Avoid collecting information protected by the Bill of Rights.

(d) Ensure information is as accurate as possible.

(e) Ensure the focus is on observed behaviors and incidents reasonably indicative of terrorism or other criminal activity in support of terrorism.

(f) Profiling of individuals based solely on actual or perceived personal characteristics including, but not limited to race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability is prohibited, except when engaging in the investigation of appropriate suspect-specific activity to identify a particular person or group, just as it is prohibited in other law enforcement actions. Protection of privacy, civil rights, and civil liberties are fundamental principles that underlies the Nationwide SAR Initiative.

b. Commander Responsibilities. Commanders shall:

(1) Ensure participation in the TLO Program as outlined in GO 100.87. Each SLTT shall designate and train at least one TLO to be used to provide Area personnel with regular briefings and counterterrorism updates.

(2) Ensure adherence to the protection of privacy, civil rights, and civil liberties.

(3) Ensure **all employees** regardless of rank, classification, position, or assignment, are trained in suspicious activity identification and reporting procedures.

(4) Ensure counterterrorism bulletins, information, intelligence, and other homeland security briefing items are disseminated in a timely manner.

NOTE: There are many distributors of counterterrorism products. Area TLOs should monitor these distribution channels and brief those products that may affect their Area/Division. The ENTAC will post important information on the CHP Intranet site under the menu item Alerts/News, Active Bulletins.

(5) Ensure field personnel are familiar with the proper procedures when conducting an NCIC check that results in a TSC handling code response.

(6) Regularly collaborate with local, state, and federal public safety agencies, as well as managers of critical infrastructure and key resources in their Areas in order to appropriately deploy resources during times of heightened security.

c. Communications Centers.

(1) Public Safety Dispatchers (PSD) and Public Safety Dispatch Supervisors shall be prepared to respond to a hit and provide handling code procedures, as outlined in Annex B.

(2) When conducting an NCIC check, the PSD may receive a hit or the TSC handling code as part of the NCIC response. The dispatcher shall follow the screen prompts and immediately telephone the TSC at the number provided.

(3) The PSD shall alert the officer of 10-36 (confidential) information on all hits.

(4) The PSD should assist the officer in communicating with the TSC.

(5) The PSD shall coordinate with the officer to ensure notification is made to ENTAC regarding the hit and that a SAR is submitted regarding the subject involved with the hit.

(6) Each Communications Center should have at least one trained TLO. Dispatchers are eligible and are encouraged to attend TLO training.

d. Joint Terrorism Task Forces. Officers assigned to the JTTFs shall immediately inform their CHP chain-of-command of any threat information that could have an impact on the state or the Department. If unreachable, ENTAC should be notified immediately in order to assist with proper notifications.

e. Regional Fusion Centers. Officers assigned to fusion centers shall immediately inform their CHP chain-of-command of any threat information that could have an impact on the state or the Department. If unreachable, ENTAC should be notified immediately in order to assist with the proper notifications.

f. Emergency Notification and Tactical Alert Center. The ENTAC is the 24/7 point-of-contact for CHP personnel regarding the submission and documentation of all observed behavior reasonably indicative of preoperational planning related to terrorism or other criminal activity. The suspicious activity shall be documented as a SAR.

6. DISTRIBUTION OF INFORMATION.

a. Because of the sensitive nature of certain types of information, it is essential that access to and dissemination of sensitive and/or classified information is controlled and restricted. The unauthorized release or inadvertent disclosure of sensitive and/or classified information could adversely affect the ability to detect and deter a terrorist act, compromise the identity of a confidential human source or operation, and/or result in physical harm to U.S. residents.

b. When a determination is made that information is classified, it shall be handled in accordance with Highway Patrol Manual 11.1, Administrative Procedures

Manual, Chapter 26, Classified Materials, as well as in accordance with any laws, codes, regulations, or security measures observed by the agency granting access to the classified material.

c. No person shall be given access to classified information unless it has been properly verified and the intended recipient has been granted a security clearance by an authorized agency of the federal government, at a level equal to or higher than the level of classified information to which access will be given. No person is authorized access to classified information simply by virtue of their rank, title, or position.

d. A security clearance alone does not give approved access to all classified information. In addition to a security clearance, an individual must have a demonstrated "need-to-know" before granted access to the information.

e. Counterterrorism intelligence pertinent to the safety and security of the people of this state and the protection of vital infrastructure is derived from those within the Information Sharing Environment (federal, state, and local). When intelligence is received that could assist departmental personnel in making sound decisions regarding the safety of personnel and/or critical infrastructure, this intelligence will be delivered in the most effective, expeditious, and efficient manner possible.

f. Unclassified, Law Enforcement Sensitive information pertinent to the State of California, Divisions, and/or Areas can be obtained from the following resources:

(1) Departmental personnel assigned to Protective Services Division, including personnel assigned to the STAC, fusion centers, and the JTTFs.

(2) Departmental personnel trained and designated as TLOs.

g. A security clearance is a privilege, not a right. Noncompliance with security regulations raises doubt about an individual's trustworthiness, willingness, and ability to safeguard classified information.

(1) Conditions that could raise a security concern include:

(a) Unauthorized disclosure of classified information.

(b) Violations that are deliberate or multiple violations due to negligence.

(2) Failure to comply with the security clearance responsibilities and the protection of classified information may result in adverse administrative action including revocation of security clearances. Deliberate violations may be prosecuted.

h. All personnel granted a security clearance shall follow all necessary regulations and safeguards to protect classified information. If the classified information is something the Department needs-to-know, the employee shall work with the classifying agency to coordinate the necessary exchange of information to the appropriate departmental staff in order to avoid a possible security violation.

OFFICE OF THE COMMISSIONER

ANNEXES A, B

OPI: 028

ANNEX A

STATE THREAT ASSESSMENT SYSTEM

1. FUSION CENTERS. In simple terms, fusion centers are “information sharing centers.” They serve as “hubs” for the receipt, analysis, and sharing of criminal and terrorism related information among federal, state, and local public safety and homeland security partners. According to the U.S. DHS, “A fusion center is a collaborative effort of two or more agencies that provide resources, expertise, and information to the center with the goal of maximizing their ability to detect, prevent, investigate, and respond to criminal and terrorist activities.”

2. STATE THREAT ASSESSMENT SYSTEM. The State Threat Assessment System (STAS), is comprised of the State Threat Assessment Center (STAC) and the five designated Regional Fusion Centers. Together they form a collaborative network and system for the State of California. The Department is actively engaged in the STAS’s efforts at the state and regional levels.

3. STATE THREAT ASSESSMENT CENTER. The STAC is California’s designated state fusion center. It is a formalized partnership between the CHP, California Department of Justice, California Governor’s Office of Emergency Services, Cal Fire, California Department of Corrections and Rehabilitation, California Army National Guard, California Police Chief’s Association, and the California State Sheriff’s Association. The STAC collects, analyzes, and disseminates terrorism/criminal information in conjunction with state and regional fusion centers located throughout the nation.

4. REGIONAL FUSION CENTERS. Regional fusion centers serve as decentralized, regional intelligence fusion centers for receiving, analyzing, and sharing threat-related and criminal activity related information among public safety partners in designated regions of the state. The Department provides uniformed personnel to support the five fusion centers in California:

- a. Sacramento (Central California Intelligence Center)
- b. San Francisco (Northern California Regional Intelligence Center)
- c. Los Angeles (Joint Regional Intelligence Center)

ANNEX A

STATE THREAT ASSESSMENT SYSTEM (*continued*)

- d. Orange County (Orange County Intelligence Assessment Center)
- e. San Diego (San Diego Law Enforcement Coordination Center)

ANNEX B

TERRORIST SCREENING CENTER

1. OVERVIEW. The TSC was established by Homeland Security Presidential Directive 6 and began operations on December 1, 2003. It is administered by the FBI with support from the DHS, the Department of State, the Department of Justice, the Department of Defense, the Department of Treasury, and the Director of National Intelligence.

- a. Vision. To be the global authority for watch-listing and identifying known or suspected terrorists.
- b. Mission. To consolidate and coordinate the U.S. Government's approach to terrorism screening and facilitate the sharing of terrorism information to protect the nation and our foreign partners while safeguarding civil liberties.
- c. Protection Against Terrorists. The U.S. Government screens individuals outside the U.S., at its borders, and within the homeland by:
 - (1) Screening foreign nationals who have applied for a visa to enter the U.S. and screening U.S. persons applying for a passport.
 - (2) Screening individuals who are entering the U.S. at ports of entry (land, sea, and air).
 - (3) Screening individuals within the U.S. when encountered by law enforcement and other federal, state, local, territorial, and tribal authorities. This screening is conducted through the NCIC.**
- d. Terrorist Screening Center Operations. The TSC operates a 24/7 call center to assist law enforcement, intelligence agencies, and other government authorities. Specialists at the TSC call center work with callers to determine whether the person encountered is a positive or negative identity match to the known or reasonably suspected terrorist placed on the watch-list by the U.S. Government. The TSC accesses various data sources and all positive and inconclusive matches are passed to the FBI's Counterterrorism Division for follow-up action. The FBI directs the law enforcement responses to the individual encountered (arrest, detain, or garner additional identifying information from the individual), which may include direct support and intervention by the JTTF.

ANNEX B

TERRORIST SCREENING CENTER (*continued*)

2. NATIONAL CRIME INFORMATION CENTER.

- a. Federal, state, local, territorial, and tribal law enforcement personnel as well as other governmental authorities may access terrorist identities information through the NCIC.
- b. The NCIC contains information regarding known or reasonably suspected terrorists watch-listed by the TSC.
- c. Through the NCIC, law enforcement personnel on the “front lines” have real-time access to this information.
- d. Each terrorist identity record contained in the NCIC has a notice that the individual encountered may have possible ties with, or an affiliation to terrorism, and instructions to immediately contact the TSC at (866) 872-9001.
- e. In addition, each record has a “Handling Code” that provides specific directions on dealing with the individual.

NOTE: The TSC handling code information is often listed at the end of the NCIC response. Ensure you scroll to the end of each NCIC message to determine if there is a hit.

3. TERRORIST SCREENING CENTER HANDLING CODES.

- a. Handling Code 1. Approach with caution - call TSC (866) 872-9001. A federal warrant may exist for the individual. **Possible ties to terrorism.**
- b. Handling Code 2. Approach with caution - call TSC (866) 872-9001. There may be a detainer from the DHS for the individual. The TSC will advise if there is a detainer on file. **Possible ties to terrorism.**
- c. Handling Code 3. Approach with caution - call TSC (866) 872-9001. If this would extend the scope/duration of the encounter, contact the TSC immediately thereafter. Do not detain or arrest the individual unless there is evidence of a violation of federal, state or local laws. **Possible ties to terrorism.**

ANNEX B

TERRORIST SCREENING CENTER (*continued*)

- d. Handling Code 4. Approach with caution—If this would extend the scope/duration of the encounter, contact the FBI immediately thereafter. **Possible Former Military Detainee.**
- e. Handling Code 5. Approach with caution—If this would extend the scope/duration of the encounter, contact the FBI immediately thereafter. **Possible ties to Transnational Organized Crime.**

4. UNAUTHORIZED DISCLOSURE IS PROHIBITED. Information about an individual that may be on a terrorist watch-list is the property of the TSC and is a federal record provided to law enforcement only for intelligence and lead purposes. Each record, and any information contained within it, may not be disclosed or used in any proceeding without the advanced authorization of the TSC.

5. HANDLING PROCEDURES. Upon receiving a possible match to a known or suspected terrorist, pursuant to an NCIC query, encountering law enforcement agencies should contact the TSC at (866) 872-9001. The suspicious indicators should be considered collectively in assessing a possible threat. The law enforcement steps to follow for a hit are:

- a. The law enforcement officer queries the NCIC.
- b. The law enforcement officer or dispatcher contacts the TSC pursuant to the NCIC advisory response.
- c. The TSC identification match is assessed and the FBI is contacted if positive identification is made.
- d. The FBI determines appropriate intervention and contacts the local JTTF to coordinate the investigation.

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