Nebraska Campus Threat Assessment Program (CTAP) Webinar

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ASIS/SHRM Workplace Violence Prevention and Intervention
American National Standard &
R.A.G.E.-V: Violence Risk Assessment Guideline

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- Released on September 2\textsuperscript{nd}, 2011 after a four year, multi-disciplinary development effort.
- Purpose: Establish an American National Standard (ANSI) for workplace violence prevention and intervention.
- Provides new definitions (e.g. violence risk screening), as well as creating a standard for everything from how you plan a program to involving law enforcement.
Major Areas of Coverage

- Establishing Multidisciplinary Involvement
- Planning a Workplace Violence Prevention and Intervention Program
- Implementing the Program
- Threat Response and Incident Management
- The Role of Law Enforcement
- Post Incident Management
- Integrating the Issue of Intimate Partner Violence into Workplace Violence Prevention Strategies
Several New Items of Specific Interest

- 5.2.5: Union Leaders are encouraged to actively participate in prevention and intervention efforts
- 5.2.6: Employee Assistance Program (EAP) are mentioned as possible violence risk screeners, but only with specialized training
- 6.2.1: Policy should be a “No Threats, No Violence” policy, not a “Zero-Tolerance” policy
- 6.2.2.1: Process should have access to outside experts in the area of violence risk assessment, law, and security
- 6.2.7: Process should include a system of centralized record keeping for both recording and tracking of cases.
- 8.7: “…when formal violence risk assessment is warranted, the organization should engage an external threat assessment professional to assist…”
- 8.10.2: “Studies show that once violence begins, actions with the greatest impact on outcome will be taken by persons already at the scene, before law enforcement arrives. For that reason, emergency responders should be considered as merely one element of a broader violence response plan.”
Several New Items of Specific Interest

9.1: The Question of Law Enforcement Intervention

“While actual criminal violations should be reported to the appropriate law enforcement agency, the Threat Management Team should carefully consider the potential risks and benefits of requesting law enforcement intervention in a situation that does not rise to the level of a criminal act. The Threat Management Team, in advance of any particular incident, would benefit from developing an understanding regarding the ability of its law enforcement agency to appropriately intervene [emphasis added] during incident management, and the nature and limits of its prospective role during incident management. Of course, as emphasized throughout this Standard, the question of law enforcement intervention should be considered within the context of a Threat Management Team’s overall incident management strategies.”
Association of Threat Assessment Professionals (ATAP): RAGE-V

- RAGE-V = Risk Assessment Guideline Elements for Violence
- Released on September 20th, 2006 after a four year, multi-disciplinary development effort
- Purpose: Establish a common framework for conducting violence risk assessments and assessing the validity of the results.
- Comprised of three practice advisories (Psychology, Law, and Information Gathering) and a model violence risk assessment process
Practice Advisory: Psychology

- Process Variables
- Risk Factors
- Inhibitors/Stabilizers
- Triggers
- Analysis Guidelines
- Objective Instruments and Tools
- Additional Considerations
Practice Advisory: Psychology
Process Variables

“Where the rubber meets the road….acceleration.”

- Approaches
- Evidence of escalation
- Fantasy rehearsal
- Evidence of deterioration
- Actively violent state of mind-homicidal or suicidal thoughts
- Command hallucinations, thought insertion, paranoia of imminent threat
Practice Advisory: Psychology
Process Variables

- Diminishing inhibitions
- Impaired coping
- Inability or unwillingness to pursue other options
- Obsessional thought processes
- Sense of inevitability, tunnel vision, or forgone conclusion
- Subject’s response to assessment and inquiries
Practice Advisory: Psychology
Process Variables

- Preattack or ritualistically preparatory behaviors
  - writing of suicide note or creation of suicide/homicide video,
  - religious rituals tied to sanctioning violent acts
  - purchase of camouflage or special clothing for potential event
- Recent acquisition, preparation, and skill building (practice with) weapons with no sanctioned reason
Practice Advisory: Psychology

Risk Factors

“the vehicle’s construction…learning about the person’s background, conditions, and history…”

- Weapons use connected to emotional release, fascination with destructive power
- Motivational factors such as delusion, fanatical beliefs, revenge, need to force closure, entitlement, grandiosity
- Drug use
- Head trauma
- Criminal history-stalking, assaults, threats, homicide, violation of conditional release
Practice Advisory: Psychology
Risk Factors

- Prior voluntary and involuntary commitments
- Past suicidality
- Adverse responses to limit setting and authority in the past
- Reference groups, heroes, affiliations and community attachments
Practice Advisory: Psychology
Risk Factors

- Perceptions of injustice or insoluble problems
- Mental problems that undermine and compromise coping such as:
  - Depression
  - Bipolar
  - Paranoia
  - Personality disorders (primarily narcissistic, borderline, paranoid, and anti-social)
  - Psychopathy
Practice Advisory: Psychology Inhibitors/Stabilizers

“the brakes…”

- Treatment availability, utilization, and past receptiveness
- Family
- Other social support
- Spiritual or religious beliefs opposing violence
- Cares about consequences
- Something to lose
- Connectedness and healthy affectional bonds
Practice Advisory: Psychology Inhibitors/Stabilizers

- Major physical impairment
- Other impairments
- Lack of resources
- Isolation
- Incarceration
“the jump start or ignition…”

- Pending or anticipated perceived negative event
- Rejection and abandonment
- Intervention
- Increased psychosis
- Civil (family court, child custody, failed litigation) or criminal system events
- Disruption of support system
- Financial problems
Practice Advisory: Psychology Analysis Guidelines

- Consider variables as comprehensively as possible-risk factors, inhibitors, triggers, and process variables
- Access sufficient first-hand, credible collateral data sources
- Avoid over reliance on single factors in most cases
- Factors should be consistent with those in scholarly-scientific literature
- MUST ASSESS IMPACT OF INFORMATION SEEKING, THREAT ASSESSMENT PROCESS, AND INTERVENTION UPON RISK...
Practice Advisory: Psychology

Objective Tools

- When appropriate utilize objective tools appropriate to context consistent with purpose intended, training, empirical support, professional community consensus, and experience
- Consider actuarial measures
- Consider assessment tools using structured professional judgement:
  - HCR-20, SARA, PCL-R, VRAG,
  - Cawood-White Assessment Grid, WAVR-21
  - COVR
  - LSI
  - SAVRY
Practice Advisory: Psychology
Objective Tools

- Avoid sole reliance on single tool or technique
- Must be trained and qualified to use particular tool or instrument
- Reliable, valid, appropriate for issue at hand
- Be aware of the limitations of any technique used
- Stay current and avoid outdated versions
- SPJ (structured professional judgment) tools are encouraged
Practice Advisory: Psychology Additional Considerations

- Recognize professional limitations to our assessments of level of risk
- Qualify assessments when necessary (availability of information, recognize assumptions, potential changes in context, time limited nature of assessments)
- Be aware of complex contextual, legal, ethical, and regulatory issues that impact the violence risk assessment process...
Practice Advisory: Information Gathering

In general the more behavioral information available about the subject of an assessment, the greater the ability to provide an accurate assessment. The ability to gather information in any specific case, and at any particular stage of an assessment, will depend on the immediacy of the issues, and the civil rights and employment context of the person being assessed.
Practice Advisory: Information Gathering

- Different assessors have different access to information and some of the information may be protected by law. The following are types of information that has been found to be helpful in assessments. However, depending on the circumstances of each case the information may not be available in a timely manner, be protected, or not legally attainable.
Practice Advisory: Information Gathering

- Information on Victim/Target/Reporting Subject
- Focus of Information on Victim/Target/Reporting Subject
  - Is subject a chronic victim?
  - Is the subject connected to a controversial situation?
  - Is it possible the information reported was skewed, misunderstood, or fabricated?
Practice Advisory: Information Gathering

♦ Information on the Subject of Assessment:
  ♦ Is the subject in a location or have the ability to approach?
  ♦ Does the subject have a history of intimidating, threatening, or violent behavior?
  ♦ Does the subject have a history of criminal actions Specifically crimes that indicate the subject is non-compliant to standard rules of society? (Fail to Appear, Trespass, Disorderly Conduct, Reckless Driving, etc.)
Practice Advisory: Information Gathering

- Other sources of information for past inappropriate behavior:
  - Premises history: LE response to address to include past addresses.
  - Contact history: Inquire with all jurisdictions where the subject has lived/worked for field interviews
  - Obtain copies of police reports where subject is involved
Practice Advisory: Information Gathering

- Other sources of information for past relevant behavior:
  - Court records supporting a restraining order, divorce proceedings, civil case, or child custody
  - Social media and internet sources
  - Co-workers, fellow students, neighbors of past addresses, former apartment managers, etc.

- WHEN APPROPRIATE & DOES NOT INCREASE RISK

Also, make a thoughtful analysis into whether the situation would allow safely using any of these resources to monitor the subject’s future behavior

- When SAFE and APPROPRIATE take advantage of opportunities to establish communication with the subject to determine future intentions
Practice Advisory: Information Gathering

- Information on the Subject of Assessment:
  - Does the subject’s vehicle operating history record disclose a recent trend of violations?
  - Does the subject display signs of some form of obvious mental illness? (i.e. delusions, hallucinations, grandiose ideations, paranoia, etc.)
  - Does the subject have a history of substance abuse and how does it affect behavior? (Documented, self disclosed, or confirmed by witnesses, etc.)
Practice Advisory: Information Gathering

Information on the Subject of Assessment:

- Does the subject have training in weapons tactical operation, or knowledge of the tactical or commercial use of explosives? Training is not limited to military service. Subject could be part of militia, self taught, etc.

- Is there any information indicating the subject may be seeking to obtain or preparing a weapon or destructive device?
Practice Advisory: Information Gathering

Information on the Subject of Assessment:

- Is there evidence of “final act” behaviors (i.e. last will, destroying own property, giving away property, etc.)
- Is there any information indicating the subject has conducted research, planning or stalking-type behaviors?
ATAP Model Violence Risk Assessment Process

Notification of Concerning Behavior/Incident:
Assess source quality and capture quality (e.g., first-hand information?; direct or indirect contact with reporting party) “Three C’s”= Content, Context, Circumstances= What is new/changed?
Initial assessment of immediacy of violence and accessibility of target
Initial consideration of protective actions- including appropriate initial notifications and explanations (e.g., less savvy recipients=more detail vs. more savvy recipients= less detail)

Initiate Fact Finding:
Information could be obtained from any or all of the below listed sources:
Victim(s)
Witnesses
Family members including lovers, intimate partners, spouses
Friends/Co-Workers
Law enforcement personnel
Instigator
Reports: Restricted/Private/Public
Examination of Forensic Evidence
Contact information-direct (verbal or physical contact) or indirect (mail, e-mail, letters, packages, pages, IM messages, faxes, etc.)
Wiretap and Surveillance
Money Transfers
Other Informants

Behavioral information of interest could include information from direct or indirect sources:

Process Variables:
• Approach behavior
• Evidence of escalation/Encroachment
• Evidence of withdrawal
• Evidence of changes/Personal state/psychosis
• Relevant state of mental health
• Homicidal thoughts
• Hallucinations, thoughts
• Obsessions
• Threat
• Diminishing thoughts
• Coping
• Inability or limited view
• Ability to pursue
• Obsession
• Evaporating protective
• Suicide
• Preparatory suicides
• Preparatory attempts
• Vicarious preparations
• Threatening
• Recent acquisition of or preparation of weapons
• Preparatory attempts with no sanctioned
• Response to assessment and inquiries

Risk Factors:
• Weapons-use connected to emotional release
• Emotional release
• Motivational factors
• Motivational factors
• Revenge, entitlement
• Ongoing fear, force
• Drug use
• Illicit substances
• Cocaine, alcohol, steroids
• History of interpersonal, violent, homicidal, stalking, threat, or assaultive
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Inhibitors/Stabilizers:
• Consideration of available
• Inhibitors and the persons'
• Access and utilization of them
• Triggers (Past, Present, and Future)
• Pending perceived
• Job
• Rejection and
• Abandonment
• Injunction
• Psychosis
• Disruption of
• Support system
• Firearms
• Criminal
• Justice system

Analysis Guidelines
Consideration of multiple behavioral and risk factors:
• Must involve consideration of contextual factors, mitigation factors or inhibitors to risk as well as risk factors, potential stressors as well as resiliency factors
• Access to sufficient credible, first-hand collateral data sources
• Must assess impact of gathering information and investigative/threat assessment process itself upon risk
• Avoid over-reliance on single factors (factors considered must be scientifically relevant or those considered within the field based upon empirical and published literature
• When assessing the level of risk, must recognize professional limitations to the threat assessment seek out relevant consultation or expertise when necessary
• Consider the implications of the risk assessment (e.g., legal, ethical, and regulatory issues that may impact the violence risk assessment process)
• “Assessor must be aware of the complex contextual, legal, ethical, and regulatory issues that impact the violence risk assessment process

Categorize the Level of Risk
(e.g., Low, Moderate, or High, 1-5)
Provide assessment results to appropriate parties:
(e.g., Individual Victim, employer, Incident Management Team, Law Enforcement, Court, Correctional System, Probation, Parole)
Legal Contexts

- Personnel actions
- Workplace protection, threats and violence
- Criminal justice (bail setting through parole)
- Firearm prohibitions
- Restraining orders
- Child custody and dependent adult disputes
- Therapist duty to warn
- Involuntary mental health holds
- Professional license at stake
Legal Settings

- Legal counsel – guidance, communications, liability analysis, negotiation, agreements
- Administrative hearings and settlement
- Regulatory law and enforcement
- Civil litigation and liability
- Criminal prosecution and defense
- Public relations
Legal Standards

- Depends on jurisdiction, issue and nature of legal action or context
- Goal is reliability

  How is reliability of an expert opinion on violence risk determined?
  Who qualifies as an expert?
Admissibility of expert witness opinion generally

- Relevant to issue
- Based on scientific technique or reliable:
  - 1) Theory tested or testable
  - 2) Theory or study subjected to peer review
  - 3) Known or potential error rate
  - 4) Technique generally accepted in relevant field
- Note - special propensity litigation areas have special admissibility requirements such as Sexually Violent Predator laws in CA
Written Expert Witness Reports

- States opinion
- Provides reason for conclusion
- Describes information relied upon and methodology used
- Indicates limitations due to unavailable data or other unknown factors
- Qualifications of expert
- Compensation for expert services
On the Record

- Making a record so that sound decisions are understood and upheld as warranted
- Quality control
- Transmitting essential information to decision makers and reviewers
- Updating record so that current circumstances are considered in evaluation process and action plans
Summary

- Standards and Guidelines now exist in the area of workplace violence and threat assessment/violence risk assessment that create a framework which can either protect or harm an organization.

- The courts and the public are more sophisticated and have expectations of what processes should be in place and what considerations should be made in determining future risk of harm from workplace violence.

- All stakeholders and protection professionals should improve their processes and documentation to meet the increased sophistication and expectations of their audiences, including courts and regulatory bodies.