

Guidance for Completion of “Cruise Line Report of Alleged Serious Violations of US Law”

Cruise Line Incident Reference Number

Purpose: This field is provides cruise lines with designated unique reference number of each incident for tracking and audit purposes.

Instructions: The fleet’s corporate security office, which is typically the central repository for each ship’s incident reports, is encouraged to devise a system for assigning unique reference numbers to each alleged incident.

Part 1 “Law Enforcement Agency Contacted”

Purpose: This section documents the initial contact to law enforcement. US Code Title 46 Section 3507(g)(2)(g and j) **requires** vessel security to report the following:

- Agency (US Code Title 46 Section 3507(g)(2)(g));
- Date & Time of Contact (US Code Title 46 Section 3507(g)(2)(g)); and
- Agency file or report number (US Code Title 46 Section 3507(g)(2)(j))

The FBI **encourages** vessel security to report the remaining information in this section.

Instructions:

- Agency (US Code Title 46 Section 3507(g)(2)(g)) – Name of law enforcement agency contacted (e.g. FBI, Customs and Border Patrol, Miami-Dade Police, etc);
- Name of Contact – Name of law enforcement officer contacted (e.g. Special Agent John Doe);
- Date & Time of Contact (US Code Title 46 Section 3507(g)(2)(g)) – Date and time of contact with law enforcement agency;
- Address/Phone Number/Fax Number/E-mail – Law enforcement agent’s contact information;
- Agency file or report number (US Code Title 46 Section 3507(g)(2)(j)) – if provided, law enforcement agency’s file or report number of incident; and
- Method of contact – Method used to contact law enforcement. If ship security contacts multiple law enforcement agencies, the additional agencies can be referenced in Part 5 “Synopsis of Alleged Incident.”

Part 2 “Vessel, Location, and Route Information”

Purpose: This section provides basic information about the vessel, the vessel company’s point of contact for law enforcement officials, satisfies minimum reporting requirements set by the Cruise Vessel Security and Safety Act of 2010 (CVSSA) Section 3507(g)(2)(a-j), and basic voyage information to assist law enforcement and US prosecutors with determining jurisdiction.

US Code Title 46 Section 3507(g)(2)(a-j) **requires** vessel security to report the following:

- Vessel Operator (US Code Title 46 Section 3507(g)(2)(a) & (b));

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- Vessel Flag (US Code Title 46 Section 3507(g)(2)(c));
- Passengers/Crew (US Code Title 46 Section 3507(g)(2)(i)); and
- Location of vessel at time of incident (US Code Title 46 Section 3507(g)(2)(f)).

The FBI **encourages** vessel security to report the remaining information in this section. While the requirement to report the remaining information has not been codified into US Code by CVSSA, the information is necessary for the FBI to make an initial assessment how to respond and what to relay to the US Attorney’s Office for a prosecutive decision.

Instructions:

- Vessel Operator (US Code Title 46 Section 3507(g)(2)(a) & (b)) – Name of vessel’s sailing company (e.g. Carnival Cruise Line, Celebrity Cruises, Holland America, Princess Cruises, etc);
- Vessel Owner – Name of vessel’s owning corporation (e.g. Royal Caribbean International, Carnival Corporation, Disney Cruise Line, Norwegian Cruise Line, etc);
- Vessel Name – Name of Vessel (e.g. Allure of the Seas, Oosterdam, Magic, etc);
- Vessel Flag (US Code Title 46 Section 3507(g)(2)(c)) – Flag under which vessel was operating at time of incident.
- Company POC – Company’s point of contact for law enforcement follow-up, if necessary. This tends to be the individual responsible for fleet security at the company.
- Telephone/E-mail – Contact information for Company POC;
- Passengers/Crew (US Code Title 46 Section 3507(g)(2)(i))– Number of passengers and crew on voyage.
- Voyage (US, Foreign, Both) – Check the corresponding box to mark if there are scheduled port of call stops in the US only, foreign only ports, or both. This field assists law enforcement with determining if the voyage is subject to the CVSSA.
- Port of Embarkation/Date – Identify the port of embarkation and date;
- Port of Debarkation/Date – Identify the port of debarkation and date;
- Location of vessel at time of incident (US Code Title 46 Section 3507(g)(2)(f)) – This field should be completed as of the vessel’s location at the time of incident, if known, or the vessel’s location at the time the incident was reported to the vessel. This section is critical for ship security to accurately complete to assist law enforcement and prosecutors in determining jurisdiction.
 - If known, the latitude and longitude should always be completed. In cases where the vessel is at port, the latitude and longitude is not necessary if the name of port is provided in the appropriate field.
 - US territorial waters – The US territorial waters extend 12 nautical miles from the United States and Puerto Rico, Guam, American Samoa, US Virgin Islands, and Northern Mariana Islands.
 - International waters – those waters outside the jurisdiction of another country
 - Other nations’ waters – those waters under the jurisdiction of another country. Many countries impose a 12 nautical mile limit from their shores and territories. If the vessel’s security is unaware if the location is within another nation’s jurisdiction, vessel security

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should complete the latitude/longitude and the FBI/US Attorney’s Office can determine the location.

- Port – if the vessel is in port, identify the port by name.

Part 3 “Type of Alleged Incident”

Purpose: This section fulfills the requirement to report the following serious offenses to the FBI and United States Coast Guard (USCG) as required by US Code Title 46 Section 3507(g)(3)(A): homicide, suspicious death, missing US national, kidnapping, assault with serious bodily injury, firing or tampering with vessel, sexual assault in violation of Title 18 Section 2241, 2242, 2243, 2244 (a) & (c), or theft greater than \$10,000. For informational purposes, each serious violation’s US code is listed as reference on the form, where applicable.

“Other” Incidents

Per CVSSA Section 3507(g)(3)(iii) and (iv), cruise lines **may but are not required to** report incidents other than those that fall under serious incidents to local law enforcement or the FBI, referred to as “other” incidents on the reporting form. Examples of “other” incidents **include but are not limited to**: theft <\$10,000, sexual contact that does not rise to the level of a sexual assault as defined above, assault with minor injuries, assault with no injuries, etc. If an incident is reported that is of the “other” category, vessel security should identify the “other” incident on the form (e.g. assault with minor injuries).

Part 4 “Description of Alleged Incident”

Purpose: This section provides identifying details of the alleged incident.

US Code Title 46 Section 3507(g)(2)(h) **requires** vessel security to report the following information:

- Incident date & incident time

The FBI **encourages** vessel security to report the remaining information in this section. While the requirement to report the remaining information has not been codified into US Code by CVSSA, the information is necessary for the FBI to make an initial assessment how to respond to the alleged incident and what to relay to the US Attorney’s Office for a prosecutive decision.

Instructions:

- Incident date & incident time (US Code Title 46 Section 3507(g)(2)(h)) - Date and time of alleged incident, if known;
- Date & time reported to ship security - Date and time vessel security was notified of the alleged incident;
- Exact location on ship where incident occurred: - Location on vessel where the alleged incident took place (e.g. Ship disco, Casino, Stateroom #XXXX);

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- Evidence collected - **Brief** summary of evidence collected (e.g. Rape test kit, Statements, victim clothing, CCTV footage);
- Extent of injuries sustained by victim(s): **Brief** summary of victim’s injuries (e.g. bruised face, torn hair, scratches);
- Medical treatment provided: If vessel’s medical staff provided medical treatment, briefly note the treatment provided here.

Part 5 “Synopsis of Alleged Incident”

Purpose: This section provides law enforcement and ship security with sufficient detail to understand the background of the alleged incident.

Instructions: The synopsis should include, at a **minimum**:

- Brief background of the alleged incident to include how the vessel was made aware of the alleged incident.
 - e.g. The victim reported to ship security that she left her Apple black iPhone on the pool deck around 4:00 pm on 01/01/2001. When she returned a few minutes later, the iPhone was missing and she immediately reported the incident to a nearby waiter who alerted security.
- Interview results of victim, suspect, witness to include who performed the interview.
 - e.g. Ship security interviewed a witness who reported seeing a passenger described as a young male in his teens taking the iPhone after the victim left the area.
- Actions taken by security to preserve the scene for law enforcement to process potential evidence.
 - e.g. After ship security was notified of the suspicious death of the passenger in her stateroom, security performed the following actions to preserve the crime scene:
- The law enforcement agency’s response to ship security’s notification of the alleged incident, if applicable.
 - e.g. Special Agent John Doe of FBI Miami notified the ship that the FBI will not respond to the alleged domestic assault with minor injuries.

Part 6 “Person(s) Involved”

Purpose: This section provides simple biographical information on the victim, suspect, witness, and complainant.

US Code Title 46 Section 3507(g)(2)(d) & (e) **requires** vessel security to report the following information:

- Complainant/Victim/Suspect/Witness;
- Gender;
- Date of Birth; and
- If the person involved was a passenger or crewmember.

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Instructions:

US Code Title 46 Section 3507(g)(2)(d) & (e) **requires** vessel security to report the following information:

- Complainant/Victim/Suspect/Witness – Identify the person’s involvement in the alleged incident.
- Gender (US Code Title 46 Section 3507(g)(2)(d)) – Gender of person;
- Date of Birth (US Code Title 46 Section 3507(g)(2)(d)) – Date of birth of person; and
- Passenger or Crewmember (US Code Title 46 Section 3507(g)(2)(e)) – State whether the person involved is a passenger or crewmember.

The FBI **encourages** vessel security to complete the remaining fields. While the requirement to report the remaining information has not been codified into US Code by CVSSA, law enforcement needs as much biographical information as possible in order to conduct NCIC checks and have a thorough/complete report, especially thos incidents considered serious.

Reporting to the FBI/USCG

As stated on the form, the preferred method of delivery is via e-mail as a Microsoft Word attachment. The form should be sent to the appropriate FBI field office or Legat (refer to www.fbi.gov for contact information), FBIHQ in Washington, DC (email: sioc@leo.gov), and USCG National Command Center (email ncc@uscg.mil).

Refer to the sample form completed for reference.

Attachments

Sample – Cruise Line Report of Alleged Serious Violations of US Law