VIOLENT THREAT RISK ASSESSMENT (VTRA) Protocol

A Community Based Approach

10th Edition

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Special Thanks:

To our May 2018, Train the Trainer participants for their review and feedback of the collaborative design of this latest edition of the Community Protocol.

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THE EVOLUTION OF VIOLENCE THREAT RISK ASSESSMENT (VTRA):

This edition of the 'National Training VTRA Protocol' is the first truly "Community Protocol". In the past, prior editions had a primary focus on school related cases and thus the word "student" was frequently used as the focus of inquiry. In this edition, we use the terms student, subject, client, patient, etc. as interchangeable terms. Because many cases over the years have also involved parents/caregivers, faculty, staff and others, who have become the subject of a VTRA, we will more frequently use the term "person of concern" to denote the broad application of the VTRA Model.

Although the early editions of the training and protocols were heavily school-based, where external agency partners were assisting the school community, the modern application of VTRA recognizes all formal signed protocol partners as equal. This means that any signed partner can activate the VTRA Protocol and appropriate partners will assist them. Some of the most compelling cases across Canada have been when police, mental health, child protection, health care providers and other agencies have activated the protocol.

Saskatoon, Saskatchewan, York Region, Ontario and Lethbridge, Alberta have all led the way over the past few years with including Post-Secondary Institutions in their "Community Protocols." Now several VTRA trained agencies are applying the process internally for staff members, former staff and clients who engage in threat-making or threat-related behaviours.

The British Columbia Government has supported VTRA Training and protocol development formally through the ERASE Initiative. The Saskatchewan Department of Education and others have likewise assisted in ensuring that all regions of the Province are VTRA trained. In Surrey, B.C. the VTRA Model is the foundation for the highly successful Surrey WRAP youth gang prevention initiative. The recognition that many young people who are becoming radicalized are similar to the school shooters in that most have no histories of violence and are easily understood as "Empty Vessels" has led to the development of our new training in "Criminal Radicalization."

However, the greatest impetuous to see the application of VTRA expand is the current political climate in North America and beyond. Macro systemic dynamics, including *Polarization*, has left societal anxiety very high. The jingle in VTRA is "the higher the anxiety, the greater the symptom development". The intensification of "hate" towards human differences such as race, religion and gender, as well as sexual and gender minorities has reached a modern-day high in the Western Hemisphere. A broader application of the VTRA Model and a higher level of multi-agency collaboration is required.

ABOUT THE VTRA MODEL:

The North American Center for Threat Assessment and Trauma Response (NACTATR) Model is referred to as Violence Threat Risk Assessment (VTRA) combines the introduction of early Secret Service Research around targeted violence towards political figures, known as Threat Assessment (TA) and the General Violence Risk Assessment (RA) work that clinicians and therapists have been doing for years. However, if you ask most clinicians not trained in VTRA what the difference between TA and RA is, they will say "nothing" or "I don't know" or "aren't they the same thing". What is referred to as Stage One VTRA ("data collection and immediate risk reducing interventions") is more of the case specific data (CSD) collection in targeted Threat Assessment cases that general violence risk assessment tools were not developed to identify. It is the combination of TA and RA variables that makes for a more comprehensive assessment and therefore, more useful interventions. We have seen under-reacting by some professionals who erroneously use general violence risk assessment tools as the standalone measure to determine risk of violence of a threat maker, not understanding that some individuals may not pose a risk for general violence yet may be moving rapidly on a pathway of violence towards a particular justifiable target.

Serious violence is evolutionary and it is contextual. The VTRA model highlights traditional and non-traditional risk enhancing variables overlaid with a human system based contextual assessment. This contextual, real time data, allows multi-disciplinary teams to assess current risk to others or self. Collaboratively, a comprehensive data driven intervention plan is formulated rooted in the context of the threat.

Trained VTRA teams work from the perspective that "serious violence is an evolutionary process" and no one "just snaps" and secondarily, pre-incident data is often available that can help identify and prevent serious violence. Yet, not everyone moves along the same evolutionary pathway. Some individuals have clear escalating patterns of violent offending so that when they "finally" kill someone, those who know the perpetrator are not surprised. Others, however, can shock their entire community by seemingly going from a model citizen to killing their spouse, coworker, or classmate. In the latter example, it may be that those close to the perpetrator were not aware of his or her double life while in other cases the surprise is warranted as the incident may be the perpetrator's first act of violence.

Some perpetrators evolve behaviorally with increasing frequency and intensity of violence over years while others evolve cognitively and emotionally wherein the frequency and intensity of their thinking and feelings (fantasies) about violence evolve over months and years until their first violent act. Whatever the pathway, most people give signs and indicators that VTRA Teams are trained to look for that allow for both early intervention and identification of rapidly evolving individuals of concern.

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Limitations:

Need for Training:

The VTRA protocol is intended to be used by multidisciplinary teams trained in "Level One and Level Two Violence Threat Risk Assessment". This protocol is not a substitute for training in the field of Violence Threat Risk Assessment and should not be used until adequate training is received. The CCTATR training program in VTRA is currently a four-day training initiative. Level One and Level Two are both two-day trainings. Level Two training should be taken no sooner than three months post Level One in non-protocol areas new to the model.

Culture and Climate of School, Professional Agencies and Community:

Naturally Open Systems, (experienced by its' members as having healthy culture and climate) is widely acknowledged as being key to creating a safe environment. By placing a strong emphasis on safety, acceptance, communication and programming designed to facilitate social responsibility, an environment is created where violence is less likely to occur, and where systems are in place to allow for early identification of potentially at-risk individuals.

Vision:

All partners are accountable to the protocol purpose and have a shared obligation to actively take steps to prevent violence.

In situations where data suggests a child, youth, or adult may pose a significant risk to themselves or others, the partners agree to work together for the common goal of violence prevention, threat management and safety planning by sharing information, advice, and support that assists in the reduction of risk.

The partners will work together for the benefit of any person of concern (children, youth, or adults) who come within the scope of this protocol to:

- Build collaborative working relationships based on mutual respect and trust.
- Work in ways that promote safe, caring and restorative practices for schools, protocol partners and the community as a whole.
- Prioritize the need for promotion, prevention, and intervention strategies that demonstrate effectiveness in providing coordinated and integrated supports and services for the person of concern and as appropriate, their families.
- With children and youth, involve families in planning for services and supports.
- Recognize that each person of concern has unique strengths and needs that should be considered when developing supports, interventions, and services.
- Realize that working together successfully requires persistence and is a process of learning, listening and understanding one another.

- Ensure the Fair Notice of policies and procedures regarding Violence Threat Risk Assessment (VTRA) is provided to all protocol partner staff and the student, patient, subject, or client served.
- NACTATR is committed to being a learning organization that adapts to the contextual needs of our professional and community partners.

The protocol is designed to enhance communication between all partners. It is incumbent upon the partners to share necessary information that may initiate or facilitate a VTRA process.

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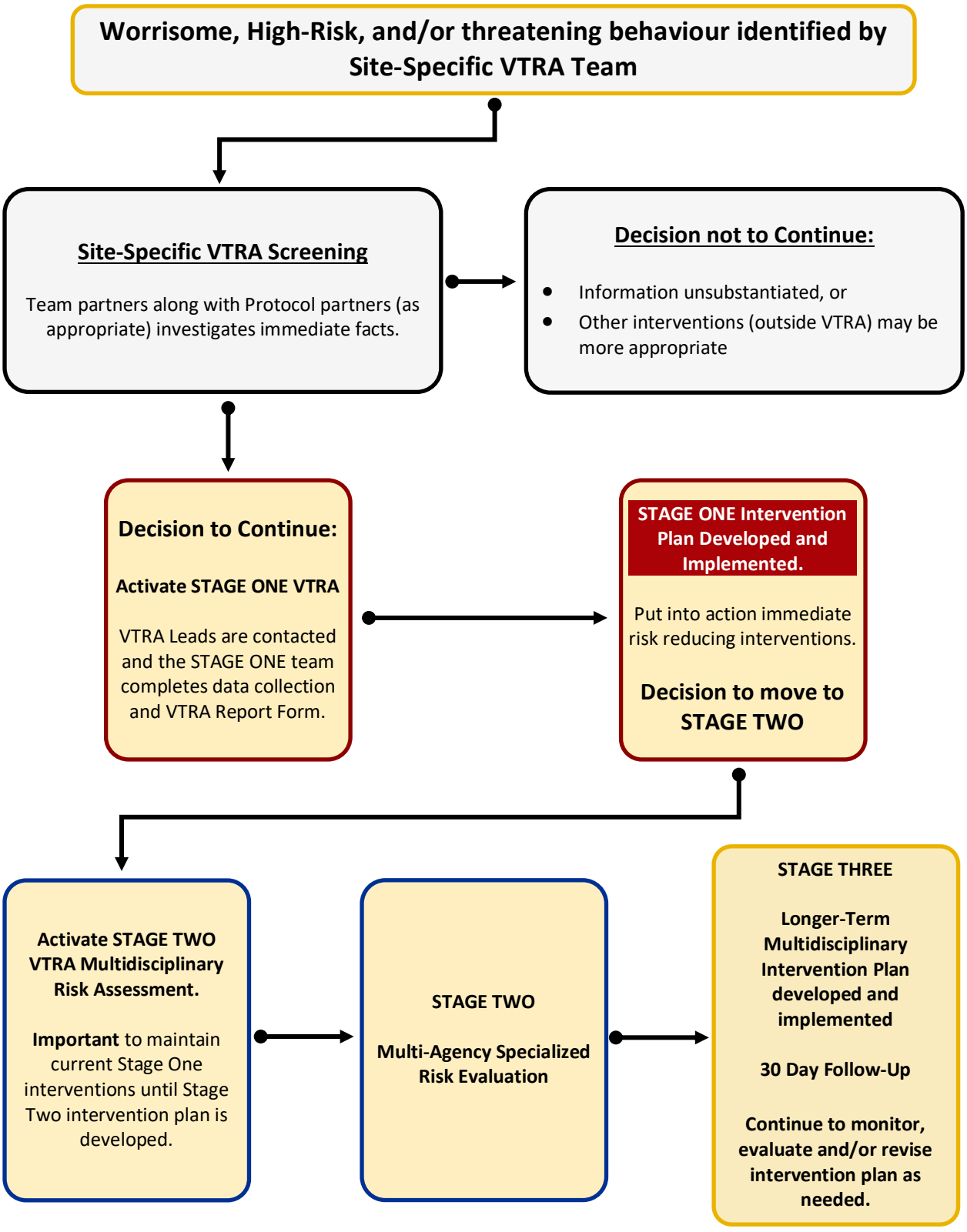
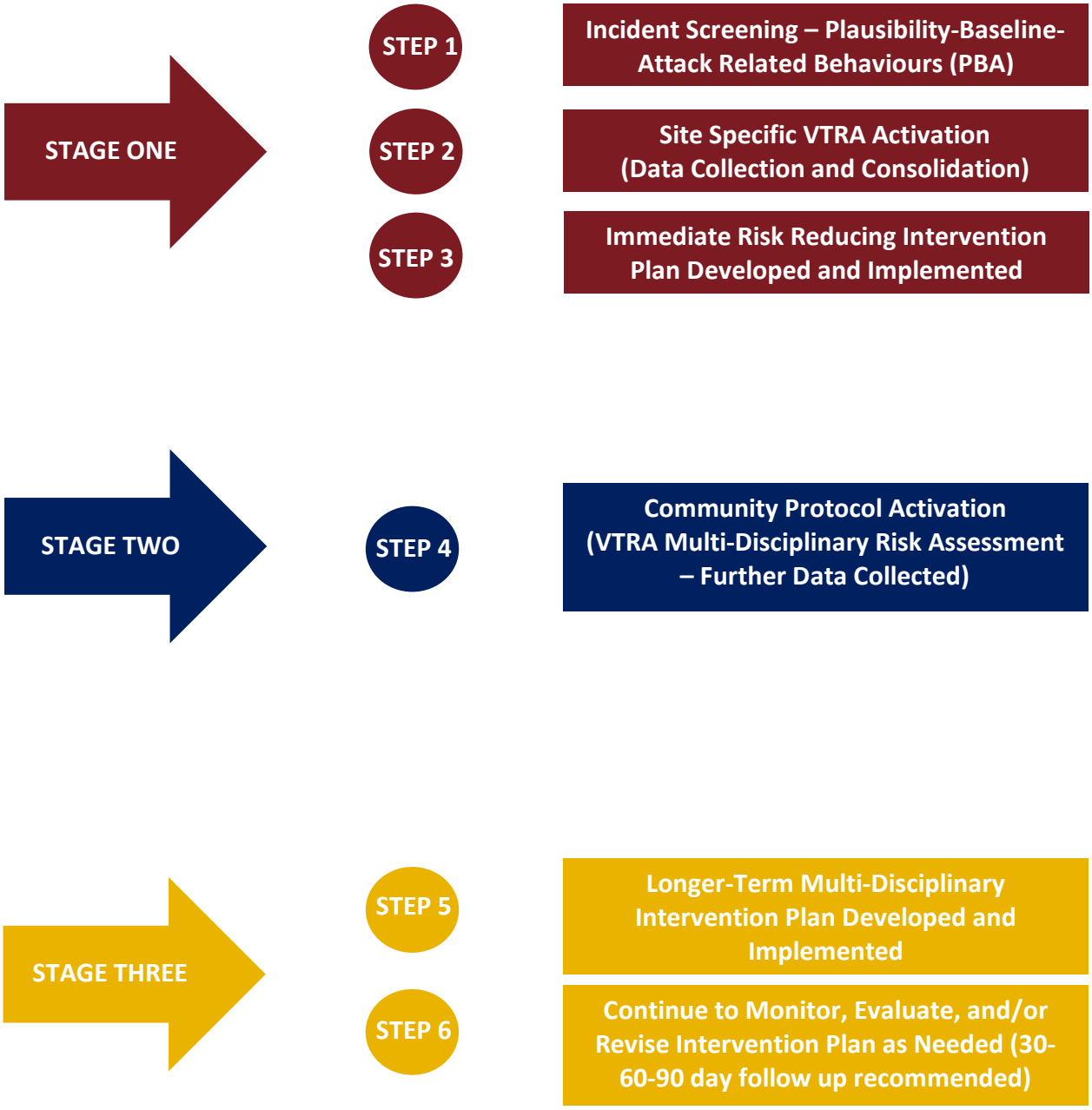
VTRA RESPONSE FLOW-CHART



THREE STAGE VTRA MODEL

A model focusing on three distinct yet seamless stages, and 6 key steps that incorporates a multi-disciplinary team approach.



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Stage One VTRA (Data Collection and Immediate Risk Reducing Interventions):

The VTRA Model is different from many other approaches to assessment and intervention because it is built on the understanding of the interdependency between micro dynamics and macro dynamics. In other words, the Stage One VTRA team is activated when *a single incident occurs* that gives the team justification to activate the Stage One VTRA protocol (Categories for Action as noted in the VTRA Guide and Report Form"). The micro assessment is determining if the threat maker actually poses a risk to carry out the current threat while the macro assessment focuses on what historical and foundational risk enhancers may be contributing to overall level of risk (independent of the current case that has resulted in Protocol activation).

- **Step 1**: Incident Screening – Plausibility-Baseline-Attack Related Behaviours (PBA).
- **Step 2**: Site-Specific VTRA Team activation (Data Collection and Consolidation).
- **Step 3**: Immediate Risk Reducing Plan developed and implemented.

Stage One is generally referred to as "data collection and immediate risk reducing interventions" performed at a minimum by the Site-Specific VTRA Team and the police of jurisdiction. This initial data collection is often accomplished in one to two hours. The Stage One Report Form is the primary guide for data collection and interviewing.

That said, the VTRA Team conducting Stage One rapidly collects data related to the specific incident that resulted in protocol activation in the first place in order to determine if the threat maker really poses a risk to the target. If the threat maker really poses a risk to the target, then the team needs to stabilize the threat maker, protect the target, and take any other reasonable steps to manage the current situation. Stage One must be done once a team member becomes aware of any information that meets the criteria for protocol activation. Most data collected at this stage is called **Case Specific Data (CSD).**

But in cases that prove to be truly moderate to high risk at the Stage One level there are often longer standing variables (risk enhancers) that have weakened the person to the point of posing a risk of serious violence such as childhood trauma, drug or alcohol abuse, early caregiver disruption, etc. This means that at some later point (one to two days following completion of the Stage One VTRA) we will also initiate a Stage Two VTRA.

Stage Two VTRA (Specialized Risk Evaluation):

Note: Professionals leading the Stage Two process ***must*** be trained in Level Two VTRA.

- **Step 4:** Community Protocol Activation (Further Data Collected – Risk Assessment)

Stage Two is generally referred to as "Specialized risk evaluation" which often involves VTRA team members or partners using their specialized training and skill to more fully assess confirmed risk enhancers and explore hypothesized risk enhancers. As such, much of Stage Two VTRA is the assessment of more statistically derived traditional risk enhancers that give insight into the

overall functioning of the Person of Concern. It assists in targeting areas that may need to be addressed strategically and therapeutically, not just to lower the level of risk contextually, but to result in "lasting gains" where stabilization is both maintained and the cognitive, emotional and behavioural baselines are reduced over time.

Some or all of the following may take a further lead in Stage Two VTRA:

- Police-based threat assessment units
- Psychiatry
- Pediatrics
- Mental Health
- Child protection
- Youth Probation
- Others.

Many protocol regions across the country have anywhere from ten to thirty (or more) agencies that are trained and signed-off partners to the Community VTRA Protocol. However, the disparity in those numbers means that in some regions key professionals who should be part of the formal VTRA Team are not yet trained. These agencies are referred to as "external agencies" meaning they are professionals or agencies who are not VTRA trained and not signed protocol partners. While the VTRA Team understands that the untrained partner/agency is in essence part of the Stage Two VTRA process, it is more useful to communicate with these "external agencies" in their own professional language during the referral process. Education about VTRA can occur for them at a later time.

The following is an example of some tests and measures that may be utilized by trained and qualified professionals as part of the Stage Two Risk Assessment (not a complete list):

Child and Adolescent:

EARL-B: Boys 12 and under
EARL-G: Girls 12 and under
YLS-CMI: Youth Level of Services Inventory
SAVRY: Structured Assessment of Violence Risk in Youth

Adult:

SARA: Spousal Assault Risk Assessment
B-SAFER: Brief Spousal Assault Form for the Evaluation of Risk
SAM: Stalking Assessment and Management
SVR-20: Sexual Violence Risk – 20
SORAG: Sexual Offender Risk Appraisal Guide
RSVP: Risk for Sexual Violence Protocol

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WAVR-21: Workplace Violence
VRAG: Violence Risk Appraisal Guide
HCR-20: Historical, Clinical, Risk - 20
PCL-R: Psychopathy Checklist Revised
PCL:SV: Psychopathy Checklist Short Version
VERA: Violent Extremist Risk Assessment

Stage Three VTRA (Comprehensive Intervention, Review, and Follow-up):

- **Step Five:** Longer-Term Multi-Disciplinary Intervention Plan developed and maintained)
- **Step Six:** Follow-up – Continue to monitor, evaluate, and/or revise intervention plan as needed (30-60-90-day follow-up as needed)

From the moment the VTRA Protocol is activated there is ongoing data collection, assessment and "intervention". Intervention plans must be established, implemented, and evaluated for both Stage One and Stage Two VTRA's. When the team identifies that the person who threatened to use a knife actually has a knife then removing the weapon is an immediate risk-reducing "intervention". However, removing the weapon does not prevent them from obtaining a knife again at a later date. As such, the intervention planning goes beyond access to the means (short term) and instead works to decrease the likelihood that the person of concern will return to the point of even wanting to use a knife to harm someone in the future (long term).

As Stage Two VTRA nears completion it should be evident as to what the primary risk enhancers are and therefore who is the logical VTRA lead for the remainder of the case. Many team members present during the early stages of the case may no longer be needed but are available as an original team (agency) member if needed again. The VTRA team does not abandon the lead(s)! However, the goal of successful intervention is that fewer and fewer resources are needed to support the person of concern (and/or their families etc.) as time goes on.

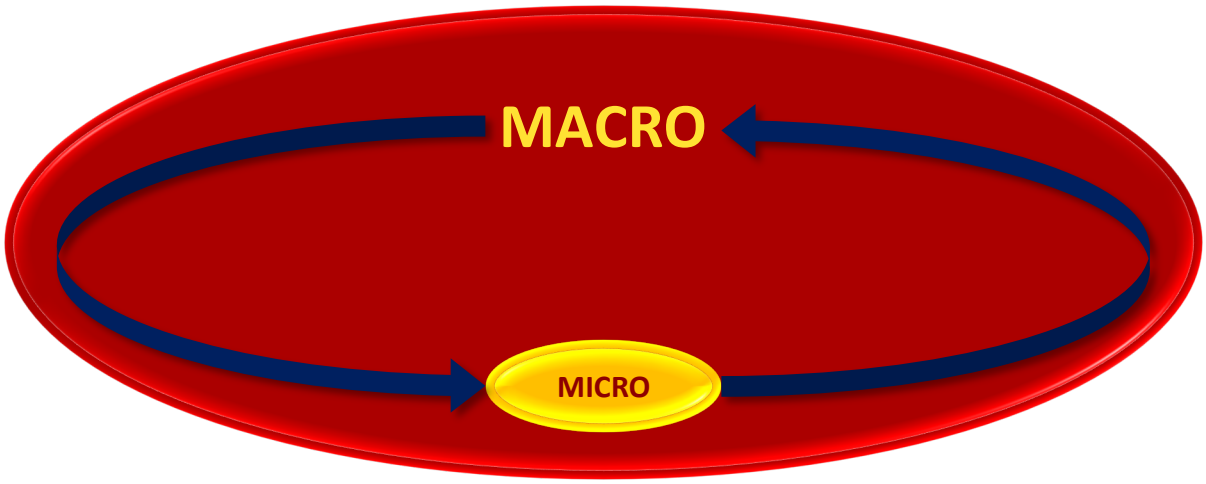
In essence, good intervention planning occurs when there is ongoing collaboration in cases considered as a complex case by the VTRA Team members. By definition:

> *"Any case that has at least two or more significant risk enhancing variables that requires at least two or more different VTRA partners to remain involved in order to lower the level of risk and obtain lasting gains is a **complex case**".*

Cases that reach this level of intervention planning should place a special emphasize on pre-determined follow-up meetings where all related VTRA team members come together personally or via telephone conference etc. to report and review the current state of the case. Sometimes data is obtained in these meetings that confirms the interventions are working or that follow through did not occur when the person of concern claimed it did. Thirty day (30); ninety day (90)

and even one-year follow-ups have assisted tremendously with ensuring a high-risk case does not “fall through the cracks”.

MICRO VS. MACRO ASSESSMENT



The VTRA Model is different from many other approaches to assessment and intervention because it is built on the understanding of the **interdependency** between ***Micro dynamics*** and ***Macro dynamics***. In other words, the Stage One VTRA process is activated when *a single incident occurs* that gives the team justification to activate the Stage One VTRA protocol (Categories for Action as noted in this Protocol and VTRA Guide and Report Form"). The ***Micro assessment*** is determining if the threat maker actually poses a risk to carry out the current threat while the ***Macro assessment*** focuses on what historical and foundational risk enhancers may be contributing to overall level of risk (independent of the current case that has resulted in Protocol activation).

PROTOCOL DEVELOPMENT

VTRA Committee Overview:

Every region considering the development of a Community VTRA Protocol must organize a "VTRA Committee" made up of organizational leads who must first determine if they are committed to developing a community protocol. All organizations that intend to be formal protocol partners must commit to being trained in Level One and Level Two VTRA and commit to active participation in "relevant" cases when the protocol is formally activated.

The VTRA Committee members should parallel those who will eventually sign the formal protocol that binds their organization together in this multi-agency initiative. However, in practice, once the leaders have committed their organization, then a functional sub-committee is organized consisting of high-ranking designates who act on behalf of organizational leads in the development of the draft VTRA Protocol for their region. This sub-committee will also commit to continue to meet together, minimally on an annual basis, to review, revise, update, etc., the Community Protocol. The purpose for this is to keep the protocol current and responsive to the ever-changing needs and dynamics of each community or region.

Community jurisdictions have unique factors that may require modification to VTRA membership. These include location (inner city, rural, remote, etc.), identified professional organization and availability of community resources to meet the demand as well as historical factors and current dynamics that may influence collaboration and service delivery. As such, membership may differ from region to region but the practice should be the same. Notwithstanding this diversity, we can compare the VTRA Committee to the United Nations Security Council in that there are primary partners who must be "permanent members" of the committee in order for it to be truly functional and that includes:

- Police
- Probation
- Child Protection
- Mental Health
- School Districts/Divisions
- Colleges and Universities
- Hospitals (Health Regions)

Experience denotes that the most successful Community VTRA Protocols are built on the foundation of these key partners. Areas that have successfully implemented the VTRA Protocol, with a focus on child and adolescent cases first, have by nature begun to see the applicability of the model to all forms of violence including adult cases as well. With the focus of this 10th Edition being on a more comprehensive community protocol, the above organizations should include a broad range of internal professionals who can contribute to protocol development and the practice of VTRA as it relates to cases involving children, adolescent and adults alike. Therefore

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the "permanent members" and others should have sub-committee members representing a variety of specialized areas (See Step 2 below).

It is not that the above organizations are necessarily the most important members but if these agencies will collaborate then the other organizations will generally follow with ease. When one of the above noted "permanent members" is adversarial to the process it does not make it impossible to develop a community protocol but it adds a significant barrier to full success. As noted earlier, some Community Protocols have only ten partners signed on while others have more. The following is a comprehensive list of the types of organizations who have signed off on VTRA Protocols across the country:

Police, Probation, Child Protection, Mental Health, School Districts/Divisions, Colleges and Universities, Hospitals (Health Regions), Aboriginal Education Council, Addiction and Mental Health, Addictions and Prevention Services, Administrators Association, Justice and Solicitor General, Ambulance / Paramedics / Fire Department, Big Brothers Big Sisters, Board of Police Commissioners, Canadian Mental Health Association, Child and Youth Mental Health Services, Child Development Centre, Children's Aid Society, City Police, Community Services, Counselling Services, Crisis Intervention Services, Department of Child and Adolescent Psychiatry, Emergency Program, Family and Community Support Services (FCSS), First Nations Band Administrators, Friendship Centres, Health Authority, Military Family Resource Centre, Military Police, Ministry of Children & Family Development, Ministry of Education, Ministry of Justice, Ministry of Social Services, Multicultural Council, Native Counselling Services, Provincial Police, Royal Canadian Mounted Police, Salvation Army, Open Door Society (Refugee and Immigrant Services), Teachers Associations, Town /City/ Village/ Municipality Mayors etc., Transition House, YMCA, Youth and Family Mental Health Crisis Services, Youth Diversion Program, Youth Habilitation

Step 1: VTRA Committee Development

A multidisciplinary **VTRA *Committee*** must be developed to approve and oversee the drafting of the Community Protocol. This committee would be made up of members that will eventually be the signatories of the protocol. The following is a sample of the types of members on the committee but is not an exhaustive list. Some recent protocols in Canada have as many as 30 or more agency directors who have "signed off" in official signing ceremonies to ratify the process of Community Violence Threat Risk Assessment. **VTRA Committees** should be minimally represented by the following and/or their "designate".

- Mental Health Director/CEO
- Child Protection Director/CEO
- Probation/Parole Director CEO
- Police Chief/Detachment Commander/OIC

- Superintendent/Director of Education (depending on province)
- President College or University
- Hospital (Health Region) CEO
- All other organizational Directors and CEO's (as noted above) who are going to be formal Community Protocol partners.

Step 2: VTRA Sub-Committee Development

The Sub-Committee are the pre-determined designates of the VTRA Committee and are the backbone of the Community VTRA Protocol. The Sub-Committee is responsible for the development of the protocol, as well as other duties listed later in this section.

- Police (Threat Assessment - Behavioural Science Units), Domestic Violence Coordinators, Gang and Crime Prevention Units, Mobile Crisis Response Units, Victim Services, etc.)
- Probation (Parole Officers, Correctional Services Workers, etc.)
- Child Protection (Contracted Agencies: Group Home Staff, In-Home Support Workers, Child and Youth Care Workers, Residential Treatment Facilities and those conducting formal assessments on behalf of Child Protection, etc.)
- Mental Health (Child and Adolescent Teams, Adult Teams and other consulting professionals such as Psychiatry etc.)
- School Districts/Divisions (District Superintendents or Assistant Superintendents (depending on province) responsible for the Safe Schools portfolio, Heads of Psychology and Social Work, Student Services Coordinators, Mental Health Leads, Students with Special Needs Leaders, Diversity Leaders, etc.)
- College and University (Related VP's and AVP's, Directors of Security, Student Services, Health Services, Residence, Human Resources, Faculty Association, etc.)
- Hospitals (Health Region) (Emergency, Psychiatry, Pediatrics, etc.)

Step 3: Community Protocol Signing Ceremony

Legal counsel from each protocol partner should be consulted with throughout the development process with the final draft being approved for formal signing by the agency/program leaders of the VTRA Committee. The Committee should then set a date when all agency/program leaders can be present for the public signing of the Community Protocol. The standard has been a "formal signing" of all the leaders who have the legal right to bind their organization with another for a "common program" and "integrated service" with the specialized goal of violence threat risk assessment and intervention. A recognition of dignitaries present and speeches from designated protocol representatives (e.g. Chief of Police, Government Ministry leaders, School District Directors (Superintendents), etc.) is recommended as well as a brief sub-committee presentation on the purpose of the protocol.

Original copies of the protocol are laid out on the head table for each partner who after seated will sign all copies plus one additional which will be kept by a pre-determined protocol partner

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for safe keeping. Every signatory will then take one signed copy for safe keeping at their own agency/program location. Local media should be invited along with any community members interested to attend. The protocol should be publicly represented in its true light as a multi-agency violence prevention program as well as an assessment and intervention program when risk is identified.

Signing Ceremony (The first Fair Notice):

The formal and public signing of the Protocol is also a way to begin to give "Fair Notice" to clients, patients, students, staff, parents/guardians, community members, etc. who may be impacted by the VTRA practice. As noted, common programs and integrated services must provide information to those who receive or are affected by their services that they are part of this multi-agency program/initiative and when the threshold for the "Categories for Action" is met, the VTRA Protocol will be activated. Therefore, every Protocol Partner should also take reasonable steps to give Fair Notice within their organizations about the VTRA process. This may be through staff meetings, posters, agendas (school), notification through email, announcements uploaded onto agency websites or as part of the process for obtaining "consent for services", etc.

PROTOCOL MAINTENANCE:

VTRA Committee:

The formal VTRA Committee (agency/program leads) should meet at least once a year to review an annual report prepared by the VTRA sub-committee. This report should contain such items as the successes and challenges of VTRA collaboration, as well as any recommendations for revisions of the protocol. The annual report should also include statistical data of VTRA's conducted. Statistics should be presented by each partner as to how many VTRA's they have participated in with a minimum data set of:

- Age
- Gender
- Category for action that resulted in the VTRA
- Evidence of Conspiracy of Two or More
- Evidence of Fluidity
- Level of Risk at Stage One
- Level of Risk at Stage Two
- One Year Follow-up (Two Year etc.)

The Committee should also discuss whether any modification to the written protocol or practice issues should be made. The formal VTRA Protocol is meant to be a living document and as such several Regions in Canada are on their second or third addition. This can be as a result of changes to the protocol document itself or because new partners are signing on who were not prepared to do so for the first edition. As well, the Committee receives reports from the sub-committee on designated tasks and responsibilities.

VTRA Sub-Committee:

The Sub-Committee are the pre-determined designates of the VTRA Committee and are the backbone of the Community VTRA Protocol. Every signed partner must be represented and this Sub-Committee should meet a minimum of three times per year. Their responsibilities should include:

- Developing and maintaining a current list of all employees and volunteers within protocol agencies (organizations) who are Level One and Level Two VTRA trained.
- Develop and maintain a current list of the VTRA Lead(s) for each protocol partner.
- Make any modifications to the written protocol as recommended by the larger VTRA Committee.
- Review VTRA practice by having one or two cases presented to the sub-committee that highlights successes, challenges and lessons learned.

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- Develop a common annual report to be presented to all VTRA Committee members and discussed by the formal VTRA Committee.
- Determine when additional training is required.

DETERMINING WHEN TO ACTIVATE THE VTRA PROTOCOL:

There are a wide range of behaviours that are of concern in some families, workplaces, schools and communities. It is sometimes difficult, however, to determine whether or not to activate a formal Violence Threat Risk Assessment (VTRA) process. The following guidelines are intended to help Protocol Partners make this determination. It is important to carefully consider each and every individual incident to ensure the most appropriate response.

Immediate Risk Situations:

These situations include armed (e.g. gun, knife, explosives or other device/weapon capable of causing serious injury or death) intruders inside the building or on the periphery, who may pose a risk to some target or targets (i.e. active shooter scenarios). When immediate risk is identified, lockdown plans should be activated immediately, followed by a call to 911. In these cases, a threat is unfolding and the matter is one of immediate police intervention and protective Site-Specific response; not Stage One VTRA.

Most targeted workplace and school shootings are over in a matter of minutes, usually before police arrive. It is vital that every worksite have a plan which everyone understands, drills have been conducted and everyone knows what to do. In these situations, every additional second we can manufacture, to slow a perpetrator down, can save lives. A Site-Specific lockdown plan which is understood by everyone and practiced on a regular basis will save lives. The importance of having lockdown plans in place, can't be overstated. The fact that a solid lockdown plan exists, in itself, may serve as a deterrent to an individual who may be contemplating an act of targeted violence in a work or school setting. Also, having an established and practiced lockdown plan in place greatly assists in reducing stress, modelling calmness, and minimizing the traumatizing of the individuals within the system the threat occurs. The RCMP Safe Plan is the standard for practice in all jurisdictions policed by the Royal Canadian Mounted Police.

In situations like the above, where a possible threat was present but violence has not occurred (e.g. the person of concern was found to have a weapon or replica but didn't use it), the VTRA Protocol will ***not*** *be immediately activated. Instead this will be a police matter (criminal and public safety) and the subject will generally be taken into custody, remanded, and initial evaluations will be conducted within the criminal justice system.*

However, prior to release the VTRA Protocol should be activated where the VTRA Lead for the Police of Jurisdiction in consultation with the appropriate Protocol Partners determines current level of risk or if a data-driven Threat Risk Assessment has been conducted internally, informs the VTRA Team about current level of risk and steps the Team can take to assist with Threat/Risk Management if necessary.

Note of Caution*: Sometimes standalone Risk Assessments done by a single evaluator as well as Hospital Emergency Room assessments and others are* ***not*** *comprehensive data-driven*

assessment but more 'limited scope assessments' focused on acute level of risk. Without data from the appropriate VTRA Protocol Partners even the most skilled threat assessor may underreact to a case that is actually high risk. We have consistently said that:

> *"A single evaluator can use the best violence risk assessment tool (or checklist) out there, but no risk assessment tool is worth squat unless you have good data to put into it. And a multi-disciplinary VTRA Team can collect more data and in a more timely fashion that any one professional can trying to do it on their own."*

Formal Categories for VTRA Protocol Activation:

Thresholds for VTRA Protocol activation addressed in this protocol include, but are not limited to:

- Serious violence or violence with intent to harm or kill
- Verbal/written threats to kill others ("clear, direct and plausible")
- The use of technology (e.g.: computer, mobile phone) to communicate threats to harm/kill others or cause serious property damage (e.g. "burn this office down")
- Possession of weapons (including replicas)
- Bomb threats (making and/or detonating explosive devices)
- Fire setting
- Sexual intimidation or assault
- Chronic, pervasive, targeted bullying and/or harassment
- Gang related intimidation and violence
- Hate incidents motivated by factors including, but not limited to; race, culture, religion, and/or sexual or gender diversity

Suicide as a Special Consideration: When Site-Specific professionals are dealing with a situation where an individual is of concern because of suicidal ideation they should follow their existing protocols for suicide risk assessment. Most Protocol Partners have personnel (or should have) who are trained in suicide risk assessment and intervention. Therefore, as a standard, this is not a category for action and the VTRA protocol is not to be activated. However, those trained in suicide risk assessment should also be VTRA trained and be open to the possibility that the individual being assessed may be fluid. The third formal hypothesis in the Stage One VTRA process is: "Is there any evidence of fluidity?"

As well, whenever there is evidence of a suicide pact or evidence that there is a peer dynamic or a "puppet master" in the background trying to drive them to kill themselves, the VTRA Protocol should be activated. Therefore, the VTRA Protocol should only be used as part of a case with suicidal ideation when there is evidence of:

- *Fluidity*
- *Suicide Pact*
- *Conspiracy of two or more (Puppet Master)*

- *Multiple Suicides or Attempts in Quick Succession in a Community*

Non-Work Hour Cases:

If information is received by a VTRA member regarding serious violence, weapons possession or a threat that is "clear, direct, and plausible" during non-work hours for Protocol Partners, police will be called and steps will be taken to assess the person of concern as well as notify and protect the target(s) as required. Site-Specific VTRA team members and police will determine if team members need to assist beyond regular work hours or if the non-police aspect of the case can wait until regular work hours.

However, the VTRA team will be activated if the case at hand is deemed to be high risk. Open communication between Site-Specific VTRA Leads and police is essential. So is information sharing between patrol or general duty police officers and specialized police units such as mobile crisis units and school resource/liaison officers regarding non-work hour cases. Many evening or weekend incidents occur that continue to escalate into the workplace/school. And many workplace/school incidents occur that escalate into the community the next day. This has proven especially useful in:

- Gang related cases
- Relational violence
- Family violence
- Workplace violence
- Work-site retaliations (Current/former employees, customers, etc.)
- Sporting event retaliations
- Weekend school, college and university party retaliations

Worrisome Behaviours:

Worrisome behaviours are "grey area" cases. This would include instances where a person of concern may be engaging in behaviours such as drawing pictures, writing stories (and posting or presenting them), or making vague statements that do not, of themselves, constitute "uttering threats" as defined by law but are causing concern because of violent, sexual, or other concerning content. The primary standard for assessing these types of cases is "the closer to reality, the more concerned we become." In other words when a person of concern draws mythical creatures engaging in scenes of brutal violence we do not assume the author poses a risk as mythical creatures are not real. But if someone puts a picture of a "stick" man choking a woman and leaves it on the coffee table in the staff room prior to a female co-worker walking in that would be "worrisome."

Worrisome Behaviour cases are for Site-Specific VTRA team members to discuss internally and do not result in activation of the Community Protocol because it does not cross a clear line. Yet, it is appropriate for the Site-Specific VTRA Lead to consult with their Police VTRA Lead even from

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a consultation perspective of "what do you think about this Facebook posting?" Independent of the Site-Specific VTRA Lead, the Police member may do their own background check and if they determine the person of concern targeted and stalked a female employee in a different work setting in a different province prior to this current situation, further inquiry will now begin.

In many cases, following up on "Worrisome Behaviours" results in good early intervention measures. There are also cases where "a little data leads to a lot" and what seems like a minor case can quickly evolve to the formal activation of the VTRA team.

Children Under 12 Years of Age:

If there is a significant increase/shift in baseline behaviour, weapons possession or clear, direct, and plausible threats, the formal VTRA protocol will still be activated. Nevertheless, when younger children engage in violent or threat-related behaviours, developmental and exceptionality issues need to be taken into consideration. Generally speaking, most threat-related behaviour exhibited by young children would fall into the category of "worrisome behaviours". However, just because a child is under 12 years of age does not mean they cannot pose a risk. A 7-year old who threatens for the first time "I'm gonna set you on fire" to a peer they have been harassing for some time is worthy of VTRA Screening.

WORKING WITH CULTURAL DIVERSITY:

The potential for cultural bias is well documented in the social and psychological literature. When conducting a VTRA, cultural bias may be a function of:

a) The construct being measured (VTRA between different Western sub-cultures as well as non-Western cultures).
b) The content of the questions and/or how the questions are phrased (i.e., language and culture may influence interpretation with respect to the interviewer and/or respondent).

Members of some cultures experience significant rates of poverty, racism, and discrimination, and language barriers may also exist. These factors, along with possible distrust for authority figures can lead to the presence of multiple stressors that increase perceived level of risk or actual risk.

When language barriers exist it is vital, if possible, that respondents speak in their first language and that a neutral interpreter be used to translate. Similarly, it is vital that the individuals involved in the VTRA are familiar with the cultural backgrounds of all parties being interviewed and that whenever possible at least one member of the team is the identified “specialist” in that area. If there are no VTRA team members knowledgeable of a particular culture or language than in jurisdictions with limited resources an untrained staff member or other professional may, with consent, be brought in as a consultant to the team. Ideally, at least one VTRA team member is of the same cultural background as respondents from ethnic minorities.

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INDIVIDUALS WITH SPECIAL NEEDS/DISABILITIES; DSM-V DIAGNOSES AND THE APPLICATION OF VTRA:

The multidisciplinary VTRA protocol will not be activated when individuals with special needs/disabilities engage in threat-making or aggressive behaviours that are **typical to their "baseline".** In other words, if their conduct is consistent with their diagnoses and how it has been known to manifest in them then the VTRA Team will not be called upon to conduct an assessment. For instance, some individuals diagnosed along the Autism Spectrum or Fetal Alcohol Spectrum may have histories of verbal threatening when they are frustrated and make statements such as "I'm going to take a knife and kill you" as part of their typical baseline behaviour. This would not result in the activation of the VTRA Team. However, if the person with special needs/disabilities moves beyond their typical baseline and for the first time is caught with a knife in their possession or threatened a target with a knife in their hand, then the VTRA Team would be activated to assist in determining why the increase in baseline and do they pose a risk to self or others?

Once the VTRA Team is activated the process of data collection and assessment is not modified other than to ensure appropriate interviewing strategies with the individual with special needs. Site-Specific staff members responsible for program planning and service delivery to individuals with special needs/disabilities will always be consultants to the VTRA Team in these cases.

Good case management with individuals with special needs/disabilities means that program leads should already know more about these individuals than others as proper program planning requires comprehensive assessment in the first place. This foundational knowledge about the individual with special needs means that any significant shift in baseline that meets the criteria for the VTRA protocol activation is easily identified. The purpose of the team would be to assist with determining why the increase in baseline and then determine if intervention planning is required.

There are times when the individual with special needs/disabilities has had a "slow but steady" increase in the "frequency" and "intensity" of their violent or acting out behaviours. In these cases, there may not be a single incident prompting a Stage One VTRA but information may emerge that suggests we consider doing a "consensual" Stage Two risk evaluation to see what is contributing to the change.

A note of caution: sometimes VTRA Team members may under react to a serious threat posed by an individual with special needs/disabilities. This occurs when they assume that the person's behaviours are caused by, or a result of, their diagnosis only. It is important to remember that an individual with special needs can move along a pathway of "justification" as well. The same dynamics and variables that can increase the risk of violence in the non-clinical population of society can also be factors in contributing to the violence potential of the individual with special needs/disabilities, independent of their diagnosis.

Autism Spectrum Disorder as a Special Consideration:

Autism, a neurodevelopmental disorder, results from a combination of genetic and environmental contributions. Approximately 80% of the persons who have this diagnosis are male, and the prevalence of the diagnosis continues to increase.

Autism Spectrum Disorder (ASD) features a significant range of social communication challenges. People on the highest functioning part of the spectrum may be described as having traits found in ASD but may not have a diagnosis. The existence of an autism diagnosis is not necessary to consider this section relevant, as the collection of data, including the VTRA interview(s), can be complicated by "autism-like" challenges.

The diagnostic criteria for autism spectrum disorder (ASD) and the related diagnosis of social communication disorder (SCD) appear in the fifth edition of the *Diagnostic and Statistical Manual of Mental Disorders* (DSM-V).

The signs and symptoms of ASD are very similar to SCD, and there may even be overlap, so it is prudent to include the latter in this section for consideration. The difference between the two is that people with autism have difficulties with social communication AND they exhibit repetitive and/or disruptive behaviors; whereas, persons who have social communication disorder do not display repetitive behaviours/restricted interests.

The term "social communication" references difficulties in social emotional reciprocity, back and forth conversation, difficulty initiating or responding to social interaction, poor use of nonverbal and verbal language for social purposes, and difficulties in developing and maintaining peer relationships and friendships. Those on the autism spectrum will also exhibit restrictive, repetitive behaviour, which often manifests in repetitive motor movements; lining up objects; inflexible insistence on sameness; and fixated interests. More recently, hyper or hyposensitivity to sensory input might also be recognized as a feature, but this is not necessary for diagnosis.

Global communication, language, or other developmental delays are NOT part of the diagnosis. Individuals may have co-morbid diagnoses of a language or developmental delay, but their social communication functioning should be below that expected for their general developmental level.

Considerations for Preliminary Data Gathering when VTRA is enacted with a Person of Concern who may fall on the Autism Spectrum:

Deliberate deception can be difficult for a person with ASD. Therefore, questions that may be uncomfortable for most people to answer might not be for them. Assessing their ability to be truthful, as well as determining their level of comfort at the beginning of the interview, can help to establish an appropriate approach.

People with ASD often have difficulty understanding a situation from someone else's viewpoint. If they are required to interpret another person's behaviour, they might not be able to do so

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accurately. They may not be able to determine where they fit in a peer structure and speak to this. Exploring this in the interview could also reveal a "Puppet Master".

Individuals with ASD can be easily overwhelmed with the extensive communication demands of an interpersonal friendship, and so they typically seek out social connections on line where they are more successful. Chatrooms meet some of their social needs while also creating a vulnerability. Exposure to unfiltered information can fill them with thoughts and ideas they are unable to process. A check on current events and social media trends may help to put concerning behaviours into context. Fully assess the "empty vessel" variable, asking the question: to what extent is the person of concern connected with a healthy mature adult and how is their baseline affected by the relationship?

People with High Functioning Autism (HFA) are usually not diagnosed until after the age of approximately 9 years. Therefore, they have had little to no intervention during the formal and developmental years and significant communication and social deficits that reach a crucial stage in the high school years.

Function of Behaviour:

To develop an accurate picture of a person of concern with ASD, it is important to ask, "What is the function of this person's behaviour?", or as understood in the VTRA context, "what is the person of concerns' baseline"? Adolescents with ASD may have less developed peer connections and less developed social skills to make these connections. Expressing their extensive knowledge of topics that may be considered aggressive, violent or otherwise offensive may be an attempt to make social connections and attract attention, all the while, they are misreading social cues. Negative attention can be misinterpreted and reinforced because they are not perceiving the negative portion. Other possible functions of behaviour to consider may include the desire to avoid tasks or people, or to seek something tangible or sensory. Another function of behaviour could be escaping an environment because of the work being too easy or hard, sensory issues in the classroom, and/or peer and adult relationships. Establishing and understanding the person of concerns baseline in a multidisciplinary milieu is necessary in working with individuals who present on the spectrum. For example, a person who is on the spectrum who is communicating and fixating on a school shooting like "Columbine". Though we can agree that the fixation on "Columbine" is worrisome, this may be the person of concerns' baseline. However, when this same person of concern displays an increase in frequency and intensity of his/her fixation with "Columbine"; we agree that this denotes a shift in baseline thus activating the VTRA protocol should be considered (i.e. Screening, Worrisome Behaviour or full protocol activation if PBA data warrants).

ASD and Mental Health:

Comorbidity occasionally exists between spectrum disorders and mental health disorders. However, this diagnostic presentation can sometimes be difficult to identify.

Anxiety seems to be the most prevalent comorbid diagnosis in people with ASD. Anxious thoughts can impede function. It can also escalate worrisome behaviours and interfere in healthy resolutions.

Similar to anxiety, depressive symptoms can be quite common, which can intensify behaviours. The person with autism might suffer silently, as they likely will have problems communicating their unhappy thoughts and feelings. If left unchecked, it can ultimately impair functioning. Depression is seen more frequently in individuals with autism who have higher intelligence.

Persons with autism tend to have restricted areas of interests and engage in doing the same thing over and over. This intense focus on a repetitive behaviour may mirror the symptoms of Obsessive Compulsive Disorder (OCD) but might simply serve as a source of personal satisfaction. However, at other times, these repetitive behaviours become truly disabling and interfere with their ability to adequately function in the neurotypical world --- especially when the repetitive behaviour is themed on morbid, aggressive or sexual content.

Ideas to Consider when Building a Supportive Plan following a VTRA:

a) The Hidden Curriculum, which people have learned by observing others, is often missed by youth with ASD. A plan that backfills this knowledge may be necessary. Especially in the area of social communication skills and their ability to adequately engage in a more typical range of interests and activities.

b) Social Connection is often missing. Connecting young people to healthy adults, but also connecting youth to a healthy peer group will be necessary. In addition to autism support personnel, community and/or school district resources can facilitate opportunities for people to build connections.

c) Positive identity development, that is success oriented, can empower the individual.

d) Assessment of the emotional message, given from the person of concern (Function of their Behaviour) will help to formulate a plan of approach. For example,

- this might be attention-seeking behaviour or possibly serving to help them escape from an expectation (in which they will likely fail).
- they could have a sensory need that they are seeking to fill or a sensory situation that is adversarial in its nature.
- they could be attempting to access a highly preferred activity or routine or alternatively might be just trying to avoid a rather disfavoured activity.

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Supporting the Needs of Someone with Autism:

Evidence based practices for supporting the needs of persons who have this disorder tend to center on several distinct areas of focus.

A caring and supportive relationship with another person is an essential core aspect of ASD therapy. Additional elements of care are often focused on a) environmental supports (adjusting the neurotypical world around the person so that it is more understandable and accessible for the person who has autism), b) positive behaviour supports (a specific focus on building success as opposed to reacting to failures) and c) direct teaching of the social and communication skills that the individual did not acquire during the typical developmental periods.

Research has shown that the use of Cognitive Behaviour Therapy (CBT) to circumvent and decrease the severity of the conditioned characteristics, such as low self-esteem, lack of empathy, and difficulty with perspective taking have been efficacious. As well, this therapy explores depression, anger management, anxiety and the development of appropriate boundaries between family members and the community at large, as well as providing relief to those struggling to make sense of their world.

Limiting an individual's exposure to violent and inappropriate media content, as well as monitoring their use of the internet can be both preventative as well as supportive. These persons might struggle with the distinction between reality and fantasy. Helping a person with ASD filter the information can often stop the fulfillment of concerning content.

Destigmatizing the diagnosis and building family and workplace or school awareness can decrease some of the anxiety that builds up in persons with ASD.

Reinforcing the wrap around (multidisciplinary) model with government agencies, mental health facilities, medical doctors, school (or workplace) and home teams can often assist the team in finding a common and consistent way of intervening.

This information is not comprehensive but can assist the VTRA team to not only determine whether enacting a protocol is necessary, but also to help guide them to find ways to support the complexities that come with the diagnosis. When possible, it is best practice to include a person skilled in recognizing and supporting the varying behaviours that exist with ASD.

Acknowledgement for this section to:
The Surrey School District's VTRA and Complex Needs Committee:
Elizabeth Abraham, District Helping Teacher (Special Education),
Deena Buckley, District Principal (Special Education),
Nancy Arends, District Resource Counsellor,
Dr. Kenneth Cole, Psychologist,
Dannette Hoenisch, District Resource Counsellor.
***In consultation with members of the Surrey School District's Student Support Team**:*
Casey Chaulk, Christopher Kelly, and Jennifer Poole: District Resource Counsellors.

VTRA REMINDERS:

"Violence Threat Risk Assessment (VTRA) Overrides Suspension":

In most cases, unless the individual of concern already poses an imminent or obvious safety concern, (i.e. currently brandishing a weapon), Stage One VTRA should occur before termination or suspension is even considered. Poorly timed disciplinary action can be high risk as this period is often viewed by the person of concern as the "last straw". It is in this stage that many threat makers decide to finalize a plan to terrorize their workplace, campus, school, or carry out a plan to attack a specific target. This caution is relevant to both homicidal and suicidal ideation. Although the termination or suspension does not "cause" the violence to occur it can create the necessary "context" for the high-risk individual, who is already struggling with suicidal and/or homicidal ideation, to take the final step from planning to action.

"Violence Threat Risk Assessment (VTRA) is not a Disciplinary Measure":

In the past there have been VTRA trained professionals who have failed to activate the Stage One Protocol for legitimate cases and instead have chosen to issue counter threats to the person of concern that if they engage in the threat making behaviour again then "we will do a threat assessment on you." This is contrary to the purpose of the VTRA process and a dangerous unidimensional practice. By doing it the professional (whether they intended to or not) has in essence done a VTRA on their own and determined they do not pose a risk. Therefore, they also bear the weight alone should harm occur.

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PARENT/CAREGIVER ROLES IN VIOLENCE THREAT RISK ASSESSMENT (VTRA):

Parent (Caregiver) Notification – [Person(s) of Concern]:

Note: *This section is primarily focused on children and youth under 18 years of age. However, there are adult VTRA cases where parents, caregivers, siblings, spouses (partners) and others associated with the person of concern have been contacted due to concerns regarding risk to self or others.*

Parent(s) or caregiver(s) are an essential part of the assessment process as they are necessary sources of insight and data regarding the "bedroom dynamic", "An increase or shift in baseline", and other contextual factors that may be either "risk-reducing or risk-enhancing". As such, notification of parent(s) or caregiver(s) is meant to activate a collaborative process between home and the VTRA Team to more fully assess the young person of concern and collaboratively plan for appropriate intervention where necessary.

Therefore, parent(s) or caregiver(s) of a young person under the age of 18, or who is still under the guardianship of an adult, should be notified at the "earliest opportunity". Specifically, notification should occur after the VTRA team has collected enough initial data to confirm that a Stage One VTRA should be activated. Depending on the initial level of risk or evolving dynamics of a particular case parent/caregiver notification may be delayed. Common reasons include:

a) Child protection issues that emerge early on in the data collection process. In these situations that part of the case will be the domain of Child Protection.
b) Parent/Caregiver poses a potential risk of violence to the Site where the VTRA was activated. In these situations, the police will take the lead of notification.
c) Where multiple young people of concern (and others) are believed to be part of a conspiracy of two or more and therefore the timing (correlation) of notifying multiple parents/caregivers must be done strategically so as not to escalate a complex peer dynamic.

Parent (Caregiver) Notification – [Target(s)]:

Note: *This section is primarily focused on children and youth under 18 years of age. However, there are adult VTRA cases where parents, caregivers, siblings, spouses (partners) and others have been contacted due to concerns regarding the trauma response of the target. This may include hyper or hypo arousal of the target that may be impairing their current judgement.*

As a primary purpose of the Community VTRA Protocol is violence prevention, identifying, protecting and supporting the target(s) of the threat is a priority as well. Therefore, parent(s) or caregiver(s) of a young person under the age of 18, or who is still under the guardianship of an adult, should be notified at the "earliest opportunity".

Often the target and his/her parent(s) or caregiver(s) are fearful or traumatized by the situation therefore notification should be done with skill, tact and planning. A plan should be made for possible emotional supports the family may need. As such, if the threat is "clear, direct, and plausible" or the VTRA team feels violence may be imminent (if the case is unfolding during school hours and the target is present at school), notification will occur after the target is secured/protected from potential harm. If the initial threat is **not** "clear, direct, and plausible", the VTRA team will continue to collect data to determine the level of risk before the parent(s) or caregiver(s) are notified: this is to prevent unnecessarily traumatizing individuals when no risk is present.

> *Taking the time to do a proper initial assessment can prevent some of the extreme overreactions that have occurred in several low risk cases across this country. There are also times when a case may first appear as high-risk but quickly prove to be a minor non-threat related situation.*

However, there are also cases where notification may be delayed, such as:

a) Long standing dynamics between two conflicting families that are likely to result in further threats and/or violence once notification occurs. These situations would be seen as "threat management" cases.
b) The parent/caregiver is highly likely to escalate the situation by overreacting before the VTRA Team can conduct all necessary initial interviews and take protective steps for the target(s)

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LEGAL MATTERS – PERTAINING TO VTRA:

Responsible Sharing of Information:

Police or Other Public Safety Agency Involvement in Student Interviews / Investigations:

Law enforcement agencies will strive to avoid conducting interviews or investigations at schools. However, it is acknowledged that there will be some situations when interview procedures must take place at the school as a result of specific circumstances including, but not limited to, concern for the student's safety, need to gather information from a student witness and/or need to interview a student who may be a suspect in a criminal investigation. In such cases, the school will strive to maintain respectful and low-profile interactions between students and police/public safety personnel.

a) Where the police wish to interview a student on school premises, the following guidelines will be observed.

- The principal or vice principal will work with agency personnel to determine whether it is imperative to conduct the interview on school premises.
- The principal or vice principal granting permission for interviews on school premises shall be responsible for ensuring an appropriate setting is made available for the interviews and shall assist the police in determining appropriate times for the interviews. He/she shall ensure that a parent(s)/guardian(s) is immediately notified except in a case where it is deemed that immediate notification would compromise student safety and/or the security of an evidence trail.
- If the interview is to take place at school, the police or other agency representatives will be requested to delay any interview until the parent(s)/guardian(s) has been contacted and provided an opportunity to attend unless it is critical that the interview be held without parent/guardian presence/involvement.
- It is up to the student being interviewed, and not up to the school or the police, to determine who will be present to provide support during the interview.
- Consultation time will be provided for the student and the student's support person prior to the interview.

b) Where the police wish to conduct an interview with a student witness / potential student witness or student victim on school premises, it is not necessary to follow the procedures above, however, parent(s)/guardian(s) will be contacted as soon as is practical**.** The principal or vice principal will attend such an interview if requested by the student. The primary purpose would be to provide support for the student. Whether to attend should be determined taking into account such factors as the age and maturity of the student and the nature of the incident being investigated. If the student wishes the interview to be conducted in private, then that would be respected.

c) Where a serious crime is involved, an alternate location for the interview, determined in consultation with a parent(s)/ guardian(s), may be chosen.

d) If a student is being transported by police or other public safety agency personnel from the school, the principal or vice principal will work to ensure that the movement of the student to the agency vehicle is done in a safe and low-profile manner and that the student's parent(s)/guardian(s) are made aware of the destination as soon as possible.

VTRA Parallel Investigation:

Police need to disclose relevant information to school personnel pursuant to the *Youth Criminal Justice Act (YCJA s.125)* in a timely manner in all threat assessment files that involve students.

* If a threat maker is being taken into custody police need to advise the school the approximate time when he or she will be released to the parent(s)/guardian(s). Are there immediate safety concerns if the threat maker(s) is released to the parent(s)/guardian(s)? There can be grounds to extend the hold, if required, to ensure public safety.

Youth Criminal Justice Act:

Youths may be arrested by the police for more serious offences. The rights expressed in the Canadian Charter of Rights and Freedoms apply to youths and adults.

"Youths and adults have the right to obtain immediate legal counsel of their own choice upon arrest or detention. The youth offender also has the right to have his or her parent(s) or guardian(s) present during questioning. Upon arrest or detainment, these rights must be explained in clear and understandable language. If the police have violated the above rights, the charges may be dismissed by a judge or any statements made to the police may be ruled inadmissible by the judge in court."

Search and Seizure:

Locker/Bedroom/Digital Footprint Dynamic:

In general, when people do not want to be discovered engaging in, potentially stopped from continuing with behaviours and/or do not want the items, products and trophies related to the behaviour randomly discovered, they choose to conceal evidence in a location where they believe they have an expectation of privacy. Sometimes the location is secret to them, but it may also be a location they know to be private because they alone have access to it. Locations such as their own residence or, if they do not live alone, their personal bedroom or office is often typical. If the dynamic of the residence is such that there is no reasonable expectation of privacy within the entire location, the chosen location for the behaviour may become a garage, tool shed or motor vehicle that affords privacy.

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Likewise, in a school setting the locker is one of the first places to find drugs, weapons and other contraband. It is now standard practice in a school-based VTRA and/or police-based VTRA to show a concerted interest in the locker and bedroom dynamic. Examination of these locations may help establish if there is any evidence that a threat maker is engaging in behaviours consistent with their threat.

The locker and bedroom dynamics are not exclusive because when we find evidence of planning in these locations, we often find further evidence elsewhere including at school in the threat maker's backpack, desk, textbooks, student and in other locations.

The more committed an individual is to carrying out an offence without being caught, the more likely they may hide weapons, ammunition, floor plans, maps and other items elsewhere in the home and surrounding property.

School administration must check for initial evidence of planning as it relates to the locker dynamic when a "clear, direct and plausible" threat is evident.

When such grounds exist and criminal charges are contemplated, it is necessary that police obtain a search warrant of the subject's residence and seize the specified items as evidence. The problem arises when the threats are ambiguous or insufficient grounds to obtain a search warrant exist. In these situations, it would be prudent to appeal for consent to search for safety reasons and to continue with the collection of data to determine if the threat maker poses a risk to identified target(s).

However, as students age and presumably become more mature, they have a greater expectation of privacy. This diminishes the ability of the parents to automatically grant consent for police to enter and search a private bedroom. The student may consent to a police search, thus removing the absolute requirement for a search warrant.

When students age and gain maturity, they become separate from their parents and acquire a reasonable expectation of privacy for their private living areas. If a student lives in a common area of the house, such as on the couch or futon in the open area, parents can authorize police to search this living space. However, if the student lives in a bedroom with a lockable door and the parents don't enter without permission, the student has a reasonable expectation of privacy. Police would require a search warrant to enter the private bedroom.

If there are exigent circumstances that require an immediate entry by police into the private bedroom to save a life, prevent the immediate destruction of evidence, or in case of "hot pursuit", a search warrant (Feeney warrant) for arrest is not required.

Search of Vehicles on School Property:

A driver has a reasonable expectation of privacy for the contents of his or her motor vehicle. A search of a vehicle on school property is not covered under the *School Act*. If school personnel

view concerning items by looking through the windows of the vehicle they should contact police who will respond and determine if a warrant is required.

Exigent Circumstances:

Where there are "exigent circumstances" a police officer may forgo the requirement of a search warrant. The protections of s.8 *Canadian Charter of Rights and* Freedom are "circumscribed by the existence of the potential for serious and immediate harm." exigent circumstances inform the reasonableness of the search.

S.487.11 *Criminal Code* – A peace officer, or a public officer who has been appointed or designated to administer or enforce any federal or provincial law and whose duties include the enforcement of this or any other Act of Parliament, may, in the course of his or her duties, exercise any of the powers described in subsection 487 (1) or 492.1 (1) without a warrant if the conditions for obtaining a warrant exist but by reason of exigent circumstances it would be impracticable to obtain a warrant. (See Exigent Circumstances Continued below)

Social Media Evidence and Digital Data:

Evidence is now found on digital devices as intimate details from our lives flow through our devices and are shared freely or sometimes unintentionally online. It is not possible to come across a young person without a social media account or a single digital device. Schools can request consensual searches of student digital devices. Be mindful of the remote erase capabilities of devices, it is important to preserve and protect evidence. With smart phones, network connectivity must be restricted. This can be accomplished by placing the device into airplane mode, taking out the battery, or powering down the device. Forensic searches of devices may be necessary but can take time.

There is no expectation of privacy from content that has been posted publicly on social media with no user privacy settings restricting view. Anyone in the world can conceivably locate such data through an internet search engine or public social media search. The evaluation of publicly posted digital data and data on devices (if available) is imperative to an accurate overall assessment of risk.

Boards of Education and Independent School Authorities are subject to personal information privacy laws and will undertake the collection of this information in compliance with the requirements of such laws, including by limiting collection to information that is relevant and necessary to address a risk or threat and by ensuring that information is collected from online sources and is only obtained from open source sites. Information collected as part of a threat assessment may be provided to law enforcement authorities in appropriate circumstances.

Exigent circumstances requests can be submitted to social media companies (Facebook & Instagram, Twitter, Snapchat) to retrieve data in critical timeframes through their law enforcement portals. If you believe that you will be proceeding with charges, it is important to

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submit a simple preservation order to these companies. You will then typically have 90 days to submit a production order / search warrant. Remember that social media companies are not always entirely forthcoming and can be difficult to work with. Screenshots of images or posts of **publicly** available online data with time and date stamp embedded are always preferable.

Preservation Orders:

Police can obtain preservation orders to get private companies to preserve and retain data that relate to an investigation. Most companies will, when ordered, preserve data for 30 to 90 days. During this time authorities are expected to collect court issued documents that authorize the disclosure of preserved information to public agencies. Preservation orders can be submitted without court documentation. Canadian digital forensics investigators are trained to immediately issue preservation orders to social networking companies at the beginning of their investigations, if they anticipate that the data might be needed to aid in the investigation. While authorities routinely issue preservation orders, these orders are not always followed up with production orders needed to receive preserved information.

Production Orders:

Production orders compel private companies to deliver or make available information to authorities. Canadian production orders involve judicial oversight/authorization and can only be sought and issued by authorities. Under Criminal Code section 487.019(2) production orders are valid throughout Canada and no longer require endorsement ("backing") when you cross a provincial or territorial boundary. They are considered less intrusive than search warrants as they do not let law enforcement officials enter and search the premises of a third party. Many social networking companies will disclose basic subscriber information when presented with a production order. With production orders, Canadian authorities tend to receive IP logs, mobile device or location information (if it is attached to the account), account user name as well as information about the Internet service provider used to access the account. Investigators will typically then file another production order with the ISP that was used to access the account to get basic subscriber information (e.g. billing information, mailing address, Internet Protocol address(s) assigned to the subscriber).

Investigative Guidelines:

There is a misconception surrounding digital forensic evidence that there is a powerful program that will search an entire computer device and cross reference any data to police databases. Similarly, people assume that there is a "magic" website that can find everything there is to know about a suspect's digital footprint. Unfortunately, there are no such tools that exist. The investigating officer should print the evidence, ask around and investigate the information they have access to first. The process for data collection includes the following:

a) Contact the service provider (for example, Twitter, Snapchat, Instagram, Facebook, etc.) and ask for a preservation order. They then have 90 days to get to it and in the meantime,

you can continue with your investigation. Present printed copies of the online evidence and interview witnesses. Ask some of the following questions: "Do you recognize this profile?", "Whose account is this?", "Have you ever communicated with _X_ on this profile/application?"

b) Identify material based on witnesses and present that "X" number of users have confirmed that this is the same profile. Throughout an investigation, especially in its early stages, frontline officers need to remain diligent in their articulation of what is happening at each stage. For example, when conducting a search of a phone, articulate the reasoning and the judicial authority to search that device.

c) When evaluating initial digital evidence that you seize, pay particular attention to the small details within a video or a photograph. Is there evidence to support criminality in the photo/video? Can you link the evidence to the offender? Is the photo a stock image? With "cry for help" type self-harm pictures there is a trend toward youth reposting stock images found on the Internet such as cutting of the wrists. Similarly, there are cases of uploaded legitimate images depicting young people self-harming.

*** Note:** it is important to follow the new test for searching cell phones and digital content (as per R. v. Fearon, 2014), especially relating to documenting the process and sequential steps by which the law enforcement officer searched the device/social media platform for evidence.

Exigent Circumstances - Continued:

Investigating officers are permitted to search and seize evidence without a warrant in exigent circumstances. Exigent circumstances exist when there is imminent danger of loss, removal, destruction or disappearance of the evidence if the search or seizure is delayed. Exigent circumstances also exist if the seizure results from the investigator carrying out the search to save a person from life-threatening immediate danger. Investigating officers must be able to articulate why the search was conducted without a warrant and why the circumstances were exigent. Police officers must be familiar with section 487 of the Criminal Code and conduct their investigations within this context.

This has been codified in s. 487.11 (when a warrant not necessary). When dealing specifically with searching a residence without a warrant, exigent circumstances have also been defined/codified under s. 529.3 (1)/ (2). There are a number of definitions for exigent circumstance and when it is appropriate for a residence, drug related or standard search. The general definition of exigent circumstances is if there is potential of imminent bodily harm or death to a person, or imminent loss or destruction of evidence, police can rely on exigent circumstances. In addition, police can rely on their common law duties, such as duty to protect life (i.e. entering a residence without a warrant after a 911 call and screams heard).

Exigent circumstances may exist when assessing an online threat or dangerous situation. Investigating officers must decide if an imminent threat exists. An example of an online threat

where the police would utilize exigent circumstances may be a Facebook photo with someone showing a gun and threats to use it that day. When one compares the language and specificity of the first example to a case where an ask.fm posting states that "someone will shoot someone two weeks from" the posted date, a police officer would have a difficult time articulating to a judge how there existed exigent circumstances and police had no time to seek a warrant. If there is an imminent threat that would preclude the police from applying for/receiving a warrant due to urgency/imminent threat, then they may rely on exigent circumstances, contact Facebook (in this case), articulate why the circumstances are exigent and obtain details of IP of sender, etc.

These cases would be the same for intimidation and counselling suicide for instance, it would just be dependent on time and urgency. Unless there are exigent circumstances, warrants are needed to investigate the content of a device/computer - i.e. do not search or seize it without a warrant. The courts are more likely to challenge the validity of the warrant over the digital evidence, so following warrant procedure is critical.

When communicating with third parties in a time sensitive investigation (Internet service providers or social media platforms), investigating officers must be able to explain the urgency of their requests and the seriousness of the investigation. This can be achieved using specific language in attempts to convey the urgency of the situation. For example, in a counselling suicide case if you are able to assign a probability or higher likelihood for this person to commit suicide based on the negative content and comments promoting completion (e.g. "Just hurry up and do it, we all F@$#ing hate you") posted online, your response time will likely be expedited.

In cyberbullying cases, it may be necessary for police officers to preserve and access the subscriber data that is retained by social media service providers. Challenges that often arise usually surround the jurisdiction of where the company is based. If the companies are based out of United States, this presents a jurisdictional challenge that may sometimes require a Mutual Legal Assistance Treaty. The following judicial authorization orders are used in assisting investigations that have a cyber component and allow Canadian authorities to preserve and produce information that is held by social media companies.

Mutual Legal Assistance Treaty (MLAT):

A Mutual Legal Assistance Treaty (MLAT) facilitates cross-border (international) policing actions. In essence, MLATs are treaties between different countries that outline how they will help one another during investigations where two, or more, legal jurisdictions are involved. The MLATs that Canadian authorities use to compel information from American social networking companies typically ask American law enforcement officials to get a local court order and serve it on the company that holds the sought after data. Canadian authorities will immediately turn to an MLAT if they are investigating a serious crime (e.g. homicide). MLATs can take a long time to process, however, and so it typically takes Canadian authorities a minimum of six to eight months to receive data. Because MLATs require significant amount of bureaucratic work and can be slow to return data to authorities, these treaties are sometimes shunned in favour of open source intelligence and evidence gathering techniques.

All open source data that can be gathered on the Internet or through non-login social media applications is admissible, but evidence must prove that the accused was the individual who pressed send. The digital evidence helps prove where the information came from but does not necessarily identify the computer/device user as the accused. It is easy to see what is on a device but proving who is behind the device is the key. That being said, we also acknowledge that current devices and social media are always online and logged into by their primary user. In order to prove the elements of the offence, the evidence must prove who had care and control of the computer/device used to commit the offence.

With a home computer, you have to establish that the accused had care and control of the computer at the time of the offence. Questions you might ask could include: who lives in the residence, who had access to the computer, who was at home during the time of the offence (i.e. time bracketing). At the end of the day you can't put a cellphone in jail, you need to be able to link the content to an offender. Remember that a digital evidence investigation is no different than any other - who is the victim, who is the accused, what occurred, and where can you look for further information or evidence?

A caution for investigators in using open source information and resources - what is the level of reliability for your source information, and will you be relying on it for future search warrants or orders?

Securing Evidence Case Scenario:

***Potential Case*:**
You have a piece of digital evidence (Facebook wall post, Instagram photo with criminality, screen-shot Snapchat photo, ask.fm post with specificity around counselling suicide) - How do you go about securing the next step - Who posted/sent it?

***Possible Response*:**
When a police officer becomes aware of digital evidence, the first concern is to secure the evidence at hand. The first step in preservation would be to screenshot or take a photograph of the digital evidence in order to time stamp it, with a URL if possible and have a permanent record of it. It would be important to interview the person who brought it to your attention in the hopes of receiving more information with regards to who else is involved. Hopefully you will be told who is responsible for the photo or content and who (if not the same person) is responsible for the posting/sharing of it. From then, you could interview any other witnesses and potentially do a warned statement of the accused. If more information is needed from the service provider, submit a preservation order to the platform and continue with investigation. Follow up with production order. Should you be able to obtain sufficient evidence from the interviews, you could obtain a search warrant to seize the computers, phones, iPods, and any other electronics that might be implicated. Any electronics seized could then be turned over to tech crimes for analysis. While this is occurring, it is possible to present Crown with a bare bones file and ask for a no contact order with the victim and witnesses and a no possess/use cell phone or electronic device until the trial.

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Preserving Evidence:

Foil envelopes (Mylar Evidence Bags) and Radio Frequency (RF) bags are still currently being used to preserve device evidence and the suggestion is to double bag the foil envelope. The current practice by forensics officers is to pull out the SIM card and/or battery and utilize small paint cans with lids to enclose the cell phones during storage to prevent any remote swipes of information and data. Airplane Mode also works as a functional solution as it removes the device from contact with the network. Do not turn airplane mode off, or reinsert the SIM card or battery as this could allow a remote swipe to take place.

Remember, tech crime units were created in order to deal with child pornography issues. It is important to note that they have evolved and redirected their focus to technological components of serious prioritized crimes starting with homicide, terrorism, serious violent offences, gang activity, and then child exploitation. As a result of such demand for service, current timelines for the return of a technological forensic report can be up until 18 months. However, there has been a shift towards training more semi-technical experts to help reduce the demand on the tech crimes unit and provide support, information, and counsel to police on how to proceed in these cases. Under the RCMP's Integrated Technological Crime Unit, there exists a Digital Investigators of Computer Exhibits (DICE) team who are field triage subject area experts on technology as it relates to police investigations.

RCMP members can find more information on the field triage programs (DICE and DMFT) at http://infoweb.rcmp-grc.gc.ca/edivision/branches/crim_ops/policing_support/tech_crime/FieldTriagePrograms-eng.htm

If and when an officer has to take the stand in court and present open-source social media evidence, an effective practice for describing the admission of social media evidence is to present it from a user-interface perspective. With Facebook for example, treat it as a regular service that has become commonplace. Using a user-interface perspective allows you to avoid trying to explain the inner workings of Facebook's back-end database and computer science. If you start getting too specific in your explanation, the defence will attempt to poke holes in your testimony by attempting to validate your knowledge of Facebook. If user content is received back officially from a social media platform (Facebook, Instagram, Twitter), this content is usually self-authenticating in itself.

If the police have a suspect and are considering charges, a decision, based on multiple factors, must be made as to whether to issue a PTA (Promise to Appear) or when to arrest and release on bail. When there are concerns about an offender's behavioural escalation, police need to determine if it is in the best interest of the case to put that person on a PTA vs. getting an arrest warrant and having that person released on bail terms. It is important to know that there are more protective terms available on a Bail Order vs. PTA (e.g. we couldn't ban use of computer or mobile device on a PTA but we could on a Bail Order.)

Youth Court Record vs. Police Records:

A record of proceedings under the *Youth Criminal Justice Act* can be kept by both the courts and the police.

The police can keep the following records:

a) A record of any offence alleged to have been committed by a young person, and
b) A record of any extrajudicial measure used to deal with a young person.

Youth records are kept as follows:

a) Canadian Police Information Centre (CPIC): the only national offender database which records data from within the formal justice system.
b) Justin: a provincial (BC) offender database which records data from within the formal provincial justice system.
c) Prime: a national offender database which records data from police contact.

The YCJA has strict control over the keeping and use of information pertaining to a young person and has set strict rules in an effort to ensure that the privacy of a young person is protected, while at the same time balancing the need for access to information to ensure an effective and efficient youth justice system. There is a general prohibition for anyone to access records kept. The exceptions to this rule are set out in s. 119 YCJA and include but are not limited the Attorney General and any peace officer for law enforcement purposes. There are also rules relating to the length of time that access is permitted – generally the more serious the offence the longer the period of access. Once the access period has expired the Youth Court record is sealed. There are limited circumstances in which information may be accessed even after the record is sealed and are set out in the Act.

Prime records remain visible to the police even after the offender becomes an adult. There are, however, restrictions on the use of this information.

Disclosure of Information Regarding a Young Person:

Although records of a young person are protected, s. 125 (YCJA) indicates some situations when disclosure may be applicable and the means in which this is accomplished. Namely, the disclosure by peace officer during investigation whereby in s. 125(1) “A peace officer may disclose to any person any information in a record kept under section 114 (court records) or 115 (police records) that it is necessary to disclose in the conduct of the investigation of an offence.”

Further, in reference to disclosure of information to those person(s) listed in s. 125(6) “The provincial director, a youth worker, the Attorney General, a peace officer or any other person engaged in the provision of services to young persons may disclose to any professional or other person engaged in the supervision or care of a young person — including a representative of any

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school board or school or any other educational or training institution — any information contained in a record kept under sections 114 to 116 if the disclosure is necessary

a) to ensure compliance by the young person with an authorization under section 91 or an order of the youth justice court;
b) to ensure the safety of staff, students or other persons; or
c) to facilitate the rehabilitation of the young person.

Additional Sources:

Provinces and States have legislation that permits information sharing under circumstances where there is imminent danger. It is important to review relevant legislation in your own province or state to ensure adherence while providing for workplace, school and community safety.

Mass Shootings at Virginia Tech: Report of the Review Panel presented to Governor Kaine Commonwealth of Virginia.
Summary of Key Findings p.3

"University officials in the office of Judicial Affairs, Cook Counseling Center, campus police, the Dean of Students, and others explained their failures to communicate with one another or with Cho's parents by noting their belief that such communications are prohibited by the federal laws governing the privacy of health and education records. In reality, federal laws and their state counterparts afford ample leeway to share information in potentially dangerous situations."

NEWS RELEASE May 9, 2008
Ontario and B.C. Privacy Commissioners issue joint message: personal health information *can* be disclosed in emergencies and other urgent circumstances

"In light of recent events, such as the tragic suicide of ... a student at Carlton University, and the Virginia Tech massacre of 2007, the Information and Privacy Commissioner of Ontario, Dr. Ann Cavoukian, and the Information and Privacy Commissioner of British Columbia, David Loukidelis, are reaching out to educational institutions, students, parents, mental health counsellors and healthcare workers in both provinces: personal health information may, in fact, be disclosed in emergencies and other urgent circumstances. The two Commissioners want to ensure that people realize that privacy laws are not to blame because they do permit disclosure".

Therefore, if an individual is in possession of reliable information that may indicate that there is an imminent danger to the health and safety of any person or persons, the information can be shared without consent. If information has been shared without consent, the individual shall be advised with whom the information was shared as required by law.

I) In 1981 the ***Supreme Court of Canada*** in *Myers v. Peel (County) Board of Education* defined the standard of care to be exercised by school authorities in providing for the supervision and protection of students for whom they are responsible, as that of a ***careful and prudent parent***.

II) The ***Supreme Court of Canada*** (1998) has established legal precedent by ruling (in *R. vs. M (M.R.*)) that in certain situations, the need to protect the greater student population supersedes the individual rights of the student. The ruling explicitly acknowledges that school officials must be able to act quickly and effectively to ensure the safety of the students and to prevent serious violations of the school rules. The Supreme Court established two principles relevant to Violence Threat/Risk Assessment Protocol:

The individual charter rights of the student are lessened to protect the collective need for safety and security of the general student population;

Schools officials have greater flexibility to respond to ensure the safety of the general student population in an educational setting than law enforcement officials have in a public setting.

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QUICK REFERENCE GUIDE FOR LAW ENFORCEMENT DEALING WITH YOUTH THREAT RELATED BEHAVIOUR:

Youth Criminal Justice Act (YCJA) s.3	• Prevent crime, rehabilitation of young persons, ensure meaningful consequences
YCJA s.119(1) - Disclosure of Personal Information	• Young person and lawyer • Attorney General • Victims • Parents during the course of proceedings • Peace officers • Social workers and youth case workers • Criminal record checks for positions requiring government checks
YCJA s.125 - Disclosure of Personal Information	• 125(1) By peace officers during investigation • 125(4) Insurance companies including bait car program • 125(6) Schools and care providers – arrangements for safety and security at school
YCJA s.146 – Statement by Young Persons	• RCMP Operational Manual, national white sheets, chapter 39.4.2 • Young person's statements; voluntary; explanation; rights to counsel; right to have parent or counsel present. • Young person status at time of statement; not for persons now 18 years or older
School Act – Section 177 Offences	• 177(1) A person must not disturb or interrupt the proceedings of a school or official function • 177(2) A person who is directed to leave the land or premises by a principal, vice principal, director of instruction or a person authorized by the board to make that direction a. must immediately leave the land or premises, and b. must not enter the land and premises again except with prior approval from the principal, vice principal, director of instruction or

Note: The Independent School Act does not contain a section pertaining to offences	a person authorized by the board to give that approval • 177(3) A person who contravenes s.s.(1) or (2) commits an offence • 177(4) A principal, vice principal, director of instruction or a person authorized by the board may, in order to restore order on school premises, require adequate assistance from a peace officer • A principal of an independent school can seek assistance from a peace officer when necessary
School Act / School Authority – Locker Searches & Personal Items	• Seizures by school officials; police may receive items • Continuity of exhibits seized by school officials; case specific
YCJA – Arrest Warrant Information	• s.110(4) Ex parte application to Youth Court – 5 days only for publication • s.125(1) "show and talk" by police officer
YCJA – Arrest Warrant and Photos	• s.110(4) Can publish photos if danger to others and necessary to apprehend • Disclosure if necessary to seek the public's assistance in locating suspects • No disclosure for shaming or embarrassment purposes
Race and Ethnic Origin	• Race may be relevant to suspect descriptions, public interest warnings and association with target groups
Home Searches	• Consent search • Search warrant • Exigent circumstances
Tip Lines / Reporting Tools	• Crime Stoppers; School Offices
Social Media Monitoring by Schools	• Public postings have "no reasonable expectation of privacy" - Facebook, Instagram, You Tube etc. • Monitoring worrisome behaviour by at-risk youth
Privacy Act – Public Interest Notifications	• s.8(2)(m) Personal information may be disclosed for any purpose, where in the opinion of the institution: a. the public interest in the disclosure clearly outweighs any invasion of

Freedom of Information and Protection of Privacy Act	privacy that could result from that disclosure, or b. disclosure would clearly benefit the individual to whom the information relates. • Criminal Code s. 810(1) & (2) also applies. • s33.1 & 2 a public body is permitted to disclose personal information where the person concerned has agreed in writing to the disclosure, in order to comply with legislation, for a consistent purpose, to respond to a subpoena, or where the information is necessary to assist public body employees (which includes contractors) in the performance of their duties
Mental Health Act	• Feeney warrant not required for apprehension • s.16(f.1) police officer is not liable if acting in good faith and with reasonable care • s.34.1(1.b) notice to patient under 16 years of age • s.34.1(2.b) reference to rights set out under s.10 CCRF
Health Disclosure Protocol	• B.C. Ambulance Service: crew reports and verbal updates • Multidisciplinary approach to mental health issues – police, doctors, nurses, BCAS, social workers, schools • May require team approach and case management planning

Acknowledgement for this section to:

Much of the following section is from the outstanding work done by our colleagues who participated in the development of the British Columbia School / Police VTRA Protocol:

During the development of this protocol numerous consultations were held and we would also like to thank all who participated throughout the province and our contributing authors:

Theresa Campbell, President, Safer Schools Together
Sherri Mohoruk, Consultant, Safety & Wellness, BC Ministry of Education
Jennifer McCrea, Assistant Deputy Minister, BC Ministry of Education
R. Kyle Friesen, Counsel, RCMP Legal Advisory Section
Lisa Southern, Southern Law
Sgt. Raf Alvarez, Federal, Serious Organized Crime
Scott Rothermel, District Based Community Liaison School District #62, Trainer SST
Cst. Lisa Schmidtke, Drug Recognition Expert, West Kootenay IRSU, Nelson Police
Sgt. Tanya Whysker, Vancouver Police Department

VIOLENCE THREAT RISK ASSESSMENT: EVALUATION

Following a thorough assessment of all contextual information, risk factors, responsible information sharing and careful consideration of data and information provided by the family, the VTRA team makes an evaluation of the threat or risk posed by the person of concern. Typically, they will determine if the risk of harm is **low, medium or high**.

It is important to make this determination prior to implementing long term interventions so as to ensure that the interventions are consistent with and responsive to the level of risk posed by the person of concern.

VTRA Team members collate the data and discuss all relevant information regarding the person of concern. As a team, ask the questions:

> "*To what extent does the person(s) pose a threat to an individual or site*?"
> "Does the person pose a threat to himself/herself or someone beyond who was originally threatened (i.e. family)?"

The Stage One Assessment is an overall assessment of current level of risk and is a precursor to (if necessary) a more specialized Stage Two Risk Evaluation.

Basic Categorization of Risk for Stage One VTRA;

Low Level of Concern:

"Low" categorization of risk does not imply "no risk", but indicates *the individual* is at little risk for violence, and monitoring of the matter may be appropriate.

- Threat is vague and indirect.
- Categorization of low risk does not imply "no risk" but indicates *the individual* is at little risk for violence.
- Information contained within the threat is inconsistent, implausible or lacks detail; threat lacks realism.
- Available information suggests that the person is unlikely to carry out the threat or become violent.
- Within the general range for typical baseline behaviour for the person of concern in question.
- Monitoring of the matter may be appropriate

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Moderate Level of Concern:

"Moderate" categorization of risk indicates *the individual* is at an elevated risk for violence, and those measures currently in place or further measures, including monitoring, are required in an effort to manage the individual's future risk.

- Threat is more plausible and concrete than a low-level threat. Wording in the threat and information gathered suggests that some thought has been given to how the threat will be carried out (e.g., possible place and time).
- No clear indication that the student of concern has taken preparatory steps (e.g., weapon, seeking), although there may be an ambiguous or inconclusive reference pointing to that possibility. There may be a specific statement seeking to convey that the threat is not empty: "I'm serious!"
- A moderate or lingering concern about the student's potential to act violently.
- Increase in baseline behaviour.
- Categorization of risk indicates *the individual* is at an elevated risk for violence, and those measures currently in place or further measures, including monitoring, are required in an effort to manage the individual's future risk.

High Level of Concern:

"High" categorization of risk indicates *the individual* is at high or imminent risk for violence, and immediate intervention is required to prevent an act of violence from occurring.

- Threat is specific and *plausible*. There is an identified target. Student has the *capacity* to act on the threat.
- Information suggests concrete steps have been taken toward acting on threat. For example, information indicates that the student has acquired or practiced with a weapon or has had a victim under surveillance.
- Information suggests strong concern about the student's potential to act violently
- Significant increase in baseline behaviour.
- Categorization of risk indicates the individual is at a high or imminent risk for violence.
- Immediate intervention is required to prevent an act of violence from occurring.

Sources for the above categorizations represent a consolidation of the work of the FBI, Durham Regional Police Service, Ontario Provincial Police Behavioural Sciences and Analysis Section, and the North American Center for Threat Assessment and Trauma Response.

Violence Threat Risk Assessment: Managing Beyond the Initial Threat

Guidelines for Re-entry into the Workplace or School:

When data suggests that a person of concern poses a threat to others in their own work or educational setting he/she may be suspended or excluded from the site until a more specialized assessment can be conducted (Stage Two). VTRA teams guide the process from initial assessment, to planning interventions to decrease risk, to planning for re-entry into the workplace or educational setting. This is best accomplished when the VTRA team outlines, in writing, steps the person of concern and others need to follow to ensure an appropriate assessment(s) is conducted prior to re-entry.

Please note: In cases where threat making behaviour is directed toward an employee, additional processes parallel to VTRA will likely be enacted. In these cases, it is important to act in accordance with any jurisdictional workers compensation board (or corresponding provincial body), union, or other compliance guidelines.

Supportive Services:

Each of the VTRA members need to have the authority within his/her own organization to make immediate decisions with regard to recommendations for supportive services. For example, it may be necessary to provide secure residential treatment, psychiatric hospitalization of the person of concern or increased supervision in the targeted setting. It is also important to ensure that the support services and interventions are extended beyond the person of concern to their family (partners, caregivers, roommates, etc.) and are culturally appropriate and/or accessible within the context of the limitations of the community. Recommending services that are not readily available or accessible can add to the level of anxiety and risk inherent in an already elevated case.

Supporting Targeted or Victimized Individuals or Systems:

Site-Specific VTRA Leads (and/or their designates) are responsible for ensuring that the emotional well-being of the recipient(s)/victim(s) of the threats are assessed and that services are provided as necessary. The circumstances will dictate how far reaching an intervention may need to be as the threat may be directed towards one or more individuals, an entire group of people (hate crimes), or the entire population of a specific site (e.g. office, program, educational setting, church, etc.). The VTRA Team member responsible for overseeing the crisis/trauma response aspect of a case should determine if crisis counselling or a crisis response team is needed to re-establish calm and provide longer term support if needed. This is the most neglected area in VTRA cases.

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It is important to remember that by doing the front-end work of informing individuals/systems through fair notice of the possible implementation of the VTRA process when criteria is met, as well as implementing and practicing Lockdown protocols, individual and system anxiety levels in real life situations can be mitigated. Modelling and practicing calmness in instances where a VTRA or Lockdown may be needed is a valuable tool in managing the impact of potentially traumatic situations.

The fields of Violence Threat Risk Assessment and Crisis/Trauma Response are inseparably connected. VTRA Teams may do a good job of assessing and intervening with the person of concern, but if the recipient(s) of the threat and their support circles do not feel wrapped around, cared for, and safe, over-reactions by them to even low risk for violence cases may occur. Everyone's fears need to be heard and they need to be reassured that the team is taking their concerns seriously. When the target(s) are left to feel unentitled to be concerned for their own safety and their personal support circles feel they are not being attended to then the veracity of the VTRA process gets called into question. As such, cases that could have been contained and dealt with in a confidential manner, become high profile as sometimes those emotionally impacted go to local media and other extremes to be heard.

Many VTRA Protocol regions across the country are trained in the *Traumatic Event Systems (TES) Model of Crisis/Trauma Response* which is a companion to the VTRA process and a multi-agency initiative as well.

THE TRAUMATIC EVENTS SYSTEMS (TES) MODEL OF CRISIS/TRAUMA RESPONSE (A BRIEF INTRODUCTION):

As an integrated practice the TES Model of Trauma Response focuses on four phases of assessment and intervention. Distinctions are made based on whether school(s), worksite(s), or the entire community is ground zero for primary interventions.

TES Model

Children and Youth Focus

Phase I: Initial Response – Child and Youth System (Schools, sports teams, clubs or church youth groups etc.)
Phase II: Comprehensive Strategic Assessment – Adult Systems (e.g. Teachers, Coaches, Child and Adolescent Support Workers etc.)
Phase III: Parent/Family System (Community Intervention)
Phase IV: Traumatic Aftermath: Preparing Worksites, Schools and Communities for the Process of Recovery.

Workplace Focus

Phase I: Initial Response – Frontline Staff in the Workplace
Phase II: Comprehensive Strategic Assessment – Adult Systems (e.g. Middle Managers and other sub-system leaders, Affiliates, etc.)
Phase III: Community Intervention – Spouse (Partner) and Family System
Phase IV: Traumatic Aftermath: Preparing Worksites, Schools and Communities for the Process of Recovery.

High Impact Crises or High Profile Traumatic Events
(Combination of the above)

Theoretical Foundation:

The TES Model of Trauma Response is an integrated model built on the foundation of human systems theory generated from the early work of Dr. Murray Bowen and Dr. Salvador Minuchin: psychiatrists who expanded their work beyond psychodynamics to family systems theory and dynamics. Bowen who merged the growing understanding of biological systems with their parallels in human systems to assist helping professionals in understanding the individual within their relational environments and Minuchin who focused on structural issues with human systems and their influence on relational dynamics. As a system trained therapist and the primary developer of the TES Model, J. Kevin Cameron and colleagues have woven years of clinical

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experience in treating individuals and families impacted by trauma into their national and international work, consulting on the impact of trauma on human systems from high profile tragedies including homicide, suicide, multiple death car crashes, terrorist attacks and school shootings.

Practical Application:

While the theoretical foundation of the TES Model is systems based, the practical application of this integrated model is also supported by the standardized practice of Psychological First Aid (PFA) researched and developed by leading experts from the National Child Traumatic Stress Network. The work of Dr. Bruce Perry and the Neuro-sequential model of Therapeutics is also referenced as a leading assessment and intervention practice for profoundly traumatized individuals.

The practical approaches noted above focus primarily on the impact of trauma on individuals while the TES Model also addresses the impact of trauma on human systems. Dr. Marleen Wong (University of Southern California) and the Los Angeles Unified School District contracted Mr. Cameron in 2001 to write and present an academic paper entitled “Trauma in Human Systems: A Brief Introduction”. This collaboration has continued as elements of the TES Model and the Violence Threat Risk Assessment (VTRA) Model have been merged into a joint initiative where Mr. Cameron was requested to develop the “Military Connected Schools (MCS) Model of Threat Assessment” (2011) under the auspices of The Trauma Services Adaptation Center for Resilience, Hope and Wellness in Schools which is a community program development and research partnership of staff from: The Los Angeles Unified School District School Mental Health, RAND Health, UCLA Health Services Research Center, UCLA Anxiety Disorders Clinic, and the University of Southern California School of Social Work and funded by a grant from the National Child Traumatic Stress Network and Substance Use and Mental Health Services Administration (SAMHSA).

As such, the TES Model is multi-systemic focusing on both micro-dynamics and macro-dynamics and their interconnectedness. The only area the TES Model does not address is immediate support to First Responders. Professionals trained in Critical Incident Stress Management (CISM) are better suited to this practice as many Emergency Responders have reported the effectiveness of that process. The TES Model excels in trauma response to children, youth and adults, who as part of their work were not trained for regular exposure to traumatic stimuli. These individuals supported by trauma response teams were not directly exposed to blatant traumatic stimuli. Other factors such as pre-trauma functioning, resilience, as well as family, school, and workplace dynamics must be considered. All these variables influence an individual’s need and preparedness to talk about their experience.

Most other crisis response practices assume that all systems function the same and therefore apply the same linear intervention. The TES Model is built upon the reality that no two systems function the same. Some are naturally open systems and some are naturally closed. Others are already traumatized and are currently traumatically open or traumatically closed. For instance,

what happens when a leader of a family, school or community is traumatically closed while the system they are responsible for is traumatically open and wants support but cannot safely seek it? The primary role of initial TES intervention is to take actions that lower systems anxiety because “the higher the anxiety the greater the symptom development”. Strategically opening systems impacted by trauma so that longer term individual support can occur requires clinical expertise and insights. As such, the foundation laid in the first two weeks post traumatic event is what aftermath recovery is built on. The reason many families, schools and communities refuse to allow supportive services in, is because past crisis responders forced themselves into the system and elevated the anxiety to the point of causing more harm than good. So then future help is refused because it is seen as threatening to the system.

Other System Dynamics and Variables to Consider:

Critical Periods are unique but predictable time frames for increased symptom development in individuals and systems. They are identified with necessary multi-agency assessment and addressed with multi-agency interventions. An understanding of parallel processes, circularity, closeness-distance cycles, and the peaks and valleys of recovery for individuals, and how it is influenced by the systems we function within are essential. Family dynamics often generate members who over-function and will not even develop symptoms until weeks, months or years later. These same over-functioners can unknowingly duplicate the same pattern in the workplace or among their peer groups. Depending on the roles they are in, their functioning can have a profound impact on system recovery.

Multi-agency teams are therefore trained to understand and intervene in all phases of a systems response to trauma. With the advent of media and social media we have now seen how the natural response to traumatic loss can be intensified and responses extended within the entire impact zone. Delayed response can also be intensified and extended for as long as media coverage is reporting on the compassionate supports to those closely impacted. Once media attention begins to focus on blame, anger can build and individuals, families and entire communities can be caught off guard with emotions they believed they would not need to experience. Focusing on all these variables and dynamics moves the TES model away from the traditional linear perspective on crisis response and makes it the most modern model of trauma response in practice today.

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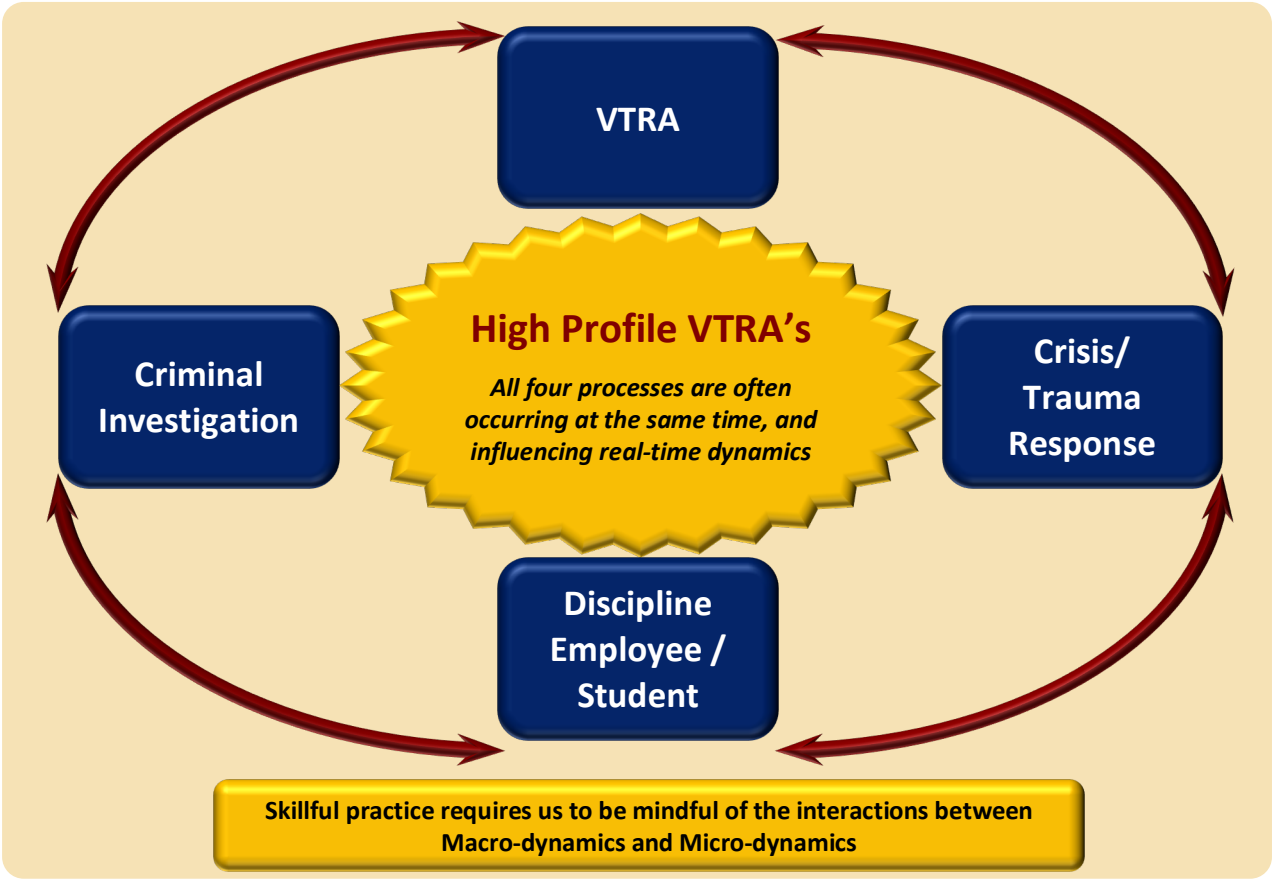
HIGH PROFILE VIOLENCE THREAT RISK ASSESSMENTS:

VTRA is meant to be helpful not hurtful. As such, the team should attempt to be as non-intrusive as possible. Most VTRA cases are conducted where very few people are aware that the process is occurring in their workplace, educational institution, community etc. However, there are circumstances where an entire worksite or community may be aware due to the nature of the threat or the way it was delivered. For example, when a person of concern posts an online threat that has gone viral targeting '30 people they are going to shoot' it is impossible to contain the impact without formal intervention by the VTRA Team. In these cases, the VTRA Team must be aware of all four key areas *(See Diagram below)* of response and intervention that may overlap or occur simultaneously in some circumstances. The best practice is for the Team to visually place the four columns noted below on a flipchart, whiteboard, or screen so that all actions considered fit within this framework for timing and implementation. The one area most commonly underreacted to is the crisis/trauma response of victims and others to the possible threat. Sometimes VTRA Teams quickly become aware that the case is low risk and because their anxiety is now low they assume, without taking any formal action to assuage fears, that the victims and others are fine as well. Therefore, Protocol Partners need to be aware of the following key areas that often overlap with the VTRA process in a high-profile situation:



High Profile VTRA's

Criminal Investigation	VTRA	Crisis/Trauma Response	Discipline Employee/Student

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ANONYMOUS THREATS: ASSESSMENT AND INTERVENTION

Anonymous threats are typically threats to commit a violent act against an individual(s), specific group, or site (i.e. workplace, school). They may be found written on bathroom walls or stalls, spray painted on the side of a building, posted on the internet, letters left in a conspicuous place (i.e. staffroom table, desk) etc.

Although anonymous threats may be credible in the world of global terrorism, in the field of school and workplace VTRA, the lack of ownership (authorship) of the threat generally denotes a lack of commitment. Nevertheless, there are steps that should be followed to:

- Assess the anonymous threat,
- Attempt to identify the threat maker,
- Avoid or minimize the crises/trauma response.

1. Assessing the Threat

VTRA teams should consider the following in determining the initial level of risk based on the current data (i.e. the language of the threat)

Language of Commitment:

- Amount of detail (location where the violence is to occur, target(s), date and time the violence is to occur, justifications, etc.).
- Threatened to do what with what ("kill", "murder", "ruin your lives", "shank", "shoot", etc.)?
- Method of delivery of the threat (who found/received the threat, when did they receive it, where did they receive it, who else did they tell and who else knows about it?).
- Is the threat clear, direct, plausible, and consistent?

2. Identifying the Threat Maker

In many cases the author is never found but steps that can be taken to identify who the author(s) are:

- Handwriting analysis.
- Word usage (phrases and expressions that that may be unique to a particular person or group of people [street gang, club, sports team, etc.]).
- Spelling (errors or modifications unique to an individual or group).

Contra-indicators:

Some authors will switch gender and try to lead the reader to believe they are male (or female) when they are not or pretend to be someone else as a setup.

Some individuals who write anonymous “hit lists” embed their own names in the list of identified targets.

Some individuals who report having found the anonymous threat are either the author or know who the author is.

Depending on the severity of the threat, some or all staff members may be asked to assist in reviewing the anonymous threat or a portion of the threat that authorities (police, etc.) feel is appropriate to share to assist with identifying the author(s).

Depending on the severity of the threat, some students may be asked to give their opinion regarding the origin and authorship of the threat.

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CONCLUSION:

The materials and information in this protocol are intended as an informed guide to protocol development for assessing, intervening, and managing high-risk, violent and threat making behaviour. Importantly, no two cases are the same and each individual incident must be treated as unique. A primary strength of the VTRA Model is the use of a multi-disciplinary team that evaluates all the factors and contexts of the person of concern's life.

Ensuring safe worksites, schools and communities requires far more than just Violence Threat Risk Assessment procedures. It requires social responsibility and a true desire to respectfully collaborate with other professionals and agencies and take advantage of the already existing expertise among us that is far more powerful when employed by a functional team.

APPENDIX A: COMMUNICATING WITH MEDIA AND PARENTS (SCHOOL BASED VTRA'S)

When a case draws high profile media attention, formal communication should be collaborative between school administration, school district administration and police.

If the media is aware of an incident or situation, it is important that communication with the media be done quickly, even if it is to acknowledge that a statement is being prepared. Without a timely response from the district, reporters will be inclined to pursue other sources for information that may be inaccurate or inappropriate. (Consult police media liaison before release).

In most cases the Superintendent/Director of Education would work with the police designate to communicate with media jointly: VTRA members should not communicate with media unless requested by the Superintendent/Director and the police. In some jurisdictions police and larger school divisions will have their own media relations or communications officer in which case they may take the lead if directed. The only Stage One VTRA member who would have some directed media contact is the school principal. However, the contact should be minimal and for the purpose of "modelling calmness and leadership" and reinforcing police and school district communication.

Over the past decade as media have become more interested in school safety issues some Superintendents/Directors have left it up to principals to "ask" the district for help with managing the media: this is not good practice! Many school leaders have been weighed down by the sometimes relentless demands of the media during high profile cases which then takes the school leader away from leading the school.

Regarding parents/caregivers: information should always be communicated for the purpose of modeling openness and calmness, promoting credibility, and reducing/mitigating an increase in system anxiety. How information is shared will depend on circumstance but, in high anxiety situations, it is better to deliver communications in person where possible. This may include an evening information meeting for parents where multi-agency VTRA members will be present and typically take the lead.

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APPENDIX B: THE LOCKER, BEDROOM, AND DIGITAL DYNAMIC IN VTRA

Note: This appendix was originally written for school related cases, but its relevance to adult cases has become apparent over the past several years of VTRA case work.

On April 24, 1998: Andrew Wurst, 14, opened fire at a school dance in Edinboro, Pennsylvania, killing a teacher and wounding three students. Days before the shooting, while in his bedroom he showed a male friend a loaded handgun stating he had nine bullets for others and one for himself. Less than a month later, in Springfield, Oregon, Kipland Kinkel, a 15-year-old freshman, opened fire in the Thurston High School cafeteria killing two and injuring 24 others. In the aftermath, authorities found an arsenal of weapons in his bedroom including, knives, machetes, guns, thousands of rounds of ammunition, and multiple high explosives.

We have known for over a decade that the bedroom is where we often find evidence of clear planning and yet, in October 2007, a Cleveland, Ohio student named Asa Coon shot two students and two teachers before killing himself. Authorities were surprised by how many pre-incident communications there were by Asa and the evidence of escalation and planning that was found in his bedroom. Within 24 hours of that incident another student planned an attack on his school in Plymouth Township near Philadelphia, PA. In that incident the 14-year-old arrested had in his bedroom a "9 mm assault rifle, bought for the boy by his mother, seven hand grenades, knives, air guns, copies of *The Anarchist Cookbook* and *Hitler's Second Book: The Unpublished Sequel to Mein Kampf,* as well as video of the April 1999 Columbine High School attack (Associated Press October 11, 2007).

In hundreds of cases in Canada we have found the evidence of planning in either the threat maker's locker at school; their bedroom at home, or both. In some cases, such as the 1999 Taber School Shooting the evidence was found too late, (after the violence had occurred) but in most it has been part of the formal violence threat/risk assessment (VTRA) and intervention process and therefore before violence or more serious violence could continue.

Why the bedroom, locker, or Digital arenas? Common sense and our own life experiences acknowledges that in general, when people do not want to be discovered engaging in (and potentially stopped from continuing with) a behaviour(s) and/or, have the items, products and trophies related to the behaviour randomly discovered, they choose a location where they believe they have an expectation of privacy. Sometimes the location is one that is secret to them but it may also be a location they know to be private because they alone control access to it. For example, people who wish to collect and view child pornography may do so in locations where they believe they will not be discovered engaging in the behaviour. Locations such as their own residence or, if they do not live alone, their personal bedroom or office are often typical. If the dynamic of the residence is such that there is no reasonable expectation of privacy within the

entire location, the chosen location for the behaviour may become a garage, tool shed or motor vehicle that affords privacy.

During the development of the of Multidisciplinary Violence Threat/Risk Assessment (VTRA) model we identified that in many school shooting cases and many near miss cases as well, the parents or caregivers had not gone anywhere near their sons or daughters bedrooms for weeks, months, and in some cases a year or more before the violence occurred. In some cases this "wilful blindness" allowed the high risk youth to further evolve down the pathway to committing serious violence. Failure to be in and aware of a child's bedroom composition, even from a cursory perspective, may denote a lack of overall parental interest in the child; can denote the lack of supervision and in some cases the lack of emotional connection between parents/caregivers and their children. At other times it may reflect a defect in the family hierarchy where the high risk child is actually, as noted by the FBI in the "School Shooter: a Threat Assessment Perspective", "ruling the roost" and the parents/caregivers are afraid for their own safety or that of their other children.

Likewise, in the school setting experience has shown that the locker is one of the first places to find drugs, weapons, and other contraband. It is now standard practice that in school/police based VTRA's, we show a concerted interest in the "locker dynamic", the "bedroom dynamic", and the "Digital Footprint" because examination of these locations may help to establish if there is any evidence that a threat maker is engaging in behaviours consistent with their threat. If a student has threatened to stab someone we must establish if they have a knife or have attempted to obtain one. Obviously a locker check that reveals a knife immediately validates the threat and compels implementation of actions to reduce the risk to the threatened person. However, having applied the VTRA model to cases beyond the realm of school shootings we have learned that the locker and bedroom dynamics have a broad application. This includes the more frequent cases of peer on peer violence, student to staff violence, relational violence, as well as youth gang related behaviour.

In reality, the locker, bedroom, and digital dynamic is not exclusive because when we find evidence of planning in these locations we often find further evidence elsewhere. At school such areas include for example, the threat maker's backpack, desk, textbooks, or vehicle. At home the most common area is the bedroom. That said, it has been noted that the more committed an individual is to carrying out an offense without being caught the more likely they may hide weapons, ammunition, journals of justifications, maps, floor plans, and other items elsewhere in the home (or on the property) as part of what the United States Secret Service has referred to as "attack-related behaviours".

When a "clear, direct, and plausible" threat is made, the school administration checks for initial evidence of planning as relates to the Locker Dynamic, unless urgent circumstances are present.

The ***Supreme Court of Canada*** (1998) has established legal precedent by ruling (in *R. vs. M (M.R.)*) that in certain situations, the need to protect the greater student population supersedes the individual rights of the student. The ruling explicitly acknowledges that school officials must be

able to act quickly and effectively to ensure the safety of the students and to prevent serious violations of the school rules. The supreme court established two principles relevant to Violence Threat/Risk Assessment Protocols:

The individual charter rights of the student are lessened to protect the collective need for safety and security of the general student population;

Schools officials have greater flexibility to respond to ensure the safety of the general student population in an educational setting than law enforcement officials have in a public setting.

The Bedroom Dynamic and its related contingencies is the domain of the police officers involved in the VTRA case. Often the data/evidence found at school in a student VTRA case is sufficient to justify police in preparing an application for a search warrant to search the subject's premises (including the bedroom). In several cases the contents of the school locker have been so clear in demonstrating the possibility of imminent risk that it has resulted in bypassing the more lengthy process of drafting and applying for a search warrant.

'It's one thing to make a threat but it is another to engage in behaviours consistent with the threat'. Therefore, if a threat maker says they are going to come back and "cut your throat" it is essential to ascertain if the threat maker actually has the weapon or has attempted to obtain the weapon. Violence prevention and violence threat/risk assessment requires us to be open to the possibilities that a threat maker may actually pose a risk. VTRA professionals must rely on hard data to assist in determining if the verbal or written threat is "plausible" or just a passing comment by an upset or angry person.