

School Threat Assessment Training: Special Topics & Applications



DCJS

Virginia Department of Criminal Justice Services

Introduction and Overview

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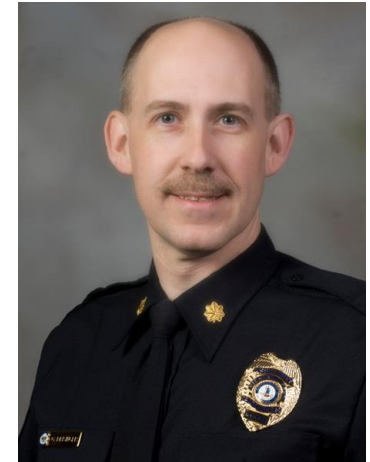
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Education, Training & Certifications:

- Ph.D., Counseling/Clinical Psychology;
- Licensed Psychologist (IA);
- Certified Health Service Provider in Psychology (IA);
- Certified Law Enforcement Officer (IA & VA: Retired);

Experience:

- Virginia Center for School & Campus Safety
 - Threat Management Consultant
- Virginia State Police / Virginia Fusion Center
 - Threat Management Consultant / Member of Advisory Board
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 - Deputy Chief of Police &
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Session Agenda

- **Introduction and Overview of the Day**
- **Morning - Special Topics:**
 - Sexual Violence: Threat Assessment & Management
 - Domestic / Dating Violence
 - Stalking
 - Predatory Sexual Assault
 - Nexus of Threat Management & Title IX
 - Interviewing: Considerations in Planning & Approach
 - Maximizing Violence Risk Assessments to Supplement the Threat Assessment & Management Process
- **Afternoon - Case Study Application(s)**
- **Summary and Q&A**

Disclosure

The issues & practices contained herein are based on relevant Virginia statutes & regulations, Federal statutes and regulations, and a synthesis of peer-reviewed research and recognized standards of practice regarding threat assessment and management in school and workplace settings.

They are not intended to be prescriptive.

Although required to adopt policies for the establishment of threat assessment teams, local school boards have authority to establish any policies or procedures that are consistent with applicable laws and regulations.

***Threat Assessment & Management in Virginia Public Schools:
Model Policies, Procedures and Guidelines, 3rd edition.
Virginia DCJS (2020)***

Sexual Violence: Domestic / Dating Violence, Predatory Sexual Misconduct & Stalking

Sexual Violence: Prevalence For Youth

- High School Students report experiencing:
 - Physical violence by a dating partner (8%)
 - Sexual violence (7%) (2017 Youth Risk Behavior Survey)
 - 1 in 5 female students and 1 in 10 male students who date have experienced some form of physical and/or sexual teen dating violence during the past 12 months (Vagi, et al, 2015)
 - 5% of HS students had stalked someone in the prior year.
- Emotional/psychological violence is the most common type of dating violence. From 30-75% of youth who date report perpetrating this type of violence against a dating partner at least once (Niolon et al, 2015);
- Sexual dating violence is reported to authorities at lower rates than other violence (Miller et all, 2015).

Domestic / Dating Violence

Indicators (subject of concern)

- Expressed acceptability for use of violence
- Controlling in interactions with partners:
 - Physically: e.g., clutches partner close even if partner is uncomfortable, directs what partner wears
 - Socially: monopolize time, restrict friendships, insulting or devaluing partner in public
 - Electronically: Repeated calling, texting, messaging; Restricting/monitoring partners communications with others
- Insists on walking partner every where
- Damages partner's belongings
- Threatens to hurt others interested in partner
- Threatens to hurt self if partner leaves relationship

Source: **DATINGMATTERS**

Domestic Violence Impacting Schools

Family: 3 kids in car when estranged husband kills mother

The family of a Vancouver, Washington, woman who was fatally shot by her estranged husband while she sat in a car providing more details on the tragedy

By The Associated Press
November 28, 2019, 6:54 PM • 3 min read



Elementary school principal killed; Husband 'confesses' in tweet

VIDEO: Bellingham educator shot and killed, police say
3 minutes left

Man charged in shooting of woman in Laurel school parking lot

Share



Updated: 1:04 PM EDT Oct 28, 2019



Principal at Bellingham Elementary School.

Share

... linked to the murder of a beloved school principal from her husband.



Developing Story Howard County

LAUREL, Md. — Howard County police charged a man Monday in connection with the shooting of a woman Sunday night in a school parking lot in Laurel.

Local News

Man Was A Known Threat To His Wife In Months Before Murder At Hazel Dell School

Man used knife to kill his wife, kids in New York home, police say

By Eyewitness News
Saturday, December 7, 2019



EMBED <> MORE VIDEOS >

Naveen Dhalwal has more on the father who allegedly killed his family before killing himself in Pleasantville.

PLEASANTVILLE, Westchester County (WABC) -- A preliminary investigation revealed Friday that a father killed his wife and two young children, ages 7 and 4 with a knife, before taking his own life.

Dorothy Liu, Tension Liu, 7, and Adeline Liu, 4, were all found dead Thursday, and there are still so many questions about what happened inside a Pleasantville home still surrounded by crime tape. The Romer Avenue home is located in between Pleasantville High School and Pleasantville Middle School, a scene of devastating tragedy just steps away from where hundreds of students -- including the two young victims -- attend class.

Grief counselors were on hand in the quiet Westchester County village of Pleasantville Friday after a family's murder-suicide rocked the community.

Dating Violence: Impact

- Teen girls who experienced recent dating violence were 60% more likely to report at least one suicide attempt in the past year than those who did not experience recent violence (Olshen et al, 2007).
- Female students who experienced both physical and sexual dating were twice as likely to attempt suicide as students who reported experiencing one type of violence.
- Male victims of both types of violence were about 3 times as likely to attempt suicide as male students who experienced one form of victimization (Vagi, et al, 2015).

Adult Sexual Misconduct

Adult Sexual Misconduct (ASM):

- Any sexual activity (physical or not) directed to a child with the purpose of developing a romantic / sexual relationship.
- Verbal misconduct: E.g., sexual comments or questions, jokes, taunting, teasing, and expressions of affection.
- Physical misconduct: E.g., kissing, hair stroking, tickling, frontal hugging, fondling, and sexual assault.
- Online predatory behavior may include sextortion, i.e., threats to distribute private / sensitive material if not provided images of a sexual nature, sexual favors, or money.
- Even when ASM is not criminal, it often violate other laws (e.g., child welfare, Title IX), regulations and professional codes of conduct in the education setting (U.S. GAO, 2014).

Adult Sexual Misconduct

Indicators

- Inappropriate preferential treatment of a student
- Excessive time spent alone with a student
- Time with student outside of class or school functions
- Time in private spaces with students
- Driving student to/from school
- Visits to student's home
- Acting as confidante to student
- Inappropriate calls, texts, email, social media to student
- Overly affectionate or flirtatious behavior with student
- Other students suspect improper relationship

Source: National Child Advocacy Center

Stalking: Definition

Stalking is a:

- Pattern of behavior (or course of conduct)
- Directed at a specific person
- That would cause a reasonable person
- To feel fear.

Stalking: Code of Virginia

§ 18.2-60.3. Stalking; penalty.

A. Any person ... who on more than one occasion engages in conduct directed at another person with the intent to place, or when he knows or reasonably should know that the conduct places that other person in reasonable fear of death, criminal sexual assault, or bodily injury to that other person or to that other person's family or household member is guilty of a Class 1 misdemeanor. If the person contacts or follows or attempts to contact or follow the person at whom the conduct is directed after being given actual notice that the person does not want to be contacted or followed, such actions shall be prima facie evidence that the person intended to place that other person, or reasonably should have known that the other person was placed, in reasonable fear of death, criminal sexual assault, or bodily injury to himself or a family or household member.

Stalking Prevalence and Risks

- **Over 25 million people have been stalked in the United States over the course of their lifetimes.**

More than **1 in 6**
WOMEN

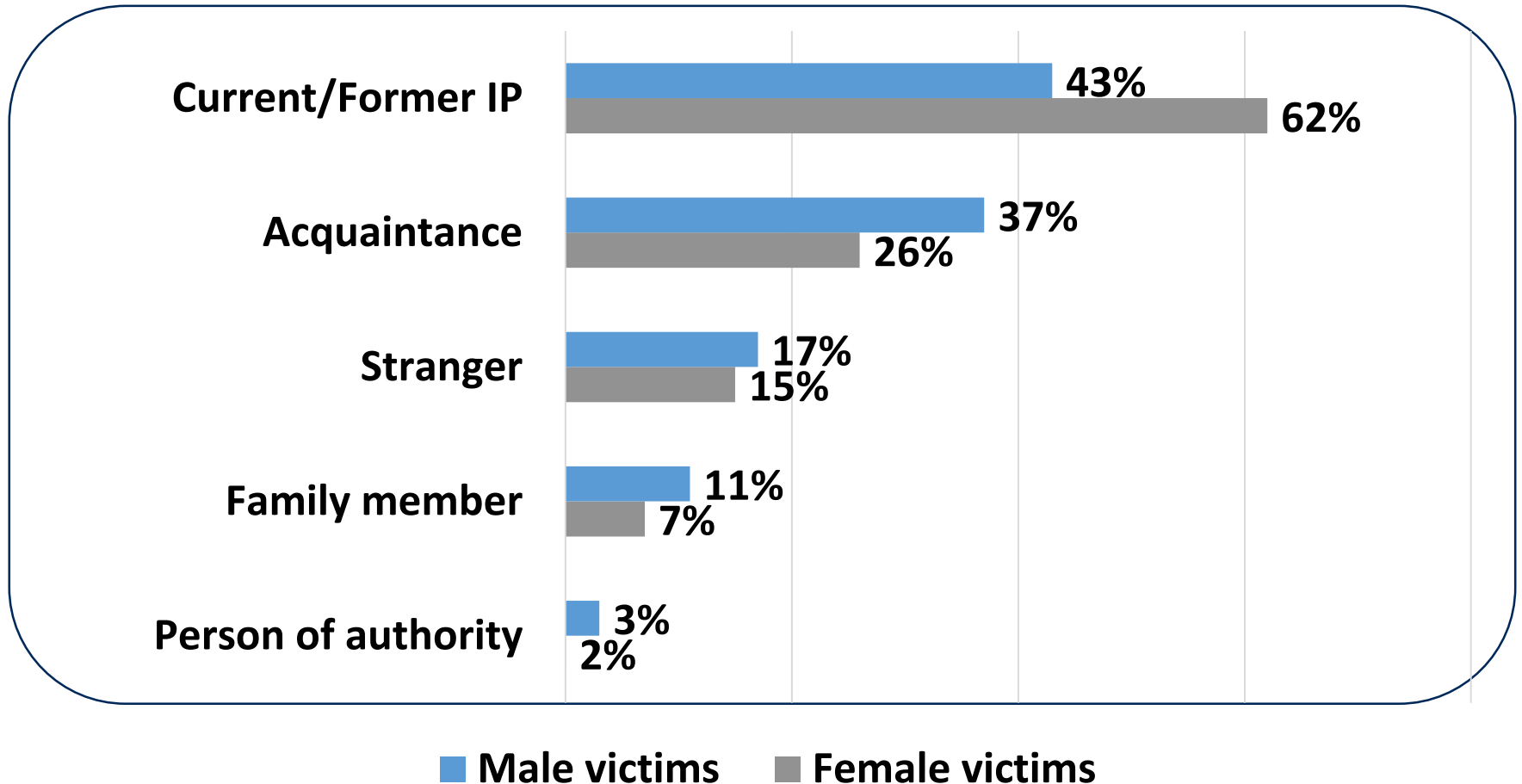


More than **1 in 17**
MEN



Smith, S.G., Zhang, X., Basile, K.C., Merrick, M.T., Wang, J., Kresnow, M., & Chen, J. (2018). The National Intimate Partner and Sexual Violence Survey (NISVS): 2015 Data Brief. Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention.

Victim and Offender Relationships



Smith, S.G., Chen, J., Basile, K.C., Gilbert, L.K., Merrick, M.T., Patel, N., Walling, M., & Jain, A. (2017). The National Intimate Partner and Sexual Violence Survey (NISVS): 2010-2012 State Report. Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention. Retrieved from <https://www.cdc.gov/violenceprevention/pdf/NISVS-StateReportBook.pdf>

Stalking by School Staff

NEWS

Former Olathe teacher charged with stalking young victim in Johnson County

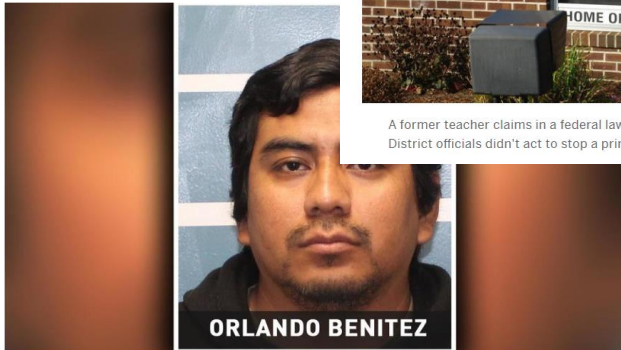


by: Karra Small
Posted: Jun 12, 2020 / 05:31 PM CDT / Updated: Jun 12, 2020 / 05:

OLATHE, Kan. — A former Olathe elementary school teacher in Johnson County.

Former Lindsay High School teacher given prison time for stalking students

by FOX26 NEWS | Thursday, August 29th 2019



Former Lindsay High School teacher given prison time for stalking students. (Booking photo: Tulare County Sheriff's Office)

Morris

N.J. high school math teacher charged with stalking and harassing student

Updated Aug 22, 2019; Posted Aug 21, 2019



Teacher who claims principal stalked, harassed her sues central Pa. school district in federal court

Posted Nov 04, 2019



A former teacher claims in a federal lawsuit that East Pennsboro Area School District officials didn't act to stop a principal from harassing her.

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| 4:48 PM



Robert John Herzog, an assistant principal at Cooper City High School, has been arrested and accused of stalking the mother of his child.



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Context is Critical



What's so scary about a cup of coffee?

www.StalkingAwareness.org



Victim Responses: Is it Fear?

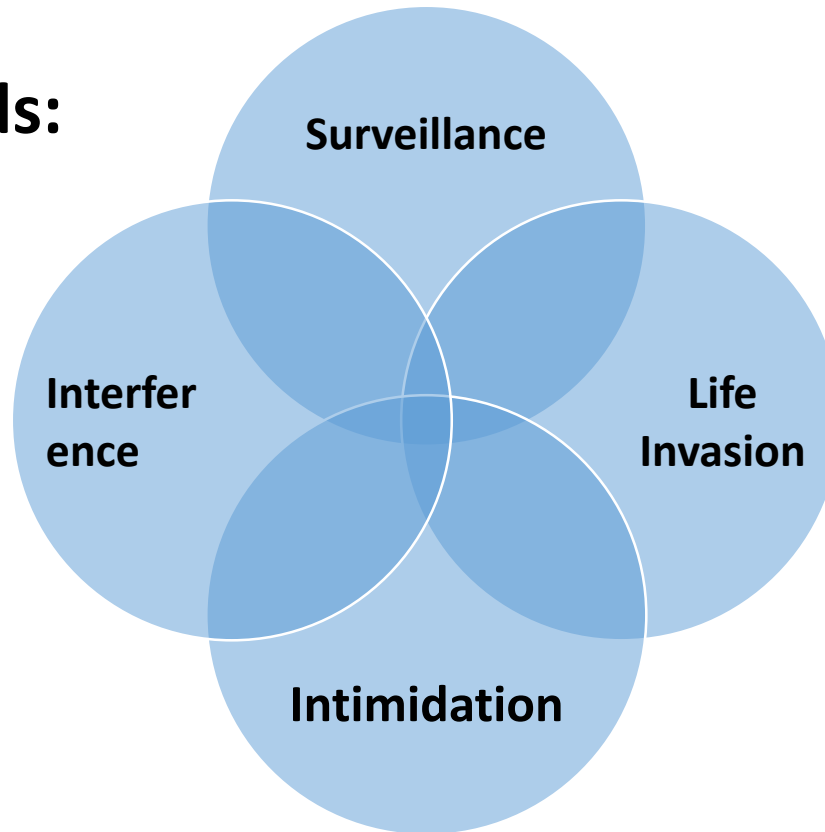
How does a fearful person act?

- What do you look like?
- What emotions do they express?
- Why would they state that they are not afraid?

Identifying Course of Conduct

Core Stalking Methods:

- Surveillance
- Life invasion
- Interference
- Intimidation



Logan, T.K. & Walker, R. (2017). Stalking: A Multidimensional Framework for Assessment and Safety Planning, *Trauma, Violence and Abuse* 18(2), 200-222.

Exercise: Stalking Behaviors

SLII Examples

Surveillance

- Follow
- Watch
- Wait
- Show up
- Tracking software
- Obtain information about victim
- Proxy stalking

Life Invasion

- Unwanted contact at home, work, etc.
- Phone calls
- Texts, email
- Social media
- Property invasion
- Public humiliation
- Harass friends/family

SLII Examples

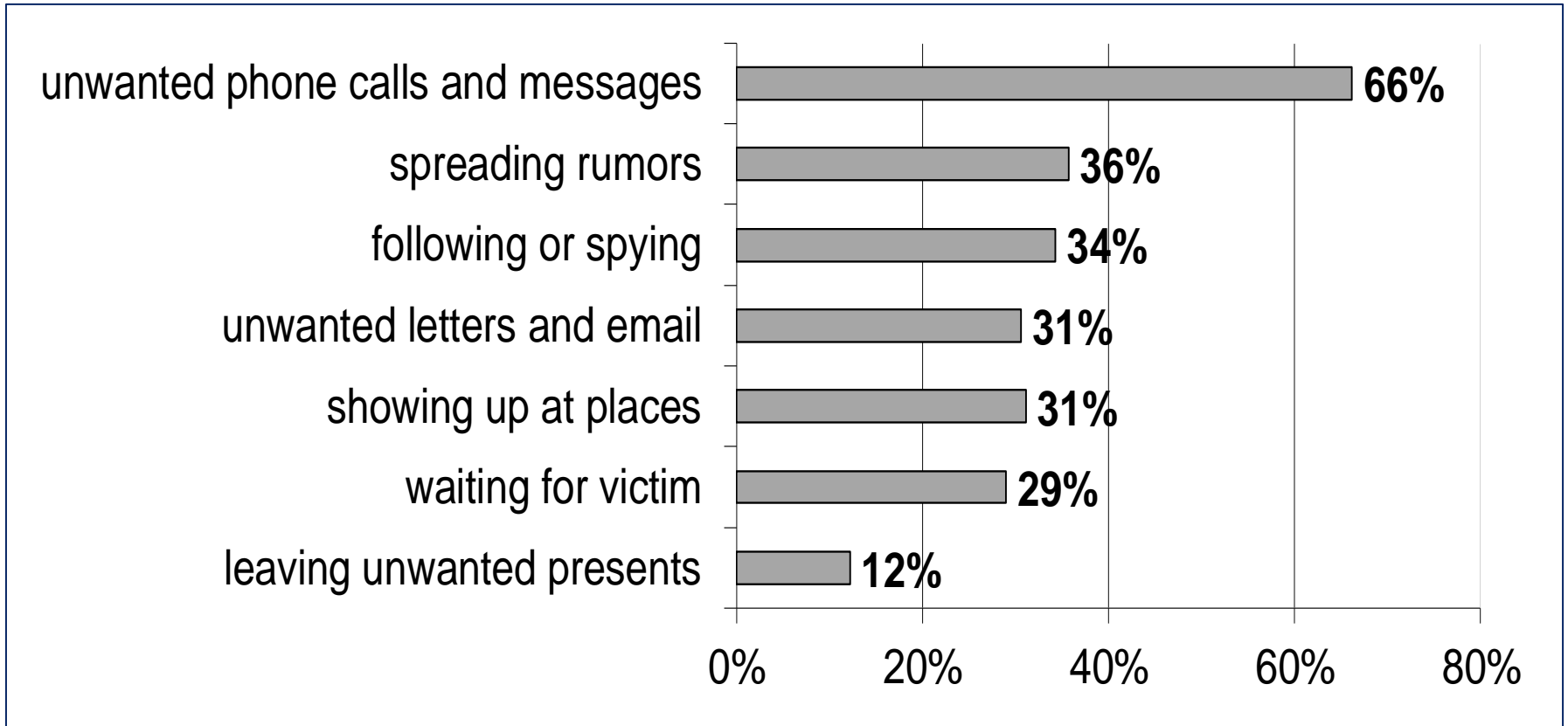
Interference

- Financial and work sabotage
- Ruining reputation
- Custody interference
- Keep from leaving
- Road rage
- Attack family/friends
- Physical/sexual attack

Intimidation

- Threats
- Property damage
- Forced confrontations
- Threaten or actually harm self
- Threats to victim about harming others

Stalking Behaviors



Baum, K., Catalano, S., Rand, M. (2009). *Stalking Victimization in the United States*. Washington, DC: Bureau of Justice Statistics. Retrieved from <https://www.justice.gov/sites/default/files/ovw/legacy/2012/08/15/bjs-stalking-rpt.pdf>.

Motivation: Why Do They Stalk?

Seeking Affection

Power & Control

Rejection

Obsession

Planning to commit a crime

Because they can

Zona Stalking Typology

Simple Obsessional

- Most common, following prior relationship end or
- Perceived mistreatment

Love Obsessional

- No prior relationship; intense desire for victim
- High rates of severe mental illness

Erotomaniac

- Delusional belief in being loved by victim

Zona, M., Palarea, R. & Lane, J. (1998). Psychiatric diagnosis and the offender–victim typology of stalking. In J. R. Meloy (Ed.), *The psychology of stalking: Clinical and forensic perspectives* (p. 69–84). Academic Press.

Mullen, et al Stalking Typology

Rejected

- Severed relationship

Resentful

- Perceived mistreatment, injustice, humiliation

Intimacy-seeking

- Perceived / desired relationship (can be delusional)

Incompetent

- Seeking relationship with poor skills

Predatory

- Obtain sexual / sadistic gratification

Mullen, P.E., Pathy, M., & Purcell, R. (2000). *Stalkers and Their Victims*.

RECON Stalking Typology

I. Previous Relationship, Private Figure Context Salient

- A. Intimate: Marriage, cohabiting, dating/sexual
- B. Acquaintance: Employment-related, affiliative/friendship, customer/client

II. No/Limited Contact Previous Relationship

- A. Public figure: Pursuit of public figure victim by subject in the absence of subject having had direct contact or only very incidental/limited contact
- B. Private Stranger: Pursuit of a private figure victim by subject after incidental contact with victim in private figure context

Mohandie, K., Meloy, J.R., Green McGowan, M., & Williams, J. (2006). *The RECON typology of stalking*: Journal of Forensic Sciences, 51, 147-155.

RECON Typology: Intimate

- 50% (502) of sample
- 94% male perpetrators, 95% female victims
- More violent criminal backgrounds
- Frequently approach targets and escalate quickly
- Most likely to insult, threaten (83%), interfere, and become violent (74%)
- Most likely to use weapons (28%)
- Over half will physically assault their target
- Highly likely to abuse alcohol and/or stimulants
- High frequency of suicidal ideation or behavior

Mohandie, K., Meloy, J.R., Green McGowan, M., & Williams, J. (2006). *The RECON typology of stalking*: Journal of Forensic Sciences, 51, 147-155.

RECON Typology: Intimate

- Rarely psychotic
- 11% stalk prior to relationship end
- 20% immediately after relationship ended but average was 4.5 months
- Most likely to reoffend (92%) and to do so quickly, within two months
- Depression and personality disorders contributory
- Reacting to rejection
- Prior sexual intimacy substantially increases the risk of personal violence in stalking cases
- Insecure attachment & intensity, account for violence

Source: © Mohandie, 1997-2013

RECON Typology: Acquaintance

- 13% (129) of sample
- 21% of this group were female
- 33% will assault target or
- 50% will damage property
- If they threaten, they do so repeatedly.
- Stalking likely to be indirect and sporadic, but relentless, enduring almost two years
- Seeking to initiate a relationship
 - less intense attachment may account for less violence
- Mixture of Axis I and II relationships, among females, heavy preponderance of Borderline Personalities

Source: © Mohandie, 1997-2013

RECON Typology: Public Figure

- 27% of sample
- Greater proportion of female stalkers and male victims, but males still the majority
- Older, less criminal history,
- Most likely to be psychotic
- Histories of major mental disorder and substance use
- Expressing a desire for love or help
- Least likely to threaten or be violent (2%)
- Majority recidivate, but typically take longer
- Psychosis does not necessarily interfere with ability to plan and be purposeful

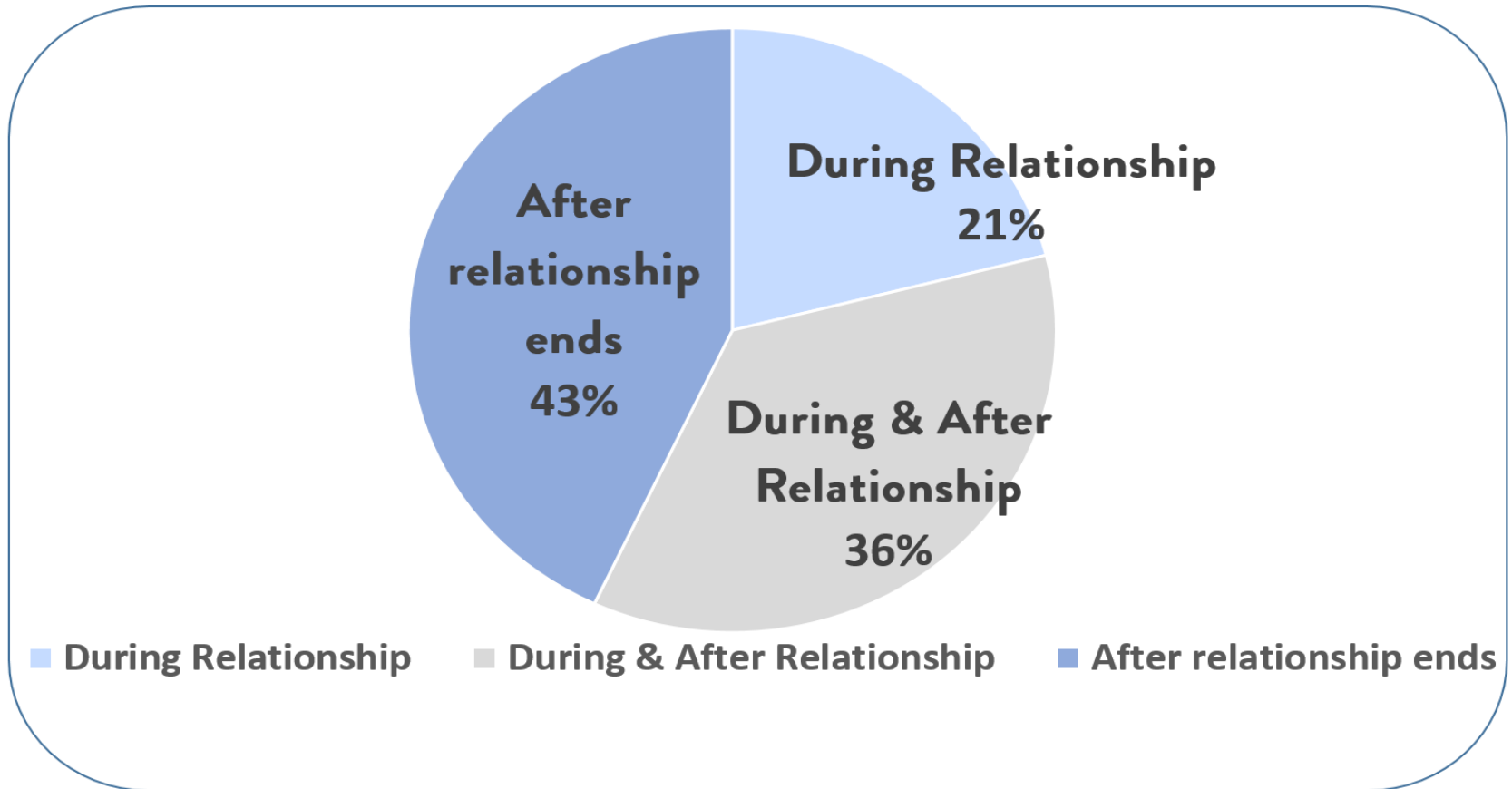
Source: © Mohandie, 1997-2013

RECON Typology: Private Stranger

- 10% of stalkers
- Majority are mentally ill men who evidence suicidality
- Violence risk: Midway between Intimate and Public Figure Stalkers (36%)
- Less likely to abuse drugs and have violent criminal histories
- Direct, proximity based, and frequent pursuers, often appearing to simply want to communicate with target
- Half threaten and nearly 1/3 will be violent to target or property, 1 out of 7 will assault
- Recidivism risk is moderate and slow

Source: © Mohandie, 1997-2013.

Point When Stalking Occurs



Tjaden, P. & Thoennes, N. (1998). *Stalking in America: Findings from the national violence against women survey (NCJ#169592)*. Washington, DC: National Institute of Justice Centers for Disease Control and Prevention. Retrieved from <https://www.ncjrs.gov/pdffiles/169592.pdf>.

Intersection of Stalking & Sexual Assault

A stalker may:

- Threaten to sexually assault the victim
- Sexually assault the victim
- Attempt to get someone else to sexually assault the victim

Craigslist Case

Kenneth Kuban posted at least 165 ads in Craigslist "casual encounters" section posing as his ex-girlfriend.



Impact on Victims

- PTSD
- Flashbacks and intrusive recollections
- Nightmares
- Depressed mood
- Suicidal thoughts
- Easily frightened/startled

Basile, Swahn, Chen, & Saltzman, (2006). American Journal of Preventive Medicine, 31.

Stalking and Dangerous

- Violence frequency: 25-50%
 - Homicide rate: 0.4 – 2%
 - Note: National homicide rate is @ 0.01%
- Over 1 in 5 stalking cases involve a direct attack on the victim.
- Over 1 in 5 stalkers use a weapon to threaten or harm their victims.
- 76% of femicide victims were stalked before being murdered.

McFarlane, J., Campbell, J.C., Wilt, S., Ulrich, Y., & Xu, X. (1999.)
Stalking and Intimate Partner Femicide. *Homicide Studies* 3 (4), 300-316. Retrieved from
http://ncdsv.org/images/HomicideStudies_StalkingAndIntimatePartnerFemicide_11-1999.pdf.

Increased Risk for Victims

Intimate Partner Stalkers:

More likely to physically approach victim

More insulting, interfering and threatening

More likely to use weapons

Behaviors more likely to escalate quickly

More likely to re-offend

Mohandie, K., Meloy, J.R., McGowan, M.G., & Williams, J. (2006). The RECON Typology of Stalking: Reliability and Validity Based upon a Large Sample of North American Stalkers. *Journal of Forensic Sciences*, 51 (1), 147-155.

Lethality Risk

Physical
Abuse

Stalking



**Greater risk of
lethality
than either behavior
alone.**

Lethality Risk Factors: DV

Perpetrator Lethality Risk Factors:

- Stalking
- Strangulation; attempts to “choke”
- Threats to kill the victim
- Threats to kill that the victim believes or fears
- Threats to kill that are conveyed to others
- Threats of suicide
- Forced sex or pressuring for sex even when separated
- Serious injury to the victim
- Carries, has access to, uses, or threatens with a weapon

Lethality Risk Factors: DV

Perpetrator Lethality Risk Factors:

- Violence outside of the home
- An increase in frequency, severity, or type of violence over recent months
- Almost daily impairment by alcohol or drugs
- Estrangements, separations, and reunions
- Failure of prior interventions to affect the offender
- Prior arrests, law enforcement calls, and/or protection order(s)

Lethality Risk Factors: DV

Victim Lethality Risk Factors:

- The victim attempting a permanent break
- Estrangements, separations, and reunions
- A victim who expresses fear of threats to kill
- A victim making no attempt to leave despite severe abuse

Lethality Risks

76%

- Femicide by intimate partner
- At LEAST 1 episode of stalking within year prior to murder

85%

- **Attempted** femicide by intimate partner
- At LEAST 1 episode of stalking within year prior to attempted murder

McFarlane, J., Campbell, J.C., Wilt, S., Ulrich, Y., & Xu, X. (1999.) Stalking and Intimate Partner Femicide. *Homicide Studies* 3 (4), 300-316. Retrieved from http://ncdsv.org/images/HomicideStudies_StalkingAndIntimatePartnerFemicide_11-1999.pdf.

Stalking Persistence & Recurrence

Persistence:

- Impact of Delusions
 - Acquaintances: Increased persistence
 - Strangers: Decreased persistence

Recurrence

- Personality disorders, esp. bipolar, narcissistic, etc
- Age > 30
- High criminality
- Acquaintance
- Erotomanic delusions

McEwan, Daffern, MacKenzie & Ogloff. J. (2017). *Forensic Psychiatry and Psychology*, 28, 38-56.

Threat Assessment: Tools and Considerations

Threat Assessment Tools: DV

- Danger Assessment
- Idaho Risk Assessment of Dangerousness
- Lethality Assessment Program
- Mosaic
- Ontario Domestic Abuse Risk Assessment (ODARA)
- Spousal Abuse Risk Assessment (SARA)
- Virginia Bench Guide for Recognizing Dangerousness

VA Bench Guide for Dangerousness

Perpetrator Related Factors:

- Ever used or threatened victim with a lethal weapon
- Has attempted to strangle or choke the victim
- Is violently and constantly jealous of the victim
 - E.g. “If I can’t have you, no one can.”
- Has forced victim to have unwanted sex
- Owns or has access to firearm(s)
- There has been an increase in severity or frequency of physical violence over the last year

VA Bench Guide for Dangerousness

Perpetrator Related Factors:

- Tries to control most or all of victim's daily activities
- Uses illegal drugs such as "uppers," "meth," speed, angel dust, cocaine, "crack," etc.
- Is an alcoholic or a problem drinker
- Ever threatened or tried to commit suicide
- Ever threatened or tried to kill the alleged victim
- Follows or spies on the victim

VA Bench Guide for Dangerousness

Perpetrator Related Factors:

- Threatened to harm the alleged victim's children
- Unemployed
- Avoided being arrested for domestic violence
- There are pending or prior protective orders, criminal/civil cases involving perpetrator

VA Bench Guide for Dangerousness

Victim Related Factors:

- Believes that the perpetrator will re-assault or is capable of killing her/him
- Was assaulted and/or battered by the perpetrator while pregnant
- Has a child that is not the perpetrator's child
- Left the perpetrator after living together in the past year
- Has threatened or tried to commit suicide

Threat Assessment Tools: Stalking

- Domestic Abuse, Stalking and Harassment and Honour Based Violence (DASH)
- Screening Assessment for Stalking & Harassment (SASH)
- Guidelines for Stalking Assessment & Management (SAM)
- Stalking and Harassment Assessment & Risk Profile (SHARP).

SHARP Assessment

[Home](#) | [Faculty Information](#) | [Resources](#) | [Reports](#) | [Presentations](#) | [SHARP](#)



Latest Reports

For a quick reference on stalking check this out!

[Stalking: Connecting the Dots For Advocates](#)

[Stalking: Connecting the Dots For Judges](#)


[Stalking: Connecting the Dots For Law Enforcement](#)

[Stalking: Connecting the Dots For Victims](#)

[Stalking: Connecting the Dots For Friends](#)

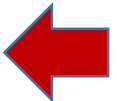


Stalking and Harassment Assessment & Risk Profile (SHARP)

 [Frequently Asked Questions About the Stalking and Harassment Assessment & Risk Profile \(SHARP\)](#)

 [Enter a Stalking and Harassment Assessment & Risk Profile \(SHARP\)](#)

 [Leave Feedback about SHARP](#)



www.coercivecontrol.org

Documentation Log

Date	Time	Description of Incident	Location of Incident	Witnesses	Impact	Police called (Report #)	Officer Name (Badge #)

Threat Management: Considerations

Stalking, Restraining Orders & Risk

Meta-analysis of stalking & violence:

- 42 studies found average of 33% violence rate
- 17 studies found 10% sexual violence rate

Restraining Orders in stalking cases:

- 32 studies found restraining orders were violated 40% of time
- Perceived worsening 21% of time

Spitzberg (2002): Meta-analysis of 70,000 participants from 108 samples across 103 studies

Safety Planning

Consider Dynamics of Stalking:

- The possibility of escalation
- The variety of behaviors a stalker may engage in
- Maintaining contact may be a part of a safety plan

Purposes of Safety Plan

- Risk Reduction
 - Reduce vulnerability / increase safety
- Empowerment
 - Coping skills, autonomy and control
- Resources
 - Services

Safety Planning for School or Work

Help Victim Consider:

- Give name and picture of stalker to security and friends at work and school.
- Changing routes to and from school (work)
- Adjust hours (if possible)
- Have a colleague or security walk victim to car/transportation
- Make sure school, work & friends know not to provide contact information

Safety Planning for School or Work

Help Victim Consider:

- If there is a protective order against the stalker:
 - Keep a copy of protective order with you AND
 - Provide a copy to school admin/SRO/security
- Save any voicemails, text messages and e-mails
- Work with security to acquire any records/logs of the stalker being present on campus/at work

Safety Planning for Home

Consider:

- Inform neighbors and/or apartment managers about the situation.
- Provide a photo/description of stalker as well as a photo of the stalker's vehicle.
- Pack a bag with important items in case need to leave quickly.
- Identify escape routes out of your house.
 - Teach them to children.
- Change locks and upgrade home security system, if possible
- Consider installing your own camera to capture evidence of the stalker's behaviors.
- Photograph evidence of property damage

Safety Planning for Technology

Consider:

- Update passwords to accounts frequently
- Change answers to security questions so stalker can not reset your password or gain access to the account
- Adjust default settings on phone, apps and websites so that your location is not automatically shared
- Do an internet search on your name to make sure none of your personal information is posted by others. If you find information posted about you, notify the site's webmaster immediately and request that the information be removed.

Safety Planning for Technology

Consider:

- Don't give out your online identification information
- If the stalker has had access to your phone or computer, they may be monitoring via spyware, key logging software, or other means. In this case, a stalker can see any changes made. Consider:
 - Use another, safer device (for example, a friend's phone, the computer at a library)
 - Use a Virtual Private Network (VPN)
 - Acquire a new device (if feasible)

Safety Planning for Technology

Documentation:

- Take screenshots of all text or internet communications with the stalker. Consider apps that can assist you in taking screenshots of long text conversations.
- Get a second camera to capture messages and/or photos that disappear or might notify the sender when a screenshot is taken
- Get phone records from your phone company to demonstrate frequent calls
- Keep track of the stalker's behaviors by writing down every incident in a Documentation Log

Conclusion

Stalking is defined as a course of conduct directed at a specific person that would cause a reasonable person to feel fear

Context is critical in stalking cases

Stalking behaviors include Surveillance, Life Invasion, Interference and Intimidation (SLII)

The majority of stalkers and victims know each other.

Stalking intersects with other crimes including domestic and sexual violence

There are tools you can use to improve your response to stalking

Threat Management & Title IX: Considering the Nexus

Title IX

Title IX of the U.S. Education Amendments of 1972:

- Prohibits discrimination on the basis of sex in any educational organization that receives federal funds.
 - Sexual harassment
 - Domestic / dating violence
 - Stalking
 - Adult sexual misconduct
 - Sexual assault
- School divisions that receive federal funds must designate an employee to oversee Title IX requirements, act as a point of contact for sexually related complaints, and coordinate investigation.

Title IX: Definition of Sexual Harassment

Conduct on the basis of sex, involving any of:

- an employee conditioning the provision of an aid, benefit or service on an individual's participation in unwelcome sexual conduct (i.e., quid pro quo)
- unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to an education program or activity (i.e., hostile environment)
- sexual assault (as defined by Clery Act), or "dating violence," "domestic violence" and "stalking" (as defined by Violence Against Women Act)

Title IX: First Response

First Response / Supportive Measures Requirements:

- Title IX Coordinator or designee must:
 - promptly contact the complainant to discuss the availability of supportive measures
 - consider the complainant's wishes with respect to supportive measures
 - inform the complainant of availability of supportive measures with or without filing a complaint
 - explain to the complainant the process for filing a formal complaint

Title IX: Supportive Measures

Supportive Measures:

- restore or preserve access to the school's education program or activity without unreasonably burdening the other party,
- protect the safety of all parties and the school's educational environment, and
- deter sexual harassment.

Title IX: Supportive Measures

May include:

- counseling,
- extensions of deadlines or other course-related adjustments,
- modifications of work or class schedules,
- safety escort services,
- mutual restrictions on contact between the parties,
- changes in work or housing locations,
- leaves of absence, and
- increased security and monitoring of certain areas of the campus.

BTAM Team & Title IX Process

Title IX investigations can involve ongoing safety concerns to:

- Victim(s) / complainant(s)
- Subject(s) / respondent(s)
- Witness(es)
- Title IX Staff
- Investigators
- Administrators

Coordinate with Threat Assessment Team

BTAM Team & Title IX Process

Threat assessment investigations that involve dating violence, domestic violence, sexual assault, and/or stalking need to involve:

- Trauma-informed interviewing
- Referral to Title IX coordinator
- Coordinated investigations / intervention plans

BTAM Team & Title IX Process

Need for Collaboration

- Failure to coordinate can lead to:
 - Multiple unnecessary contacts with victim to obtain the same information
 - Compartmentalized information
 - Disjointed safety or intervention efforts
- Coordinated efforts can yield enhanced information-sharing and integrated safety efforts

Interviewing: Planning & Approach

Exercise: Interview Planning

Exercise: Effective Interviewing

IF you were to open up and talk about the situation:

- To whom would you be most willing to talk? Why?
- In what setting?
- How would the interviewer approach you to help you be more at ease?
- What about the attitude of the interviewer makes it easier to talk?
- What about their style of asking questions makes it easier to discuss things?
- What might inhibit you from lying or distorting things?
- What might cause you to shut down?

PEACE Model

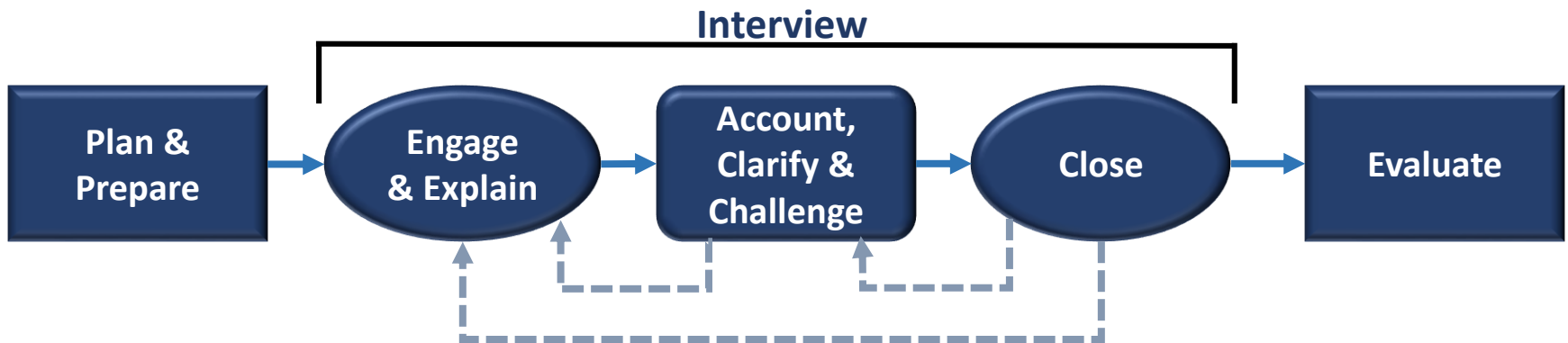
Plan & Prepare

Engage & Explain

Account, Clarify & Challenge

Close

Evaluate



PEACE Model: Planning & Preparation

Planning:

- Review available facts and information
 - What information is needed?
- Who needs to be interviewed?
 - Goals and topics to be addressed
- Consider Interviewee:
 - Role: Reporting party, witness, target/victim, subject, etc.
 - Background and relationship to subject
 - Prior involvement in cases: TAM, discipline, police, etc.

PEACE Model: Planning & Preparation

Planning:

- Interview with two persons when possible
- Who will conduct the interview?
 - Role: Team member, law enforcement, key gatekeeper, other
 - Relationship: Natural connection?
 - Relevant skills
- What training, experience, preparation, or mentoring will be necessary to support an effective approach?
- What laws/rules may be relevant?

PEACE Model: Planning & Preparation

Preparation:

- Conduct interview in timely manner
- Interview witnesses separately
- Determine primary interviewer and backup
- Identify goal(s) for interview
- Select environment/location for interviews
 - Minimize distraction
 - Privacy
 - Comfort of interviewee
- Have resources available
 - Room, notepad, recording(?)

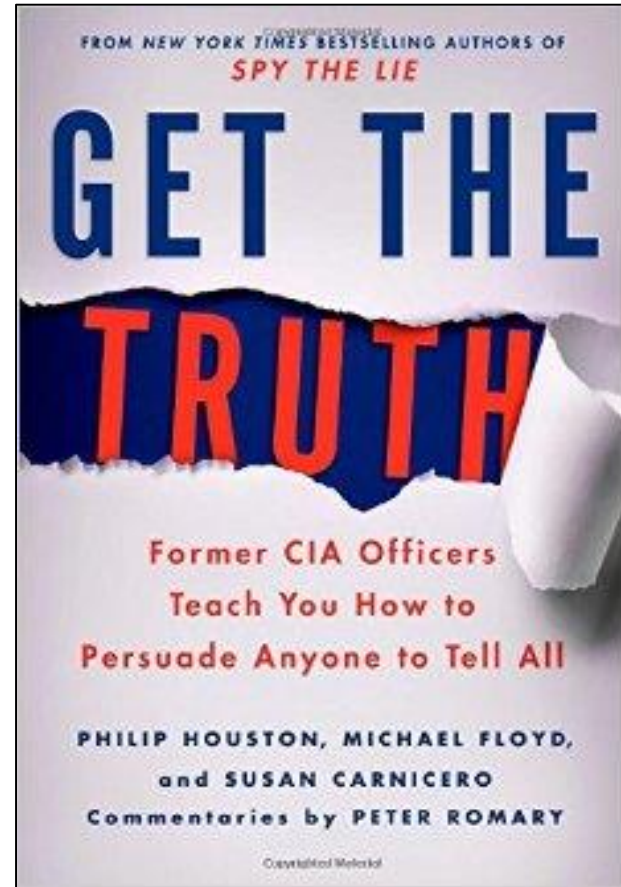
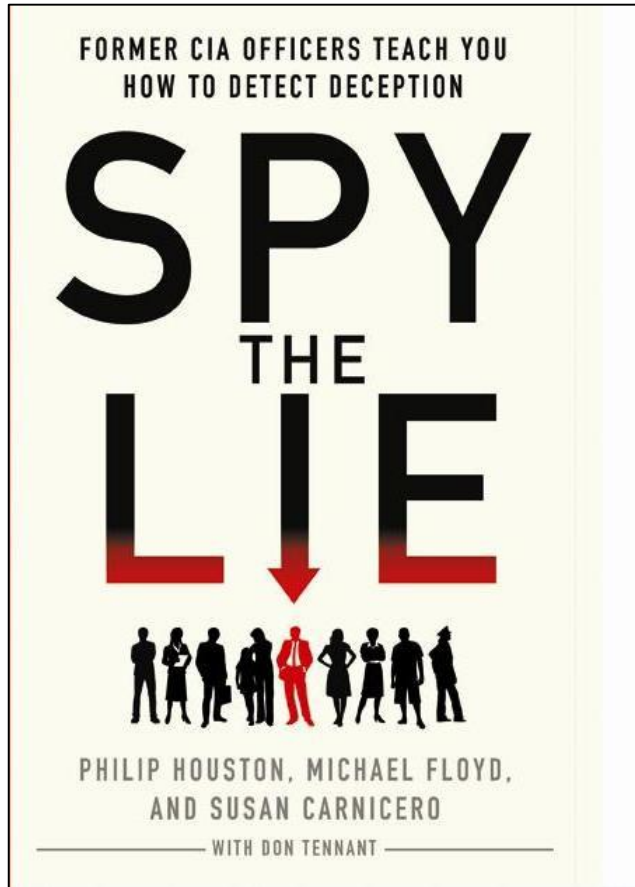
Interviewing Planning

Consider Goals:

- Information gathering and assessment
- Redirect from violence / targets
- Problem solving / support
- Set boundaries / limitations
- Admonishment / confrontation
- Intervention / referral
- Monitoring
- Deterrence

Resources for Interviewing

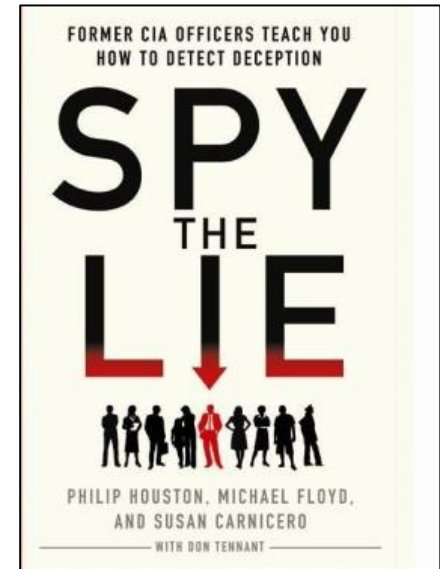
www.QVerity.com



© Phil Houston, Michael Floyd, and Susan Carnicero (2012 / 2015)

Strategies for Interviewing

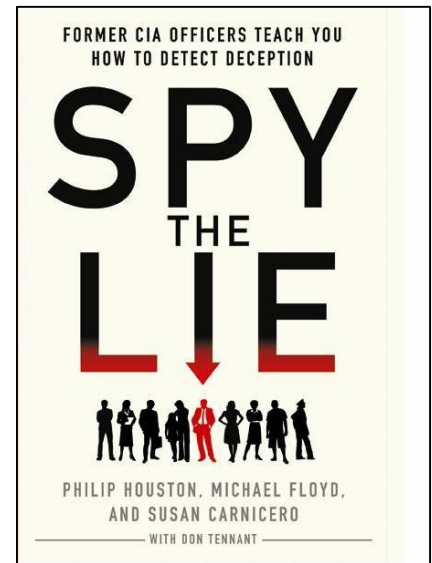
- Maintain non-adversarial demeanor
- Know in advance about confidentiality
- Interview away from high-traffic areas
- Interview with a colleague when possible
- Position yourself as a potential ally
- Do not over-promise
- Try not to react negatively to information
- Allow enough time for person to respond fully
- Focus is on information-gathering



Source: P. Houston, M. Floyd & S. Carnicero (2012). Spy the Lie. New York: St. Martin's Press.

Interviewing Planning

- Plan strategy in advance
- Plan questions in advance
- Identify & phrase essential question(s) to ask
- Identify best person(s) to conduct interview
- Open-ended questions are fine
- Avoid closed-choice questions
- Avoid leading questions
- Allow person sufficient time to respond
- Know when to ask again or follow up.



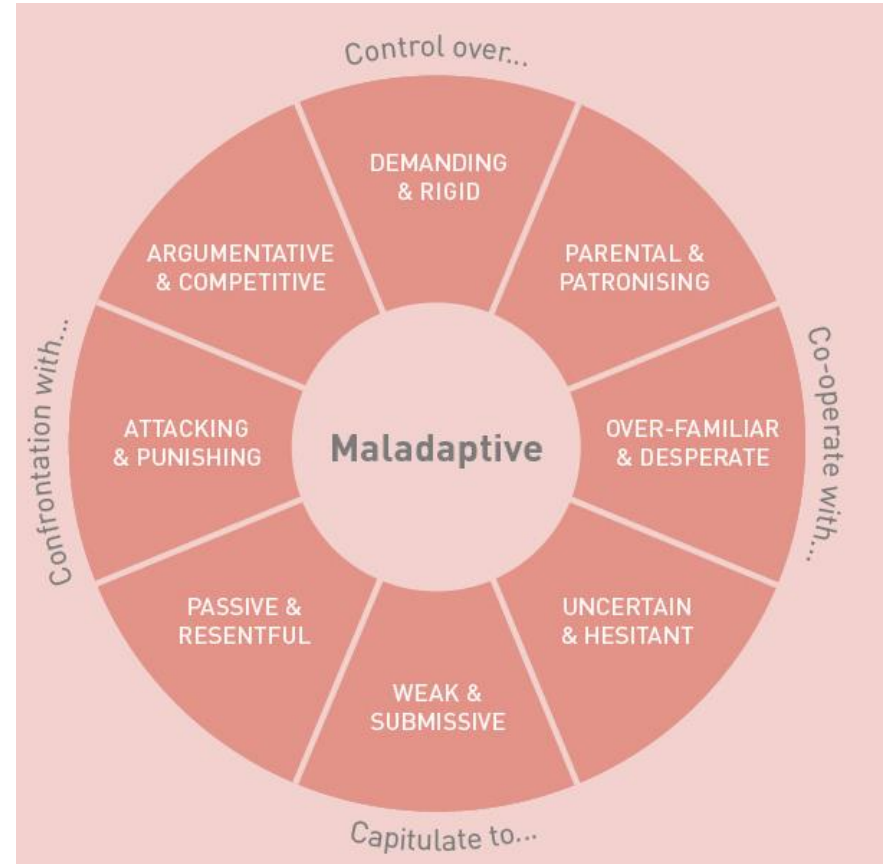
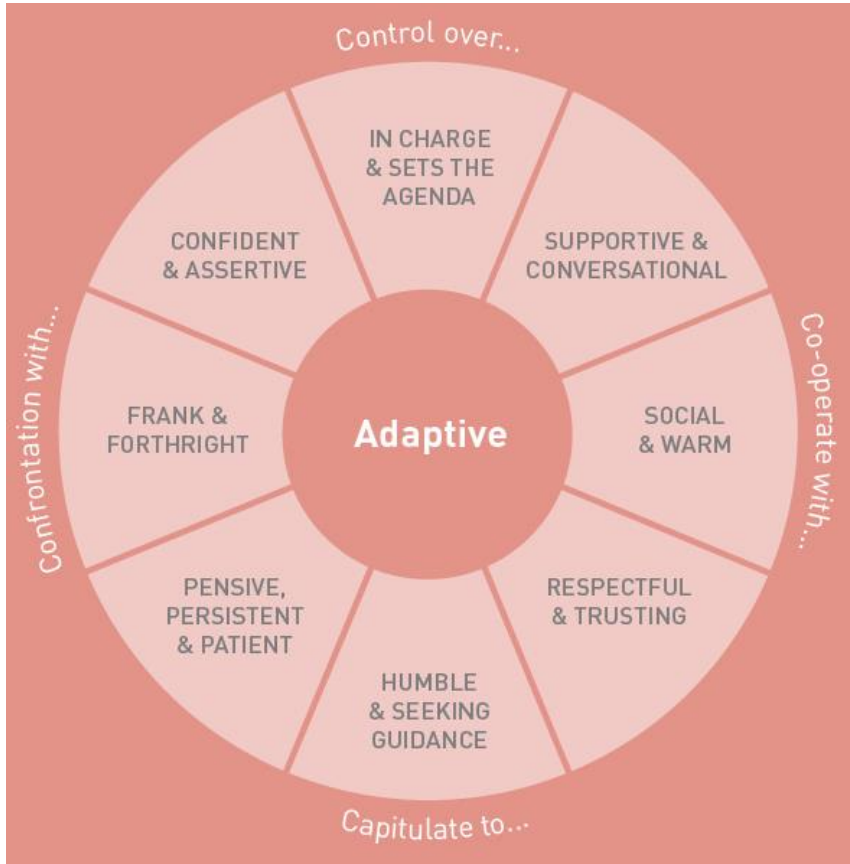
Source: P. Houston, M. Floyd & S. Carnicero (2012). Spy the Lie. New York: St. Martin's Press.

PEACE Model: Engage & Explain

Engage the Interviewee

- Personalize contact and the interview
- Build and establish rapport
 - Autonomy: Respect choice
 - Acceptance
 - Adaptation
 - Evocation
 - Empathy: Show understanding & concern
- Awareness of Posture & Tone:
 - Cooperative, relaxed, focused
- Normalize interview anxiety
 - Acknowledge discomfort about sharing information

Effective Interviews: Building Rapport



Source: Alison, L., Humann, M. & Waring, S. (2016). Building Good Rapport in Interviews. CREST Security Review, Summer 2016, Issue 01. Available at: <https://crestresearch.ac.uk/comment/building-good-rapport-in-interviews/>

PEACE Model: Engage & Explain

Explain the Process & Purpose of the Interview

- Set context
 - Identify interviewers
 - Explain purpose of interview
 - Outline relevant rights and responsibilities
- Encourage interviewee to volunteer all information
 - They will be asked to share all that they know
 - Don't edit or leave anything out
 - Take the time needed to think
 - Focus and concentrate to recall as much as possible
 - Interviewer may follow-up to clarify understanding
 - Ask for clarification if they don't understand
- Check if interviewee understands or has questions

PEACE Model: Account, Clarify & Challenge

Account

- Ask for free and uninterrupted account
 - *Tell me all you know related to this*
 - *Explain how, when, where, what things happened*
 - *Describe in detail everything you know*
 - *Take the time you need*
- **Listen Actively!**
 - Use open-ended questions
 - Minimize interruptions & questions through free recall
 - Encouragers: verbal and non-verbal
 - Observe interviewee behavior

PEACE Model: Account, Clarify, Challenge

Clarify

- Note issues/areas for clarification or elaboration
 - Use open-ended questions to probe
 - Explain how, when, where, what things happened
 - Tell me more about...
 - Follow with closed questions where necessary for clarity
- Consider tools to facilitate elaboration/recall
 - Self generated clues:
 - Timeline of behaviors and people
 - Mental reinstatement of context
- Listen Actively!
 - Encouragers: verbal and non-verbal

PEACE Model: Account, Clarify & Challenge

Challenge

- Note issues/areas that appeared evasive/deceitful
- Minimize confrontation/competition
- Focus on engaging and drawing out
 - Normalize difficulty discussing topics
 - Identify inconsistencies: “Help me understand...”
 - Consider unexpected questions
 - Consider confronting with evidence *
- Listen Actively!
 - Remain neutral & non-judgmental: Working to understand
 - Encouragers: verbal and non-verbal
 - Use silence effectively

PEACE Model: Close

Close the Interview:

- Thank interviewee for assistance
- Summarize key information/findings
- Invite interviewee to ask questions or make comments
- Outline next steps in process/investigation
- Solicit interviewee willingness to help the process
- Check interviewee status/needs

PEACE Model: Evaluate

Evaluate Information Obtained

- Consider how the interviewee's account fits in with the rest of the inquiry
- Consider the interviewer's performance & demeanor.
- Identify gaps, inconsistencies
- Determine next steps
 - Further inquiry and interviews
 - Interventions and referrals

Interviewing: Key Resources

CREST (Centre for Research & Evidence on Security Threats). Available at:
<https://Crestresearch.ac.uk>.

Geurts, R., Ask, K., Granhag, P., Vrij, A. (2017). Eliciting information from people who pose a threat: Counter-interview strategies examined. *Journal of Applied Research in Memory & Cognition*, 6, 158-166.

Houston, P., Floyd, M., & Carnicero, S. (2012). *Spy the Lie*. New York: St. Martin's Press.

Houston, P., Floyd, M., & Carnicero, S. (2014). *Get the Truth*. New York: St. Martin's Press.

International Assoc. of Chief of Police. (2017). *Successful Trauma Informed Victim Interviewing*. Washington DC: Author. Available at:
<https://www.theiacp.org/resources/document/successful-trauma-informed-victim-interviewing>.

Van der Meer, B. (2020). Source interviewing in a threat management context. In R. Meloy and J. Hoffman (eds.) *International Handbook of Threat Assessment 2nd Edition*. New York: Oxford.

Utilizing Violence Risk Assessments: Supplementing the BTAM Process

TAM vs Violence Risk Assessment

Contrasting TAT & Violence Risk Assessment:

	Threat Assessment	Violence Risk Assessment
Evaluator	School/Campus Staff	Mental Health Professionals
Context	Guide operational decisions	Assist legal decision-making
Process	Longitudinal	Discrete event
Goal	De-escalate risk of subject, protect targets	Management of subject
Structure	Flexible: Individually & contextually focused	Fixed: Group focused
Perspective	Dynamic & situational	Static & Historical

Adapted from: Meloy, Hart, & Hoffmann (2014). Threat Assessment and Threat Management in J.R. Meloy & J. Hoffmann (eds.). *International Handbook of Threat Assessment*. New York: Oxford.

Nexus of Violence Risk Assessment & TAM

Utilizing the Violence Risk Assessment:

- Use violence risk assessment to inform the threat assessment & management process – not replace.
- The threat assessment process should also inform the violence risk assessment.

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Mandatory Assessments

Violence Risk Assessments

- Organizations may require subjects to undergo a mental health violence risk assessment to help determine if:
 - a direct threat exists or
 - the subject is otherwise qualified.
- Be careful not to overuse or misuse assessments.
- Be sure your mental health professional is qualified and understands the setting.

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Workplace Violence Standards

- Employers are NOT required to tolerate threatening or violent acts in violation of workplace violence standards.
- Sanctions may be imposed regardless of disability if the conduct standard is:
 - Job related
 - Consistent with business necessity
 - Imposed in a non-discriminatory manner

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Caution: Mental Health Evaluations

- Do not presume there is a mental illness or disability associated with behaviors of concern
- If there are behaviors that violate criminal statutes or conduct codes, that may be the most appropriate forum for addressing the concerns
- If an evaluation is appropriate, have a qualified professional performing the appropriate forensic evaluation, together with some understanding of the campus environment.

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Direct Threat

- In the employment context, individuals who pose a direct threat to the health and safety of themselves or others are “not otherwise qualified”.
- In the education context, a student who poses a direct threat to others is “not otherwise qualified”.

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Direct Threat

- Individuals with disabilities who pose a direct threat to the health or safety of themselves (or others) are “not otherwise qualified”.
- **"Direct threat"** means that one poses a significant risk to the health or safety of themselves (or others) that cannot be reduced or eliminated by reasonable accommodation.
 - Note: “Pose a risk to the health, safety or well-being of the campus community” (NACUA NOTES, 9/3/14; V12 No. 8.)
- **A significant risk** constitutes a high probability of substantial harm, not just a slightly increased, speculative, or remote risk" (OCR to De Sales.)

Direct Threat

- **A significant risk** constitutes a high probability of substantial harm, not just a slightly increased, speculative, or remote risk" (OCR to De Sales.)
 - Must be a reasonable belief that the subject would pose a significant risk of substantial harm.
 - Risk must be identified and current, and not speculative or remote.

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Direct Threat

Determination must be made on a case-by-case basis, utilizing an individualized and objective assessment considering the following factors :

- the nature, duration and severity of risk;
- the probability that potentially threatening injury actually will occur; and
- whether reasonable modifications of policies, practices or procedures will sufficiently mitigate the risk.

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Direct Threat

Criteria for Assessment

- Any assessment must be "...based on a reasonable medical judgment relying on the most current medical knowledge and/or the best available objective evidence" (OCR to DeSales).
- Assessments must not be based on stereotypes, myths, generalizations or conjecture about the future prognosis about certain types of disabilities.
- Incorporate “best evidence”: Observable behavior/conduct and medical advice.

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Direct Threat

Keys to a Robust Process

- May take adverse action if there is a “significant risk”
- Document your analysis
- Provide due process
 - Adequate notice of issues/actions
 - Opportunity to present evidence
 - Opportunity for appeal
- Have policies for mandatory assessment & involuntary (and voluntary) withdrawal
- Have an interactive dialogue about reasonable accommodations

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Benefits of Policies

Involuntary withdrawal and mandatory assessment policies have many benefits:

- Provides a consistent process and roadmap to follow in addressing subjects of concern
- Shows a deliberative, individualized and non-discriminatory foundation for actions taken
- May encourage subject to get help voluntarily to mitigate risk and increase the likelihood of personal, academic or work success
- In more severe cases, may encourage subjects to “voluntarily withdraw” with minimal academic/work impact, focus on obtaining treatment they need, and hopefully return to school/work successfully

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Common Challenges

Use of Evaluators with Questionable Expertise/Methods

- Evaluators have no, minimal, or irrelevant:
 - Education
 - Training
 - Experience
- Fail to conduct background on evaluators
- Fail to evaluate validity of methods
 - Are sources cited for methods and materials?
 - Are they relevant to your situation?
 - Are they reasonably thorough and diligent?
- Fail to judge reasonableness of conclusions & recommendations

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Qualified Mental Health Professional

- Evaluators should have relevant:
 - Education: E.g., Ph.D., MD., Psy.D., Ed.D.
 - Training
 - Experience; and

- Licensed mental health provider
 - Psychiatrist
 - Psychologist
 - Licensed Professional Counselor? AND

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Qualified Mental Health Professional

- Training and experience in conducting violence risk assessments
 - Training & experience in other specialized areas of assessment only may not adequately prepare a professional to perform a violence risk assessment. Such other areas include:
 - Fitness for duty evaluations
 - Disability evaluations
 - Forensic evaluations
- Independent of the organization

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Standards for Violence Risk Assessment

A thorough and diligent assessment:

- Utilizes & considers corroborative data from multiple sources
 - Should NOT rely solely on self-report of subject
- Utilizes multiple interviews with subject, preferably over at least 2 different days
- Utilizes relevant assessment strategies & tools
- Identifies gaps, unknowns and limitations in assessment
- Recommends realistic interventions and/or accommodations

Vetting a Potential Evaluator

Team should:

- Verify credentials
 - Degree
 - Licensure
 - Board Certification?
- Obtain summary of evaluator's training & experience
- Request & review outline of process/methods used
- Request & review sample evaluations

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Vetting a Potential Evaluator

Team should:

- Evaluate relevance and utility of methods, e.g.:
 - Are sources cited for methods and materials?
 - Are they relevant to the case at hand?
 - Are they reasonably thorough and diligent?
 - Are conclusions & recommendations reasonable?
- Clarify typical fees and availability
- Establish relationship with 2+ evaluators
 - From separate practices
 - Minimize conflict of interest

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Use of Violence Risk Assessment Report

Team should:

- Consider where report should be directed and stored.
- Consider consultation with a mental health professional for interpretation of report.
- Share only relevant information with team members.
- Use care not to over disclose or share the report
 - Consider who needs to know.
- Must consider evaluation as part of best evidence, i.e., as relevant medical advice.
 - “Best evidence” includes medical advice AND observable conduct of the subject.

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Keys to a Robust Process

Utilizing the Violence Risk Assessment:

- Have policies
 - Mandatory assessment & involuntary withdrawal
- Consider best medical advice AND objective evidence
- May take adverse action if there is a “significant risk”
- Document your analysis
- Have an interactive dialogue about reasonable accommodations
- Provide due process:
 - Adequate notice of issues/actions
 - Opportunity to present evidence
 - Opportunity for appeal

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QUESTIONS?

Contact Information

Virginia Center for School and Campus Safety

<http://www.dcjs.virginia.gov/vcscs/>

Brad Stang (K12 TAM Program Coordinator):

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Donna Michaelis (Director):

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