



Classroom Activities

Are We Safer?

VIDEO OVERVIEW

Watch the FRONTLINE magazine report [Are We Safer?](#)

After Sept. 11, 2001, the federal government created the Department of Homeland Security and tasked it with preventing future terrorist attacks on American soil. The creation of this massive and expensive bureaucracy resulted in a dramatic expansion of government scrutiny over individual Americans' behavior and, critics argue, a decrease in civil liberties. The degree to which these trends have made Americans safer is unclear.

GETTING STARTED

For classrooms studying Social Studies, Civics, Law and American History, this FRONTLINE teacher's guide includes a set of themes and discussion questions to help students analyze and understand key current events. Watch the video and start a discussion about whether or not these new measures to keep America safer have achieved their goals. Go further into this topic with the *Are We Safer?* lesson plan that asks students to look closely at the use of Suspicious Activity Reports.

VIDEO THEMES

- After 9/11, President George W. Bush merged 17 federal agencies to form the Department of Homeland Security and charged it with creating a usable and efficient early-warning system to prevent future attacks.
- This system includes the use of Suspicious Activity Reports (SARs), which detail behavior potentially connected to criminal or terrorist activity, and the development of fusion centers, which serve as clearinghouses for the massive amount of data generated by SARs.
- Supporters of this system assert that it has made America a safer nation, while critics say that the use of SARs and attendant technology (such as surveillance cameras on police cruisers to identify license plates) has grown increasingly invasive of Americans' privacy.
- There has been massive growth in the private and public security apparatus of the United States, so large, unwieldy and secret that no one has a complete picture of how much it costs or everything that it does.

DISCUSSION QUESTIONS

- Why was the Department of Homeland Security created following the attacks on 9/11?
- Consider the concept of "suspicious behavior." Describe what behavior you would consider to be suspicious enough to warrant the investigation of an individual in the following settings: an airport; a shopping mall; a public school; a military base.
- Does the proliferation of fusion centers across the United States represent increased safety and security for Americans or an intrusion on civil liberties? Explain.
- Consider the term "global war on terror." How does this conflict differ from prior wars in American history? How is it similar?

GO FURTHER

Are We Safer? Lesson Plan: "Suspicious Activity Reports"

Web-exclusive Resources:

- "[Map Your Local Fusion Center](#)"
- "[Defining Suspicious Activity](#)"

CREDITS

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FEATURED LESSON PLAN: SUSPICIOUS ACTIVITY REPORTS

Overview:

In this lesson, students will examine the investigative tool known as a Suspicious Activity Report (SAR), which has become the primary data-gathering mechanism of the federal government since the terrorist attacks of Sept. 11, 2001. Students will consider the definition and applicability of "suspicious behavior" through sample cases. They will then examine the "reasonable suspicion" standard the federal government is supposed to use in its surveillance. Finally, students will decide whether the use of SARs and similar tools has increased the security of the United States or threatens the liberties of its citizens. For primary source documents and other background materials for this lesson, please see Related Resources.

Grade Level:

Grades 9-12

Subject Area:

Social Studies, Civics, Law, American History

Objectives:

The student will:

- Analyze the concept of suspicious activity in connection with sample Suspicious Activity Report (SAR) case studies
- Apply the reasonable suspicion standard, established in the 1968 Supreme Court case *Terry v. Ohio*, to behaviors defined as potentially criminal
- Evaluate, in a short essay format, if these security measures have led to a safer United States or if they have restricted individual liberties

Estimated Time:

One 50-minute class period. For classrooms able to spend more time or that need additional background, please see the teaching strategies outlined in the Lesson Extensions.

Materials Needed:

- Internet access and equipment to show the class the online video [Are We Safer?](#)
- Handout: "Suspicious or Not?"
- Handout: "Suspicious Activity Report: A Tool or a Threat?"

Procedure:

1. Ask students to consider the following scenario:
 - You are driving home from school and you stop at an intersection. Off to your left, you see three men pull into the parking lot of a convenience store. All three are wearing dark jackets, though it is a

warm day. One of them is carrying an empty garbage bag. You see them pause outside the storefront, look around them quickly, and then enter the store hurriedly. The light in front of you changes and the cars begin to move.

Discuss:

- What do you think the men were doing?
 - What additional information would confirm or refute your initial assumptions?
 - What details in this scenario could reasonably be considered suspicious? Which ones could not? Explain.
 - How do contextual details (time, place, behavior, etc.) help you to define what is suspicious?
2. Tell students that law enforcement has always relied on citizen tips about suspicious behavior to detect and prevent criminal acts, but since the 9/11 attacks, the federal government has set up a more formal system for reporting and communicating about suspicious behavior.
 3. Show the class the video *Are We Safer?* (length 21:25). Focus student viewing by asking them to listen for the terms "Suspicious Activity Report" and "fusion center."
 4. After watching the film, have students work in pairs to complete the student handout "Suspicious or Not?" In Part 1 of the handout, students will generate their own conceptions of what suspicious behavior is. In Part 2, they will examine the reasonable suspicion standard the federal government is supposed to use in its surveillance. Students will decide whether the activities defined as potentially criminal in an actual suspicious incident report are reasonably suspicious, justify their views, and then evaluate whether or not the standard may prove problematic (i.e., Is it too vague?; Is it too broad?; Does it rely on characteristics of the suspect that may present legal issues -- for example, race or ethnicity?; Is there room for abuse?).
 5. As time permits, compare and discuss student conclusions as a class.
 6. For amplification and assessment, give students the handout "Suspicious Activity Report: A Tool or a Threat?" Students should choose a statement from the handout and compose a short essay that supports the statement with relevant examples.

Lesson Extensions:

- For additional discussion about defining suspicious behavior, have students consider activities that law enforcement agencies consider potentially criminal in the FRONTLINE resource "[Suspicious Behavior? Really?](#)" Behaviors include "Individuals who carry on long conversations on pay or cellular telephones"; also, "Strange odors coming from a house or building." Discuss the circumstances in which such behaviors would or would not be suspicious and ways that such documentation could potentially lead to abuses.
- The film addresses the growth of a largely unseen intelligence apparatus termed "Top Secret America." As a class, watch the opening video from *The Washington Post* investigation "[Top Secret America](#)," and discuss whether the government should keep secrets from its citizens, and if so, what sort of secrets would be acceptable. Assign students to investigate historical instances of the government or government officials restricting access to sensitive information -- for example, the physical condition of presidents like John Kennedy and Franklin Roosevelt; attempts by the U.S. intelligence community to remove Fidel Castro from power in Cuba; the relocation of German scientists after World War II to the United States, etc. Students should research the details of each historical event/issue, articulate the controversy in their own words, and make informed decisions as to whether this particular information should have been kept from the American public.
- Some critics of America's security apparatus say it drains too many tax dollars and lacks sufficient oversight. Have students investigate whether or not these charges are justified using *The Washington Post's* "[Top Secret America](#)" report and other resources.
- Investigate how compatible fusion centers are with America's federalist system. Begin by showing the class FRONTLINE's interactive [map of fusion centers](#) in the United States. Go to the fusion center closest to your school and examine its role, duties and geographic scope. Remind students that states and the national government have divided and often overlapping responsibilities. Then have them research which sections of the U.S. Constitution could be used to justify the development and use of interstate fusion centers. (Possible answers may include the Commerce Clause, the Necessary and Proper Clause, presidential power as commander in chief, etc.) Students should share their findings with the class and explain whether or not they believe the Constitution and its federal system allow for the existence and use of fusion centers.
- In 2009, the Obama administration replaced the term "global war on terror" with "overseas contingency operations." Have students read the article "[Obama administration says goodbye to 'war on terror'](#)" and discuss the difference between the two phrases. What factors might encourage the use of each term? Why does such labeling matter? Do these language choices constitute propaganda? Ask students to take a position on this question and offer justification.

RELATED RESOURCES

Students should be aware that websites often present only one view of an issue. Encourage students to think about and question websites as they are reviewing them. Some guiding questions they can use are: What did you learn from this site? What didn't you learn from this site? Who sponsors this site? What bias might the sponsor have? How current is the site?

Fusion Centers:

Department of Homeland Security: [State and Major Urban Area Fusion Centers](#)

A description of the network of fusion centers that have been set up in response to the threat of domestic and foreign terrorism

Los Angeles Times: "[Fusion centers' gather terrorism intelligence -- and much more](#)"

This article describes the process by which raw data from local law enforcement is funneled to fusion centers across the United States for analysis.

Time: "[Fusion Centers: Giving Cops Too Much Information?](#)"

This piece raises the question of whether fusion centers produce a possible overload of data which could hamper the intelligence community's ability to effectively process potential threats.

American Civil Liberties Union: "[What's Wrong With Fusion Centers](#)"

This is the executive summary of a larger report, highly critical of the U.S. government's use of fusion centers and possible abuses that have resulted or could potentially appear.

Suspicious Activities Reports:

Department of Justice: [The Nationwide SAR Initiative](#)

A description of the process by which SARs are created, disseminated and processed on a national scale

Department of Homeland Security: [Privacy Impact Assessment](#)

This 2008 report assesses the nature of SARs and their potential impact on individual privacy and the intelligence-gathering process.

Transportation Security Administration: "[Transportation Suspicious Incidents Report](#)"

This declassified report provides an example of the standards and methods of a Suspicious Activity Report.

Department of Justice: "[Suspicious Activity Reporting Process Implementation Checklist](#)"

A description of the process in which a Suspicious Activity Report is utilized as an intelligence-gathering mechanism, and a justification for its use

Center for Investigative Reporting: "[Price of Peril](#)"

This interactive report examines homeland security expenditures by state and provides access to a wide array of state and federal documents/resources on homeland security programs.

Top Secret America:

***Washington Post*: "Top Secret America"**

This investigation by Dana Priest uses maps, articles and other resources to show the extent of America's national security apparatus.

PURCHASING THE FILM

Are We Safer? can be purchased from [PBS Educational Media](#).

RELATED STANDARDS

[Common Core State Standards for English Language Arts & Literacy in History/Social Studies, Science, and Technical Subjects](#)

SL, 9-10, 11-12.1 Initiate and participate effectively in a range of collaborative discussions (one-on-one, in groups, and teacher-led) with diverse partners on [grade-appropriate] topics, text, and issues, building on others' ideas and expressing their own clearly and persuasively.

SL, 9-10.4 Present information, findings, and supporting evidence clearly, concisely, and logically, such that listeners can follow the line of reasoning and the organization, development, substance, and style are appropriate to purpose, audience, and task.

SL, 11-12.4 Present information, findings, and supporting evidence, conveying a clear and distinct perspective, such that listeners can follow the line of reasoning, alternative or opposing perspectives are addressed, and the organization, development, substance, and style are appropriate to purpose, audience, and a range of formal and informal tasks.

RH.11-12.3 Evaluate various explanations for actions or events and determine which explanation best accords with textual evidence, acknowledging where the text leaves matters uncertain.

WHST. 9-10, 11-12.1 Writes arguments focused on discipline-specific content.

WHST. 9-10, 11-12.4 Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.

WHST. 11-12.8 Gather relevant information from multiple authoritative print and digital sources, using advanced searches effectively; assess the strengths and limitations of each source in terms of the specific task, purpose, and audience; integrate information into the text selectively to maintain the flow of ideas, avoiding plagiarism and overreliance on any one source and following a standard format for citation.

Content Knowledge: A compilation of content standards and benchmarks for K-12 curriculum by McRel (Mid-continent Research for Education and Learning).

Civics, Standard 3: Understands the sources, purposes, and functions of law, and the importance of the rule of law for the protection of individual rights and the common good.

Civics, Standard 8: Understands the central ideas of American constitutional government and how this form of government has shaped the character of American society

Civics, Standard 14: Understands issues concerning the disparities between ideals and reality in American political and social life

Civics, Standard 18: Understands the role and importance of law in the American constitutional system and issues regarding the judicial protection of individual rights.

Civics, Standard 21: Understands the formation and implementation of public policy.

Suspicious or Not?

After Sept. 11, 2001, and the formation of the Department of Homeland Security (DHS), a process was developed through which the government could gather and share information about potential terrorist attacks. Local law enforcement officers would submit "Suspicious Activity Reports" (SARs), which were then sent to fusion centers, which would decide which information was reliable and should be acted upon.

What is "suspicious activity"?

DHS describes suspicious activity as "**observed behavior that may be indicative of intelligence gathering or preoperational planning, related to terrorism, criminal, or other illicit intention.**" A Suspicious Activity Report is centered on an **activity** (an event or action that has aroused some degree of suspicion).

What is a Suspicious Activity Report (SAR)?

An SAR is a document describing observed behavior that "reasonably" indicates "preoperational planning related to terrorism or other criminal activity." "Preoperational planning" means some form of planning before a terrorist/criminal operation is attempted.

Part 1: Analyze Sample Reports

Read the following descriptions from hypothetical SARs. Then decide if these reports should be sent along to a fusion center.

REPORT 1					
SUBJECT(S) DESCRIPTION	Number of subjects	Physical characteristics	Age	Gender	Race
	3	Subj 1: 5'10", 165 lbs Subj 2: 5'9", 155 lbs Subj 3: 6'1", 200 lbs	Subj 1: 18-24 yrs Subj 2: 20-25 yrs Subj 3: 20-25 yrs	M	Hispanic/Middle Eastern
INCIDENT DESCRIPTION	Three men are observed walking in front of a federal government building. Two of them have cameras around their necks, and both stop to take pictures of the building. The third man looks up and down the street intermittently. All three are young and dressed in casual clothing. They remain in front of the building for almost 15 minutes.				

- What factors about this situation would you like to know more about to help you make a decision?
- Does this qualify as suspicious behavior? What factors led you to that conclusion?
- Would you qualify this as moderately suspicious, highly suspicious or extremely suspicious?
- Should this report be forwarded to a fusion center?

REPORT 2					
SUBJECT(S) DESCRIPTION	Number of subjects	Physical characteristics	Age	Gender	Race
		undetermined	undetermined	undetermined	undetermined
INCIDENT DESCRIPTION	While investigating an armed robbery at an apartment building, a police officer looks in an open door to an adjacent apartment and sees 10 to 12 phones piled up on a coffee table. One of the phones has been taken apart, and its electronic components are visible, spread out on the coffee table. The officer hears someone moving in the back of the apartment, but no one enters the main room.				

- What factors about this situation would you like to know more about to help you make a decision?
- Does this qualify as suspicious behavior? What factors led you to that conclusion?
- Would you qualify this as moderately suspicious, highly suspicious or extremely suspicious?
- Should this report be forwarded to a fusion center?

REPORT 3					
SUBJECT(S) DESCRIPTION	Number of subjects	Physical characteristics	Age	Gender	Race
		1	5'3", 115 lbs	20-25 yrs	F
INCIDENT DESCRIPTION	While patrolling near a local airport, a police officer observes a young woman questioning an airline attendant about particular procedures -- how often planes take off and land, which runways are the most commonly used, etc. She smiles frequently and makes regular eye contact with the attendant, and after the conversation, she is seen to produce a small notepad from her purse and jot down several notes.				

- What factors about this situation would you like to know more about to help you make a decision?
- Does this qualify as suspicious behavior? What factors led you to that conclusion?
- Would you qualify this as moderately suspicious, highly suspicious or extremely suspicious?
- Should this report be forwarded to a fusion center?

Part 2: SARs and the Reasonable Suspicion Standard

Police officers are allowed to stop citizens under a standard called "reasonable suspicion." This standard was created by a Supreme Court case, *Terry v. Ohio* (1968). Police officers are required to be able to support a suspicion of criminal activity by articulable facts (that is, facts that can be explained/identified, not simply a "gut instinct" or a feeling), before they can stop individuals for investigation. Similarly, the basis of Suspicious Activity Reports (SARs) is required to use the same standard, reasonable suspicion.

The behaviors listed below are defined by the Transportation Security Administration as potentially criminal activities that should prompt further investigation by security personnel. (Source: [Transportation Suspicious Incidents Report](#)). Consider each behavior and determine whether the defined activity meets the reasonable suspicion standard. Justify your conclusion, and then determine whether there might be room for error or abuse.

- Questioning individuals at a level beyond mere curiosity about particular facets of a facility's or building's purpose, operations, security procedures, etc.

REASONABLE SUSPICION -- YES OR NO?	WHY?	WHAT MIGHT BE PROBLEMATIC WITH THIS DEFINITION?

- 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).

REASONABLE SUSPICION -- YES OR NO?	WHY?	WHAT MIGHT BE PROBLEMATIC WITH THIS DEFINITION?

- Demonstrating unusual interest in facilities, buildings or infrastructure beyond mere casual or professional interest (e.g., engineers) such that a reasonable

person would consider the activity suspicious. Examples include observation through binoculars, taking notes, attempting to measure distances, etc.

REASONABLE SUSPICION -- YES OR NO?	WHY?	WHAT MIGHT BE PROBLEMATIC WITH THIS DEFINITION?

- Acquisition and/or storage of unusual quantities of materials such as cell phones, pagers, fuel, chemicals, toxic materials and timers, such that a reasonable person would suspect possible criminal activity.

REASONABLE SUSPICION -- YES OR NO?	WHY?	WHAT MIGHT BE PROBLEMATIC WITH THIS DEFINITION?

Suspicious Activity Report: A Tool or a Threat?

I. The following are "[Seven Signs of Terrorism](#)," taken from the Virginia Fusion Center.

1. **Surveillance:** Recording or monitoring activities. May include drawing diagrams, note taking, use of cameras, binoculars or other vision-enhancing devices or possessing floor plans or blueprints of key facilities.
2. **Elicitation:** Attempts to obtain operation, security and personnel-related information regarding a key facility. May be made by mail, fax, e-mail, telephone or in person.
3. **Tests of Security:** Attempts to measure reaction times to security breaches or to penetrate physical security barriers or procedures in order to assess strengths and weaknesses.
4. **Acquiring Supplies:** Attempts to improperly acquire items that could be used in a terrorist act. May include the acquisition of explosives, weapons, harmful chemicals, flight manuals, law enforcement or military equipment, uniforms, identification badges or the equipment to manufacture false identification.
5. **Suspicious Persons:** Someone who does not appear to belong in a workplace, neighborhood or business establishment based on their behavior, including unusual questions or statements they make.
6. **Dry Runs/Trial Runs:** Behavior that appears to be in preparation for a terrorist act without actually committing the act. Activity could include mapping out routes and determining the timing of traffic lights and flow.
7. **Deploying Assets:** Placing people, equipment and supplies into position to commit the act. This is the last opportunity to alert authorities before the terrorist act occurs.

II. Using these standards, the video and prior activities, choose one of the two statements below. If you prefer, you may create a third statement that more accurately reflects your views.

STATEMENT 1:	"The use of Suspicious Activity Reports creates an atmosphere of surveillance and suspicion among Americans that is harmful to our way of life."
STATEMENT 2:	"The use of Suspicious Activity Reports provides a valuable resource on potentially criminal behaviors which has helped to keep this country safe over the past 10 years."

III. Now compose a short essay explaining why you chose that statement. Be sure to support your answer with relevant examples (especially from the video *Are We Safer?*) and consistent logic.