

**Recommended Practices for Virginia  
College Threat Assessment**

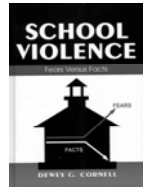
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Dr. Cornell has studied youth violence for over 20 years and has assisted numerous schools in the development of violence prevention programs. He has authored more than 100 publications in psychology and education, including two recent books: *Guidelines for Responding to Student Threats of Violence* and *School Violence: Fears versus Facts*.



**Thank You**



Donna Bowman, Steve Clark  
Virginia Center for School Safety  
Department of Criminal Justice  
Services



Virginia Association of College Law  
Enforcement Administrators



Virginia Department of Health,  
Division of Injury and Violence  
Prevention

**Crisis Prevention,  
Not Crisis Response**

**UR hosts 'shooter' drill**

Police from there, VCU practice response to gunman scenarios



**Avoid Fear-Based  
Reactions to Shootings**

*Prevention cannot  
wait until the  
gunman is at the  
door.*



**House Education and Labor Committee  
Hearing on Campus Safety**  
May 15, 2007

**Is it possible to prevent  
college shootings?  
It is difficult to predict who  
will be violent...**



### Prevention Does Not Require Prediction



About 438,000 persons die of tobacco-related deaths each year. We cannot predict who will die, but we can still prevent deaths by helping people stop smoking and protecting others from secondhand smoke.

### College Shootings Can Be Prevented

Violence is difficult to *predict*, but that does not mean violence cannot be *prevented*.

Colleges can prevent violence by responding to all threatening situations and persons who show signs of distress or mental illness.

### College Shootings Can Be Prevented



2002 Univ of Arizona. 41-year-old Robert Flores, killed 3 instructors and himself. Nursing student failing classes and notably angry and distressed. Going through divorce, severely depressed, 22 page suicide note.

<<http://www.cbsnews.com/stories/2002/10/29/national/main527308.shtml>>

### College Shootings Can Be Prevented



2002 Appalachian School of Law. 42-year-old Peter Odighizuwa, killed dean, professor, and student. Immigrant under financial and emotional stress. Twice dismissed from school, developed paranoid schizophrenia.

<http://www.law.com/jsp/article.jsp?id=1024078861416>

### College Shootings Can Be Prevented



2006 Shepherd University, 49-year-old father Douglas Pennington kills two college student sons and himself. Family had sought psychiatric hospitalization. Had delusions that his sons were going to be tortured and killed. Wrote in his journal "How can I possibly do what I have to do? ...I see what's coming for my family and I can't let that happen to them."

<http://ssrstories.com/show.php?item=1663>

### College Shootings Can Be Prevented



2007 University of Washington, 41-year-old Jonathon Rowan, killed ex-girlfriend and himself. She was a UW research staff member. She had restraining order because he repeatedly threatened to kill her.

<[http://www.king5.com/topstories/stories/NW\\_040207WABUniversitygouldshootingTP.25f0537f.html](http://www.king5.com/topstories/stories/NW_040207WABUniversitygouldshootingTP.25f0537f.html)>

## College Shootings Can Be Prevented



2007 Virginia Tech. 23-year-old Seung Hui Cho wounds 24, kills 32 and himself. Had repeatedly come to attention of university authorities for disturbing behavior, including violent writings, suicidal statement, harassment of female students. Had been hospitalized for psychiatric evaluation and ordered to receive outpatient treatment.

[http://en.wikipedia.org/wiki/Virginia\\_Tech\\_massacre](http://en.wikipedia.org/wiki/Virginia_Tech_massacre)

## College Shootings Can Be Prevented



2008 Northern Illinois University. 27-year-old ex-grad student Steven Kazmierczak kills 5 and wounds 15 before killing self in lecture hall. Had long history of psychiatric treatment for bipolar disorder and substance abuse. Friends knew he had been preoccupied with the Virginia Tech murder and fantasies of violence.

[http://www.msnbc.msn.com/id/15769598/ns/dataline\\_nbc-crime\\_reports/](http://www.msnbc.msn.com/id/15769598/ns/dataline_nbc-crime_reports/)

## College Shootings Can Be Prevented



2008 Louisiana Technical College, 23-year-old Latina Williams kills 2 and herself in class. Had been living in her car and becoming increasingly paranoid. Had called crisis center to explain why she planned to kill herself.

<<http://www.wafb.com/global/story.asp?s=7854214>>  
<<http://www.youtube.com/watch?v=Kabae2Gq3Ko>>

## College Shootings Can Be Prevented



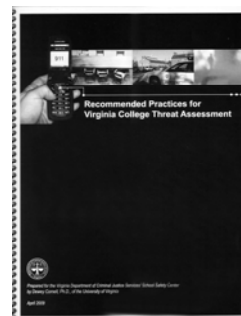
2009 Henry Ford Community College. 20-year-old Anthony Powell killed Black female classmate and himself after a theater class. Mr. Powell had history of mental illness and had posted YouTube videos expression hatred of Black women and intentions to kill himself.

<<http://www.examiner.com/x-3284-Detroit-Top-News-Examiner-y2009m4d13-When-obsession-turns-deadly-Men-against-Women>>

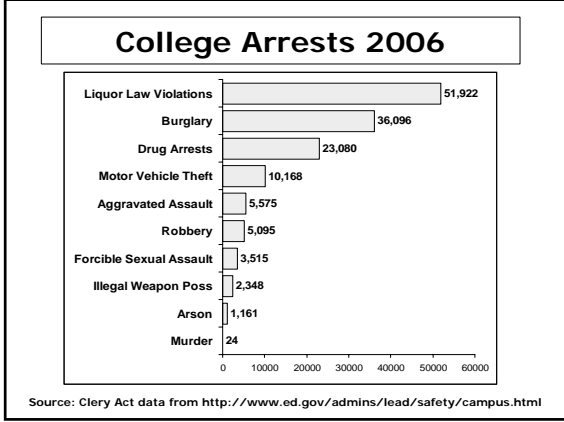
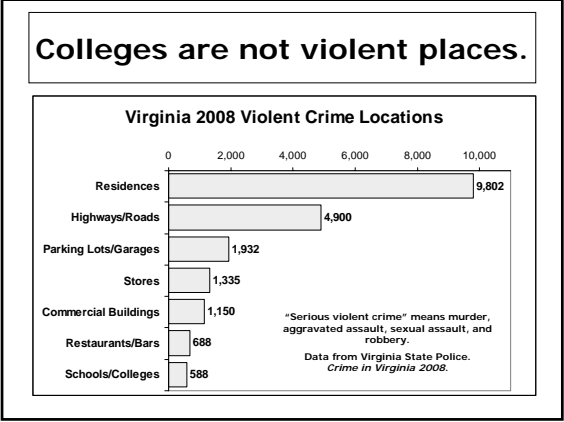
## College Shootings Can Be Prevented

We may not be able to predict who will commit a violent act, but we can reduce violence by helping troubled individuals and responding to threatening situations.


Threat assessment is a strategy for providing help that can prevent violence.



Download at  
<http://youthviolence.edschool.virginia.edu/>  
or  
<http://www.dcjs.virginia.gov/vcss/ocps/?menuLevel=11&mID=18>



### FBI Recommendations on School Violence



“Although the risk of an actual shooting incident at any one school is very low, threats of violence are potentially a problem at any school.

Once a threat is made, having a fair, rational, and standardized method of evaluating and responding to threats is critically important.” (FBI report p 1)

**Download at [www.fbi.gov](http://www.fbi.gov)**



- Legally defensible procedures for responding to student threats
- Step-by-step guidelines and decision-free
- Research-based and field-tested
- Covers K-12, regular and special education

Available from **[sopriswest.com](http://sopriswest.com)**

### Threat Assessment in College Settings

1. Students, staff, faculty, and community members have different legal standing.
2. Colleges are open, complex settings and not easily monitored or secured.
3. Colleges have multiple administrative units, often not in close communication.

### Threat Assessment in Community College Settings

1. Commuting and part-time students
2. Older students, many with jobs and families
3. Limited campus law enforcement
4. Limited counseling and student health services

Threat assessment may require contracts with community resources.

§23-9.2:10

**Violence prevention committee;  
threat assessment team**

D. The board of visitors or other governing body of each public institution of higher education shall establish a specific threat assessment team that shall include members from law enforcement, mental health professionals, representatives of student affairs and human resources, and if available, college or university counsel. Such team shall implement the assessment, intervention and action policies set forth by the committee pursuant to subsection C.

**What is Threat Assessment?**

**Threat assessment is a strategy to prevent violence through early recognition of threatening situations and intervention to solve problems.**

**What is Threat Assessment?**

- Used by Secret Service
- Widely used for workplace violence
- Some research in K-12 schools
- No known research on college threat assessment



**Threat Assessment Does Not Replace Other Helping Efforts**

- Dean of Students
- Student Health
- Counseling Services
- Employee Assistance, etc.



**Case oversight is shared with the Threat Assessment Team when a threatening situation is identified.**

**What Are Threats?**

- Direct threats to harm someone.
- Indirect threats made to third parties (more common).
- Behavior that indicates preparation for a violent act.
- Conflicts or disputes that raise concern for safety.

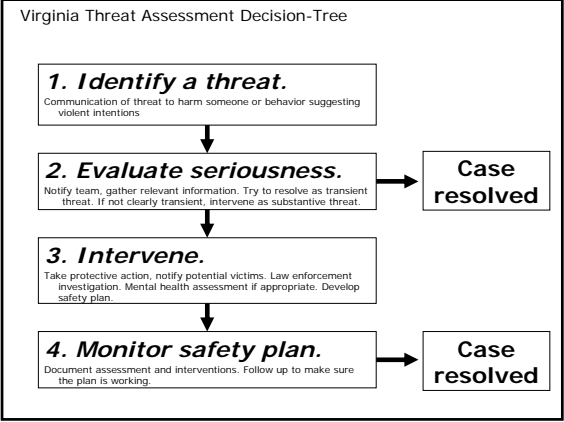


**When in doubt, consult the Threat Assessment Team**

Virginia Threat Assessment Guidelines

**4 Steps in Threat Assessment**


- 1. Identification** of threats.
- 2. Evaluation** of the seriousness of the threat.
- 3. Intervention** to reduce risk of violence.
- 4. Follow-up** to monitor safety.



**The first step is most important.**

**1. Identification** of threats.

Unless threats are reported, nothing can be done. Essential to educate the community to report troubling situations.




**Threat reporting process**

1. Someone in the institution community wants help for a problem.
2. The problem is recognized as a threat by the help-provider.
3. The help-provider contacts the team.

**Threat education recipients**

1. Help-seekers (general community)
  - Students, parents, faculty, staff
2. Help-providers
  - Student services, health providers, counseling, law enforcement, administrators, including key contacts outside the institution



**Threat education strategies**

1. Web-based training and resource
  - When to seek help
  - Who to contact
    - Counseling, law enforcement, academic needs, etc.
2. Integrate theme of a caring and helping community into publications and outreach efforts

## 2. Evaluate the seriousness of the threat.



- Notify relevant team members.
- Gather all relevant information.
- Attempt to resolve the situation as a transient threat.
- If not transient, treat case as a substantive threat.

## Continuum of Threats



- Warning of impending violence
- Attempts to intimidate
- Thrill of causing a disruption
- Attention-seeking, boasting
- Fleeting expressions of anger
- Jokes
- Figures of speech

## Avoid Over-Reaction and Under-Reaction to Threats

- Over-reaction
  - Wastes time and effort
  - Alienates community
- Under-reaction
  - Violent incident



The Scylla and Charybdis of threat assessment

## Evaluate the threat.

- Obtain an account of the threat and the context from the subject and witnesses.
- Write down the exact threat.
- Obtain subject's explanation of the threat's meaning and his/her intentions.
- Obtain witness perceptions of the threat's meaning.

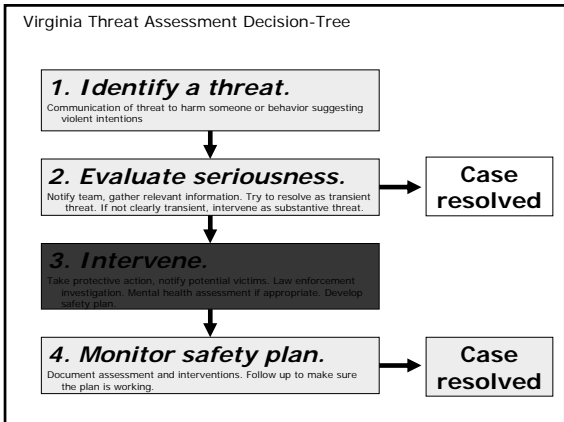
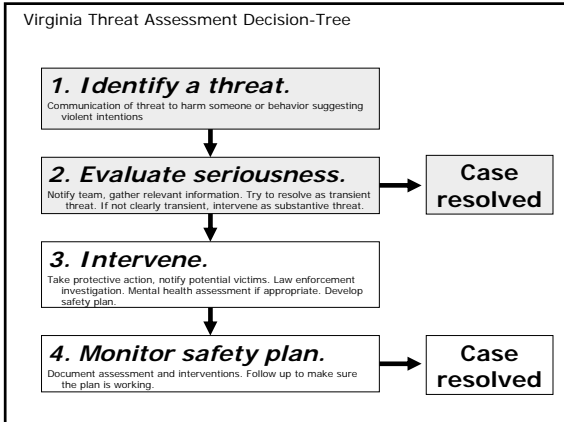
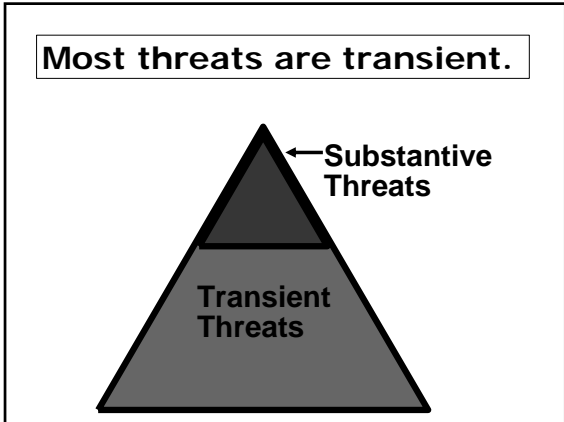
Document your evaluation.

## Critical question: Transient or Substantive?

- Determine whether the threat is transient or substantive.
- The critical issue is not what the student threatened to do, but whether the student intends to carry out the threat.
- When in doubt, treat a threat as substantive.

## Responses to a transient threat.

- No need to take further safety precautions.
- See that threat is resolved through explanation, apology, making amends.
- Provide counseling and education where appropriate.
- Disciplinary consequences, if appropriate



- 3. Intervene to reduce risk of violence.**
- All substantive threats require protective action.
  - Notify potential targets of attack.
  - Develop a safety plan, based on law enforcement investigation and mental health assessment, if indicated.

**Virginia's Tarasoff Law**  
**§54.1-2400.1**

"A mental health service provider has a duty to take precautions to protect third parties from violent behavior or other serious harm only when the client has ... communicated to the provider a specific and immediate threat to cause serious bodily injury or death to an identified or readily identifiable person or persons, if the provider reasonably believes, or should believe according to the standards of his profession, that the client has the intent and ability to carry out that threat immediately or imminently...."

**Virginia's Tarasoff Law**  
**§54.1-2400.1**

The duty of the mental health service provider is discharged by one or more of the following actions:

- "1. Seeks involuntary admission....
2. Makes reasonable attempts to warn the potential victims....
3. Makes reasonable efforts to notify a law-enforcement official....
4. Takes steps ...to prevent the client from using physical violence...until the appropriate law-enforcement agency can be summoned and takes custody of the client.
5. Provides therapy... in the session in which the threat has been communicated until the mental health service provider reasonably believes that the client no longer has the intent or the ability to carry out the threat."

## Indicators of planning

- Surveillance of prospective target
- Acquisition of weapons or other supplies
- Rehearsal or practice of skills used for an attack
- Study of similar crimes
- Increase in secretive behavior

## The Subject's Ambivalence

Even after preparations have begun, the decision to act may be contingent upon other situational events that provoke or disturb the subject. Many subjects are ambivalent and uncertain about what they intend to do, even until the shooting starts. This means there are many opportunities to change the course of action.

## Law Enforcement Investigation

- Background checks (arrests, employment, residences, schools)
- Internet communications
- Interviews
- Check access to firearms and explosives
- Authorized searches

## Team Access to Law Enforcement Information

In order to function effectively as a multidisciplinary team, threat assessment teams require access to law enforcement information, including background checks.



## Team Access to Law Enforcement Information

Virginia Code 19.2-389, paragraph 3, "Individuals and agencies pursuant to a specific agreement with a criminal justice agency to provide services required for the administration of criminal justice pursuant to that agreement which shall specifically authorize access to data, limit the use of data to purposes for which given, and ensure the security and confidentiality of the data."

## Team Access to Law Enforcement Information

Colleges should have a written agreement with their local or affiliated law enforcement agency to authorize release of information to the team for the administration of criminal justice, with assurance that the data will be maintained in a secure, confidential manner and used only for threat assessment purposes.



## Mental Health Assessment

- Not a prediction model
- Identify any mental health needs.
- Identify reasons why threat was made.
- Propose strategies for reducing risk.

## Avoid Escalation.

- Establish a respectful relationship with the subject.
- Seek resolution of the subject's concerns.
- Avoid actions that unnecessarily intimidate, threaten, or humiliate the subject (understanding that disciplinary consequences may be necessary).

## 4. Follow-up to monitor safety.

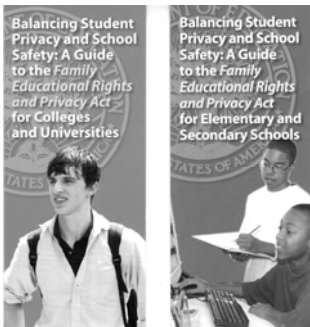
- Is the subject still threatening?
- Is everyone compliant with the plan?
- Is the plan working?



## Communication and Problem Solving

*Threat assessment is a problem-solving approach that requires communication and cooperation among all parties.*

*This process must not be hindered by FERPA.*



Released Oct 30 2007

<http://www.ed.gov/policy/gen/guid/fpco/ferpa/safeschools/index.html>

## What can school officials disclose in an emergency situation?

"In an emergency, FERPA permits school officials to disclose, without consent, education records, including personally identifiable information from those records, to protect the health or safety of students or other individuals."

<http://www.ed.gov/policy/gen/guid/fpco/brochures/elsec.html>

**Can school officials share their observations of students?**

“FERPA does not prohibit a school official from disclosing information about a student if the information is obtained through the school official’s personal knowledge or observation, and not from the student’s education records.”

<http://www.ed.gov/policy/gen/guid/fpco/brochures/elsec.html>

**Can school officials share their law enforcement unit records?**

“Under FERPA, investigative reports and other records created and maintained by these ‘law enforcement units’ are not considered ‘education records’ subject to FERPA. Accordingly, schools may disclose information from law enforcement unit records to anyone...”

<http://www.ed.gov/policy/gen/guid/fpco/brochures/elsec.html>

**HIPAA Permits Breach of Confidentiality**

HIPAA allows disclosure of protected health information, including psychotherapy notes, concerning a patient when it is considered necessary to prevent a serious and imminent threat to others. This can include disclosure to law enforcement, family members, potential victims and others if the disclosure can be justified as reducing the risk of violence. See CFR § 164.512(j).

**Next Steps**

1. Survey of implementation and needs.
2. Research on outcomes.
3. Ongoing training.
4. Legislative action.

**Legislative Needs**

1. Community college needs.
2. Background checks can be shared with threat assessment teams.
3. Threat assessment records are confidential.
4. Duty to protect extended to education.
5. Threat assessment for K-12 schools

<http://youthviolence.edschool.virginia.edu>