



Intelligence

state of the art threat assessment

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Upcoming Events

Terrorism and Group-Based Violence Conference and Workshop

Ottawa, Canada
3 – 7 February 2020

SARA-V3 Workshop

Brisbane, Australia
27 – 28 February 2020

APATAP Conference and Workshop

Melbourne, Australia
24 – 26 February 2020

Foundational Violence Risk Assessment and Management Workshop

Vancouver, Canada
27 April – 1 May 2020

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www.protect-international.com
info@protect-international.com

Editor's Note



diverse settings (e.g., workplace, healthcare, corrections).

We also have several special announcements. First, the African Association of Threat Assessment Professionals has recently been launched and they plan to hold their first conference in October 2020 in Johannesburg, Africa. Second, Protect International Risk and Safety Services Inc. is presenting a conference and workshop on terrorism and group-based violence in Ottawa, Ontario, between 3-7 February 2020. Confirmed presenters include Dr. Stephen Hart, Mr. Phil Gurski and Dr. Paul Gill, who are internationally recognized experts in this area.

We hope *Intelligence* will continue to provide a forum for you to share and develop your expertise in threat assessment. We encourage you to contribute and provide feedback.

On behalf of our entire team, happy holiday and warm wishes! Thank you so much for your commitment to preventing violence and increasing safety!

Sincerely,
Kelly A. Watt, PhD
Director and Threat Assessment Specialist at Protect International

As always, *Intelligence* will keep you up to date with recent advances in threat assessment from around the globe through knowledge and experiences shared by leading experts.

In this issue, Mr. Daniil Davydoff will provide a practice update on the relevance of open-source intelligence analysis for threat assessment and management. This update reinforces the importance of seeking consultation or obtaining training in this area.

Drs. Brianne Layden and Christopher King will provide a very important, and under-appreciated, legal update of case law regarding the assessment and management of risk for self-directed violence. Although the legal update focuses on Institutes of Higher Education, the responsibilities discussed are relevant for threat assessment professionals across

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Including Intelligence Analysis in the Threat Assessment and Management Toolkit

The tremendous value of information for companies in the digital age is often captured through the now-common expression “data is the new oil.” While the phrase is most relevant for firms that can profit from the data, anyone involved in risk management should also realize the importance of online information for their work. Organizations and individuals engaged in threat assessment especially must take notice. Leveraging digital data through open-source intelligence (OSINT) analysis is becoming essential for both building programs and processing threat cases.

There are three reasons why intelligence analysis is crucial for threat assessors. First, anyone who has worked a threat assessment case knows that incomplete and inconsistent information are par for the course and any amount of additional data can help. Second, more and more subjects who pose a risk are now online, sometimes exclusively. Consider, for example, the risk posed by members of the “[incel](#)” (i.e., involuntary celibate) subculture who through the internet are inducted into the belief system, discuss grievances, and even announce attacks. Third, the amount of information available online for OSINT investigators keeps increasing. It is true that both organizations and individuals are wisening up to data security and privacy, but sources continue to proliferate.

Developing intelligence analysis capabilities requires asking and answering several key questions. Who will be doing the intelligence research and analysis? How will intelligence be reported and how frequently? What kind of technology will be utilized to facilitate intelligence collection? Most critical – how is intelligence analysis expected to benefit the threat assessment and management process?

The answer to the latter will determine a great deal about the kind of program you may need to establish. A program focused on monitoring can alert an organization to internal and external online threats prior to an incident occurring.

Regretfully, many recent plots and attacks involving prior online communications or postings (e.g., the 2009 LA Fitness shooting, the 2010 Discovery Channel HQ hostage incident, and the 2018 school shooting in [Parkland](#)) have underscored just how useful such a warning function for digital content can be. A program focused on responding to warning signs can also bolster the threat assessment and management process for individual cases. For instance, information found through online public records and social media can shed light on the subject’s motives, intent, and plans as well as important risk factors for violence. In addition, family and friends discovered through social media can be included in a strategy, and the subject can be monitored on social media over time to test whether a tactic appears to be working.

The full spectrum of synergies between intelligence analysis and threat assessment have yet to be explored, but as these possibilities show, the prospects for integration are manifold. Conducting OSINT investigations is an art that requires practice, but threat assessors can start building skills by undergoing intelligence training to understand the latest online sources and search techniques. For the most difficult cases, consultants that specialize in intelligence for threat assessment can also be brought in to assist.

Daniil Davydoff, Associated Director of Intelligence at AT-RISK International

Upcoming Webinars

ConCEpt and Protect International “Wednesday Webinar” Series

An Introduction to Violence Risk/Threat Assessment: The State of the Field
22 January 2020

An Introduction to Violence Risk/Threat Assessment: Initial Versus Comprehensive Assessment
19 February 2020

An Introduction to Violence Risk/Threat Assessment: Approaches to Comprehensive Assessment
25 March 2020

[Learn more ...](#)

Assessing Threats of Self-Directed Violence and Duties of Care within Higher Education Institutions:

Nguyen v. Massachusetts Institute of Technology (2018)

Two recent legal cases concerning higher education institutions in the United States underscore the similarities in our professional responsibilities with respect to assessing and managing risk for other- and self-directed violence. Specifically, the Supreme Court of California (*Regents of the Univ. of Cal. v. Superior Court, 2018*) and the Massachusetts Supreme Judicial Court (SJC; *Nguyen v. Mass. Inst. of Tech., 2018*) ruled that higher education institutions have a duty to warn and protect students of foreseeable risk of other- and self-directed violence, respectively. King and Del Pozzo reported on the former case in the 2018 editions of AP-LS News (American Psychology-Law Society) and *Intelligence E-Newsletter*. Here, we focus on the *Nguyen v. Mass. Inst. of Tech. (2018)* case.

Han Duy Nguyen was a 25-year-old graduate student in the Sloan School of Management at the Massachusetts Institute of Technology (MIT). In June of 2009, he committed suicide on the MIT campus. His parents subsequently initiated a wrongful death suit against MIT alleging that MIT had breached its duty of care owed to Mr. Nguyen, thereby causing conscious pain and suffering that proximally lead to his death. Similar to the ruling in *Regents of the Univ. of Cal. v. Superior Court (2018)*, in this case, the SJC affirmed the presence of a special relationship between higher education institutions and students; however, the SJC did

not find that MIT had breached its duty of care. Mr. Nguyen's suicide was deemed to not be reasonably foreseeable at the time of his death, as he had never expressed a clear intent or plan to commit suicide to staff or faculty at MIT. In addition, although he had previously attempted suicide, these behaviors occurred well before his matriculation at MIT.



The SJC held that higher education institutions incur a duty of care when the institution is (1) aware of a student's suicide attempt while enrolled, or recently before enrolling, at that university, or (2) aware of a student's intent or plan to commit suicide. This duty of care rests on the notion of foreseeability and likelihood in that it does not extend to circumstances in which a student has expressed suicidal ideation without intent or planning. To satisfy this duty when the aforementioned circumstances are present, the SJC ruled that higher education institutions must either (1) initiate suicide prevention protocols,

(2) contact persons within the institution responsible for initiating clinical or medical care, or in the case of an emergency, (3) contact 911 and emergency services.

Threat assessment professionals are often aware of case law, other legal standards, and their professional responsibilities regarding assessing and managing risk of violence toward others; however, fewer are familiar with sources of authority regarding self-directed violence threat assessment. The responsibilities are somewhat analogous, and therefore our procedures for each type of risk should be similar (e.g., fair, comprehensive, reasoned). In light of these developments, the time appears ripe for systematic legal reviews (cf. Obegi, 2017) to inform threat assessment professionals and the organizations with which they consult about the current legal landscape with respect to the specifics of the duties of care that organizations have to monitor, intervene, and hopefully prevent both other- and self-directed violent outcomes among their constituents.

Brianne K. Layden, PhD, Protect International Risk and Safety Services, Inc.

Christopher M. King, JD, PhD, Montclair State University

AfATAP: The Establishment of the African Association of Threat Assessment Professionals



South Africa has a high violent crime rate both in the community and in diverse workplace sectors. Despite this, the concept of modern threat assessment is largely non-existent in South Africa. It was only around 2012, when Dr. Stephen Hart came to train a group of detectives and psychologists from the South African Police Service (SAPS), that modern-day threat assessment arrived on our shores. From there, myself and later others, started to go to threat assessment professional conferences (e.g., ATAP, CATAP, AETAP, APATAP) to learn more.

Over the years, we have been encouragingly and repeatedly been asked the question of when we will be starting an

association on the African continent. Due to the increasing number of local professionals trained in this field and with the support of several corporations who have provided generous sponsorship, we finally reached that point this year. We launched the African Association of Threat Assessment Professionals (AfATAP) on 30 July 2019 at a founders meeting to approve the mandate and to establish a board consisting of myself, L&S Threat Management; Jocelyn Swartz, Absa Bank; William Meela, Old Mutual; Rory Steyn, NSA-Global; Bronwynn Stollarz, L&S Threat Management; Andrew Kelly, Coca Cola; and Michael Pienaar, Absa Bank.

We held two open meetings already on active shooters and

insider threats. We plan to hold our first conference in October 2020 in Johannesburg. We are in the early phases of structuring the Association and are grateful for the insights offered by ATAP, CATAP, AETAP and APATAP. Our overall goals are consistent with the other associations: to develop and promote the field of threat assessment, to expand and diversify our membership, and to hold a great annual conference, but on the continent of Africa. With Africa being the second largest continent, with 54 UN-recognized countries from Egypt to South Africa, and an estimated population of 1,216 billion, the task that lies ahead is gargantuan.

*Dr. Gerard Labuschagne
L&S Threat Management*

Protect International Risk and Safety Services: Upcoming Terrorism and Group-Based Violence Conference and Workshop

Protect International Risk and Safety Services is offering a conference and workshop on terrorism and group-based violence. During the 1-day conference, Dr. Stephen Hart, Mr. Phil Gurski, and Dr. Paul Gill, will discuss (1) the similarities between terrorism and other forms of violence; (2) differences between screening, triage, and comprehensive risk assessment; (3) the appropriate use of risk assessment tools, including how to deal with multiple risks; and (4) maximizing the effectiveness of multi-disciplinary teams. During the 4-day workshop, participants will learn how to triage risk for terrorism and group-based violence using the Violence Risk Triage, as well as how to conduct comprehensive assessments of risk for terrorism and group-based violence, focusing on the use of Version 3 of the Historical-Clinical-Risk Management-20 (HCR-20 V3) and the Multi-Level Guidelines (MLG).

The conference and workshop series is taking place between 3-7 February, 2020, at the Canadian Police College in Ottawa, Ontario.