AFTER ACTION REVIEW

AN EVALUATION AND ASSESSMENT OF THE LAW ENFORCEMENT TACTICAL RESPONSE TO THE VIRGINIA TECH UNIVERSITY SHOOTINGS OF MONDAY, 16 APRIL 2007

BY

ARCHANGEL GROUP, LTD.
www.antiterrorconsultants.org

5 SEPTEMBER 2008

Copyright 2008 by John P. Giduck and Walter D. Chi*

*The copyright of this report excludes the expert tactical opinion of CSM Mel Wick in Section VIII, and the legal opinion of Mark Baganz, Esq., in Section IX.

TABLE OF CONTENTS

Section		Page
I.	Preliminary Aspects of Investigation and Report	5
II.	Introduction	12
III.	General Background	13
IV.	The Life of Seung-Hui Cho	18
V.	Cho's Attack on WAJ and Norris Halls	34
VI.	Substantive Aspects of the Law Enforcement and Medical Response to Shootings	59
VII.	Hindsight	74
VIII.	Expert Tactical Opinion of Law Enforcement Response to Shootings	80
IX.	Federal Legal Standards for Law Enforcement in the U.S. in Similar Situations	84
X.	Efficacy of Law Enforcement Decision-Making	105
XI.	Conclusion	121*

* Addenda to Report and Table of Contents continued on next page.

TABLE OF CONTENTS CONTINUED

ADDENDUM A 130

Figure 1 - Diagram of Burruss, Norris and Holden Halls, with new building under construction to northeast illustrated. 131

Figure 2 – Map of campus. 132

Figure 3 – Diagram of First Floor, Norris Hall with entry points of LE 133

Figure 4 - Diagram of Second Floor Norris Hall, Depicting Cho's Initial Movements Once Inside (attacking rooms 206, 207 and first assault on 211) 134

Figure 5 – Partial Map of Campus Depicting Routes Taken from WAJ to Norris Hall by Responding LE 135

Figure 6 – Diagram of Attempted Breach Points for Each of the Three Law Enforcement Entry Teams 136

Figure 7 – Diagram of Norris Hall, Second Floor, Depicting Cho's movements from his first attack on Rm. 211, then onto Rooms 206, 207 and 204 137

Figure 8 – Arriving LE and Initial Movement Around and Inside Norris Hall 138

Figure 9 – Final Movements of Cho 139

Figure 10 – Movement of Team Three on Norris Hall, Third Floor 140

Figure 11 – Search of the Second Floor of Norris Hall 141

ADDENDUM B – Bio of Tactical Expert CSM Mel Wick (ret.) 142

ADDENDUM C –Bio of Legal Expert Mark Baganz, Esq. 143

Contact Information for Archangel and VTPD 144

I. PRELIMINARY ASPECTS OF INVESTIGATION AND REPORT

A. INVESTIGATING TEAM

Upon the occurrence of the shootings at Virginia Tech University (hereinafter referred to as "VT" and "Virginia Tech") a team was immediately assembled through the efforts of law enforcement officer and trainer Frank Borelli, together with the expressed initial interest of several law enforcement associations, to conduct a tactical assessment of the law enforcement response. This effort, and the corresponding investigation, had begun prior to the announcement from Virginia Governor Timothy M. Kaine of a special panel to review various aspects of the tragedy, and recommend steps to prevent, and better respond to, attacks on college campuses in the future.

As this investigation, and efforts to bring factual information to law enforcement throughout America, had already commenced prior to the Virginia Governor's announcement, the decision was made that it would continue under the auspices of the Archangel Group, Ltd., a U.S. NGO providing training and consulting to U.S. military, law enforcement and government agencies, in addition to schools of all levels, in the fields of terrorism, security and combat tactics.

From the start of this investigation, the following individuals were integrally involved in the effort at different points:

Joseph Bail, Jr. is a 36-plus year police veteran, and is currently a Major with the Chester, Pennsylvania Police Department in the Philadelphia area. Major Bail is the oversight commander of the SWAT team, created the SWAT-integrated Tactical Dive Unit, and also commands the Search and Recovery Dive Team. He studied Criminology at Indiana University of Pennsylvania and graduated from Widener University's Paralegal Studies program. He was an Adjunct Instructor of Police Studies at Delaware County Community College. In February and March 2005, he traveled to Russia to assist in the investigation into the mass-hostage taking and battle at the Beslan Middle School No. 1, in North Ossetia Russia in September 2004. As well, he traveled to Bailey, Colorado to review the hostage taking and murder that occurred at the Platte Canyon High School on 27 September 2006. He regularly provides training on school security to law enforcement and schools. Major Bail was present during every research trip to Virginia Tech and Blacksburg.

Mark Baganz, Esq. is a 34 year practicing attorney, who has defended police officers in liability litigation. He is a national expert in law enforcement liability issues, such as training and use of force. He has represented numerous officers over the years, and has been consulted by different attorneys, law enforcement agencies and individual officers concerning law enforcement issues and has provided legal training to agencies and officers throughout the U.S. He is a former member of the Advisory Board of *The Police Marksman Magazine*, and has authored many articles on the legal aspects of, and liability

protection in, law enforcement. Attorney Baganz was present at Virginia Tech for certain aspects of the investigation and reviewed all available information on the training of the two primary responding agencies in order to conduct a legal assessment. For more information, see Addendum B.

Frank Borelli is an experienced law enforcement veteran. He is a recognized trainer and instructor with the Borelli Consulting agency and manages a law enforcement blog that provides current and innovative information on training, tactics and equipment for American police. Mr. Borelli was at Virginia Tech for the initial research effort.

Walter Chi has held the position of Director of Training with the Archangel Group, Ltd. for the past four years. He is a graduate of Boston University, with a bachelor's degree in Finance. He is an assistant civilian instructor to U.S. Army Special Forces, other military units, SWAT and patrol officers in defensive tactics (hand-to-hand combat) and close-quarters combat firearms through the REACT© course (Rapid Engagement and Close-quarters Tactics) taught by Archangel Group, Ltd. He holds a black belt and has been inducted into the USA International Martial Arts Hall of Fame. A former national Olympic weightlifting and state wrestling champion, he provides assistance to various agencies in physical conditioning training. In 2007 he was an honor graduate from a Colorado law enforcement POST academy and is now employed in his first law enforcement position, while continuing to provide assistance to Archangel. Mr. Chi made several trips to Virginia Tech and Blacksburg as part of this investigation. He co-authored this Report.

William Finnegan is a former Navy corpsman. He currently works with the Department of Homeland Security. Mr. Finnegan was present at the start of the first investigatory trip to Virginia Tech.

John Giduck is a senior consultant and instructor with the Archangel Group, Ltd. He has a master's degree in Russian studies from the University of Colorado and St. Petersburg State University in Russia; a law degree from the University of Denver; and is completing his Ph.D. dissertation on the global expansion of radical Islam through King's College of London. He has been a licensed attorney for the past 23 years. He is also the author of the book, *Terror at Beslan: A Russian Tragedy With Lessons for America's Schools*, and co-author along with Special Forces Sergeant Major (ret.) John A. Anderson of, *The Green Beret In You: Living With Total Commitment To Family, Career, Sports and Life.* He provides training to schools as well as military, police and government agencies throughout the U.S., and has written numerous articles on terrorism and law enforcement tactics. Mr. Giduck was present during every research trip to Virginia Tech and Blacksburg, and conducted numerous other aspects of the research and investigation. He co-authored this Report.

Christian Hays is a former Marine sniper and saw combat in Mogadishu, Somalia during the *Blackhawk Down* incident. He is an 18-year law enforcement veteran, SWAT team member and sniper. Mr. Hays was present during the first three of five research and investigation trips to Blacksburg and Virginia Tech.

Of the Archangel Team members that conducted the investigation into the Virginia Tech shootings, a significant amount of experience was brought to bear. The Team members included police officers, investigators, SWAT members and commanders, attorneys, and law enforcement instructors and trainers. In aggregate, those participating in this effort possessed close to 100 years of criminal justice, legal, criminal justice teaching, law enforcement and law enforcement-related experience, including academic and tactical training.

B. FINANCIAL DISCLOSURE

Expenses incurred in the investigation of the VT tragedy were borne by Archangel Group, Ltd. No one of the team members – who were not employees of Archangel - received any compensation beyond reimbursement of their individual expenses, and in certain instances incurred their own costs that were not reimbursed. Where time from regular employment was taken, or accrued vacation time used from their regular employment, none of that lost income was reimbursed.

C. REPORT AUTHORS

This Report was written by John P. Giduck and Walter D. Chi. The tactical assessment and expert opinion in Section VIII was written by CSM Mel Wick (ret.), and the legal assessment and expert opinion in Section IX was written by Mark Baganz, Esq., and the copyright of this Report by John Giduck and Walter Chi expressly excludes those portions of the Report.

D. PURPOSE OF REPORT

This Report is intended to be used as a tool for law enforcement and school security for both tactical planning and response, and school emergency planning purposes. The goal of the Report is to offer relevant facts, findings and conclusions, concerning the tactical response of law enforcement and first responders to the shootings on the campus of Virginia Tech on 16 April 2007, and to offer recommendations for future preparedness and tactical response capability to all relevant agencies. Archangel Group, and the Archangel Team that conducted this investigation and assessment, hopes that this report can aid in planning for, and responding to, future incidents like the tragedy at Virginia Tech.

This Report has been prepared for distribution to U.S. law enforcement, security and first responder agencies, and is being made available at no cost to any such agency.

E. SCOPE OF THIS REPORT

Many facts in this Report by Archangel are taken from the Governor's Panel Report and other sources. Countless news articles and two books published on the tragedy in 2007[1] were exhaustively reviewed and their respective assessments, reported facts and conclusions independently researched in an effort to produce the most factually accurate recitation of events as possible. It was the belief of the Archangel Investigating Team ("Archangel Team") that no conclusion would be of value to U.S. law enforcement, first responders and schools if complete factual accuracy could not be assured.

Further toward this effort, interviews, investigation and research were conducted over seven full weeks, including five investigative and research trips to VT and the town of Blacksburg, Virginia, over a year and-a-half period of time. Debriefings and interviews were conducted with, or other information obtained from: responding patrol; Emergency Response Team (ERT) and Special Weapons and Tactics (SWAT) team members from all involved local agencies and the Virginia State Police; command staff from agencies integrally involved in the investigation of the first murders and tactical response to the second; first responders; as well as information obtained from victims inside Norris Hall during the second attack. Norris Hall was inspected, assessed and evaluated from both attack and defensive perspectives, prior to it being cleaned and its rooms permanently secured. Every route of travel, whether by foot or vehicle, of the murderer, Seung-Hui Cho and the responding officers, was traveled and measured, with times of transit recorded for purposes of assessing both the movement of the attacker and police, particularly with regard to the law enforcement (LE) response to the Norris Hall assault.

In addition to the research conducted in order to analyze and understand the LE response to the VT shootings, the writing, re-writing and editing of this Report, itself, was a learning experience. Even as it was in its final versions, the Archangel Team continued to learn new aspects of the police response, and to correct previously held misunderstandings. Much of the factual accuracy in this Report can be credited to the ERT leaders and command staff of the Virginia Tech and Blackburg police departments, who invested significant time in ensuring that the factual and chronological recitations were accurate, as well as Archangel's understanding of the investigations into both attacks.

It is the hope of the Archangel Team that the information provided in this Report, and the conclusions and recommendations drawn therefrom, will be of value to the brave professionals in America who are yet to be called upon to respond to future devastating and unpredictable attacks on our nation's children and citizens.

---

[1] Roland Lazenby, *et al.*, editors, *April 16th: Virginia Tech Remembers.* London: Penguin Group, 2007, and Beth J. Lueders, *Lifting Our Eyes: Finding God's Grace Through the Virginia Tech Tragedy.* New York: Penguin Group, 2007.

F. OFFICIAL GOVERNMENTAL REPORTS GENERATED AS A RESULT OF THE SHOOTINGS AT VIRGINIA TECH

1. Disclosure.

Before discussing the two reports generated by government agencies – or which were officially commissioned by government officials – it is important to first disclose that this Report by Archangel Group, Ltd., was not commissioned by any government agency, entity, government-affiliated organization, or government official. This Report is an independent evaluation conducted by individuals comprising the Archangel Team who had no pre-existing relationship with any of the agencies or individuals who were involved in the tactical response to the shootings at Virginia Tech. None of the individuals on the Archangel Team had any financial or political affiliation with anyone involved in that response, nor in the investigation of this tragedy, the drafting of this Report or the findings and conclusions reached.

2. Report to the President.

In a report to the President of the United States on the Virginia Tech shootings, dated 13 June 2007, by Michael O. Leavitt, Secretary of the Department of Health and Human Services; Margaret Spellings, Secretary of the Department of Education; and Alberto R. Gonzales, Attorney General Department of Justice, they identified five key findings:

A. Critical Information Sharing Faces Substantial Obstacles;

B. Accurate and Complete Information on Individuals Prohibited from Possessing Firearms is Essential to Keep Guns Out of the Wrong Hands;

C. Improved Awareness and Communication are Key to Prevention;

D. It is Critical to Get People with Mental Illness the Services They Need; and,

E. Where We Know What to Do, We Have to be Better at Doing It.

This report is 22 pages in length, and discusses the above findings, but does not address the law enforcement response to those shootings.

3. Virginia Governor's Panel Report.

Shortly after the two shooting incidents at Virginia Tech University on Monday, 16 April 2007, the Governor of Virginia, the Honorable Timothy Michael Kaine, commissioned a panel of experts to investigate the attacks and produce an in-depth report. This report, distributed in August 2007,[2] provided important and detailed information surrounding many aspects of the attack; however, its treatment of the law enforcement response was

[2] The report itself, entitled *Mass Shootings at Virginia Tech, Report of the Review Panel*, did not provide a specific date for its release and publication.

minimal relative to many other issues addressed in depth. Throughout the text of this After Action Review ("Report") the Governor's Panel Report will be referenced as the "GPR."

It is important to keep in mind that based on the Panel selected by Gov. Kaine, that the GPR would take a particular direction and focus on specific issues important to both universities and society, but not necessarily provide the detailed analysis of the tactical response important to law enforcement throughout America who shall be called upon to respond to attacks in the future. In the Foreword, Governor Kaine stated: "In the days immediately after the shooting, I knew it was critical to seek answers to the many questions that would arise from the tragedy. I also felt that the questions should be addressed by people who possessed both the expertise and autonomy necessary to do a comprehensive review." [3]

The Governor's Panel was composed of: Panel Chair, Col. Gerald Massengill, a retired Virginia State Police Superintendent; Panel Vice Chair, Dr. Marcus L. Martin, Professor of Emergency Medicine; Gordon Davies, former Director of the State Council of Higher Education; Dr. Roger L. Depue, twenty year veteran of the FBI; Carroll Ann Ellis, MS, Director of Fairfax County Police Department's Victim Services Division; the Honorable Tom Ridge, former Governor of Pennsylvania and first Secretary of Homeland Security; Dr. Aradhana A "Bella" Sood, Professor of Psychiatry and Pediatrics; and the Honorable Diane Strickland, former Judge of the 23rd Judicial Circuit Court. The Panel also included the expertise of TriData, a division of System Planning Corporation, led by Phil Schaenman and Hollis Stambaugh; and legal counsel by the Washington, D.C., office of the law firm Skadden, Arps, Slate, Meagher & Flom, L.L.P., led by partners Richard Brusca and Amy Sabrin.

The Governor's report and the executive order he issued directed the Panel to answer the following questions:

1. Conduct a review of how Seung-Hui Cho committed these 32 murders and multiple additional woundings, including without limitation how he obtained his firearms and ammunition, and to learn what can be learned about what caused him to commit these acts of violence.

2. Conduct a review of Seung-Hui Cho's psychological condition and behavioral issues prior to and at the time of the shootings, what behavioral aberrations or potential warning signs were observed by students, faculty and/or staff at West Field High School and Virginia Tech.

3. Conduct a review of the timeline of events from the time that Seung-Hui Cho entered West Ambler-Johnston dormitory until his death in Norris Hall. Such review shall include an assessment of the response to the first murders and efforts to stop the Norris Hall murders once they began.

[3] GPR at vii.

4. Conduct a review of the response of the Commonwealth, all of its agencies, and relevant local and private providers following the death of Seung-Hui Cho for the purpose of providing recommendations for the improvement of the Commonwealth's response in similar emergency situations.

5. Conduct other inquiries as may be appropriate in the Panel's discretion otherwise consistent with its mission and authority as provided herein.

6. Based on these inquiries, make recommendation on appropriate measures that can be taken to improve the laws, policies, procedures, systems and institutions of the Commonwealth and the operations of public safety agencies, medical facilities, local agencies, private providers, universities, and mental health services delivery system.

> In summary, the Panel was tasked to review the events, assess actions taken and not taken, identify lessons learned, and propose alternatives for the future. Its assessment included a review of Cho's history and interaction with the mental health and legal systems and of his gun purchases. The Panel was also asked to review the emergency response by all parties (law enforcement officials, university officials, medical responders and hospital care providers, and the Medical Examiner). Finally, the Panel reviewed the aftermath---the university's approach to helping families, survivors, students, and staff as they dealt with the mental trauma and the approach to helping the university itself heal and function again. [4]

The Panel conducted over 200 interviews, but the vast majority of the interviews were top level FBI agents, national experts, consultants, and other parties not directly involved in the attacks. Very few responders to the incident were interviewed, and those who were expressed disappointment at the brevity and superficial nature of the questions posed to them. Captain Donnie Goodman – the Blacksburg Operations Division Commander, under whom ERT's overall command fell, and who had a critical role in both attacks - was not asked to be interviewed or appear before the Panel at all.[5] Only three of the surviving students and teachers from Norris Hall were met with. No recording or written transcripts were made of the interviews. The Panel made over seventy recommendations to colleges, universities, mental health providers, law enforcement officials, emergency service providers, law makers, and other public officials. The Governor commissioned this panel three days after the shooting. [6]

---

[4] GPR, 6.

[5] The direct commander of BPD ERT was Lt. Glass.

[6] A complete copy of the GPR can be obtained at www.vtreviewPanel.org/report/index.html.

II. INTRODUCTION

In the early morning of Monday, 16 April 2007, 23-year old Virginia Tech English senior Seung-Hui Cho entered dormitory room number 4040, in West Ambler-Johnston Hall on the campus of the university. This was the room in which 19-year old Animal Sciences freshman Emily Hilscher lived. It is believed that due to some noise, possibly shouting by Cho in Miss Hilscher's room, Ryan Clark, the fourth floor male resident advisor who lived next door, had rushed over to render assistance to her. Upon entering the room he was shot in the head with a 9mm handgun. Cho killed then killed Miss Hilscher with a single 9mm gunshot to the head as well.This occurred by 0715.

At approximately 0940 that morning, Cho entered the Norris Hall engineering building, and began to systematically attack five rooms on the second floor of the north-south wing, ultimately killing 30 students and professors, and wounding or causing the injury of an additional two dozen.

Within minutes of the first 911 call being received, officers and command staff from both the Virginia Tech and Blacksburg Police Departments and ERT units, gained entry into a fortified building and assaulted up two sets of stairs at opposite ends of the wing in which the attacks were occurring, forcing Cho to take his own life.

These premeditated attacks by Seung-Hui Cho represent the worst mass-murder shooting ever to take place at an American school.

III. GENERAL BACKGROUND

A. BLACKSBURG, VIRGINIA

The town of Blacksburg is approximately 19 square miles. The population is approximately 40,000, which includes off-campus college students. Weekday, daytime population increases to 75,000 with visitors, local residents commuting into Blacksburg for employment, and students commuting into Blacksburg.

B. VIRGINIA TECH

1. General Information.

Virginia Tech University – officially The Virginia Polytechnic Institute and State University – along with the city of Blacksburg is 38 miles southwest of the city of Roanoke, in the New River Valley, Montgomery County. The university has over 28,000 students and approximately 9,000 live on campus. On 16 April 2007 the campus population was 34,503 consisting of: 26,370 students; 7,133 university employees (including student employees there were approximately 13,000 employees); and approximately 1,000 visitors, contractors, transit workers, etc. [7]

Blacksburg Police Department (BPD) Emergency Response Team (ERT) leader, Sgt. Anthony Wilson (now Lieutenant Wilson) accurately described Virginia Tech (VT) as "a city placed within a smaller city." The Virginia Tech campus is approximately 2,600 acres (4.0625 square miles). The school was founded in 1872 and, per the GPR, has over 131 major buildings.[8] VT's website boasts "over 100 campus buildings," while Lt. Wilson reports that the school has 329 major buildings, with over 150 situated on campus. Of the 16 road entrances onto the campus, there are no guarded roads or gates.[9] There are approximately 19.6 miles of road on campus, leading to 14,369 parking spaces. Virginia Tech also has a private airport and a corporate research center.

2. Orientation of Attack Sites On Campus.

The Virginia Tech campus is laid out along the lines of a military academy. The center of the campus is a large drillfield. The older buildings are made of stone, distinguishing them from more modern construction.

Ambler-Johnston Residence Halls are located in the southern portion of the campus and sit approximately 50 yards north of Washington Street. Ambler-Johnston Halls are divided into two distinctly different dormitory buildings: East and West. *See Map of Campus, Figure 2, Addendum A.* West Ambler-Johnston (WAJ) Residence Hall is seven floors, houses 895 students and is one of the largest dormitories on the Virginia Tech campus.

---

[7] GPR, 11.
[8] Ibid.
[9] Ibid.

Norris Hall was built in 1960, and is located on the northern side of the Virginia Tech campus. Norris Hall is connected to Holden Hall, to the east, by a covered breezeway with public entrances and exits to each building beneath the cover. The southern wing of Norris Hall is made of solid stone blocks. The interior walls are made of cinderblock, and the rooms have wooden doors that open inward. Some classroom doors have windows; however, none of the rooms Cho attacked had windows in them. To the northeast of Holden Hall, catty corner to the building, a new four story building was under construction leading up to the time of the attacks.

Additional construction was taking place in the interior of Burruss Hall, approximately 20 yards to the west of Norris Hall (i.e. immediately across from the point where the LE assault teams would breach the wooden door and gained entry into Norris Hall). *See Figure 1, Addendum A.* A chute for construction materials and debris was evident outside the upper floor windows for dumping materials in the direction of Norris Hall. Constant construction noise, including hammering, jackhammering and sounds of walls being torn out, and trash noisily being dropped two stories into a dumpster were heard coming from the buildings on a regular basis, throughout the semester. The sounds of this construction had become well known to all of the students and professors, and when Cho began shooting it had the predictable effect of being mistaken for construction. Whether Cho intended this, and whether it was a factor in this selection of his target, is unknown.

3. Campus Crime Statistics

Blacksburg Captain Donnie Goodman, who was the Operations Division Commander, which included serving as the ERT oversight commander, (now Chief of Police of the nearby Radford Police Department) stated that crime both on and off campus – and other matters demanding police attention - were typically limited to assault, theft, some date rape, order control, intoxication, rare suicides, and death investigations. This last category largely involved deaths from accident, such as students falling from balconies. Typically, neither police department required day-to-day assistance investigating crimes or with enforcement activities.

The 2006 Virginia Tech Police Department's (VTPD) annual report included crime statistics for the years 2004, 2005, and 2006. The total number of incidents of larceny in 2006 was 232, with merely 23 assault cases. Alcohol violations were common, as is the case in any college town.

C. OVERVIEW OF BLACKSBURG AND VT POLICE DEPARTMENTS

The two primary LE agencies available to respond to criminal activity on the Virginia Tech campus are Virginia Tech, as the primary jurisdictional agency, and Blacksburg.

1. Virginia Tech PD and ERT.

The 40-person Virginia Tech Police Department (VTPD) oversees a 2,600 acre (4.0625 square miles) campus where the average population can reach as high as 35,000 people, constituting a college campus as large as some United States' cities. Prior to the formation of the police department at VT in the late 1970s, the campus only had a security department. Since that time it has evolved into a nationally accredited PD (1995). As the university continued to grow, the department was often tasked with keeping up under tremendous budget constraints and an aging staff of officers. Starting approximately five years ago, numerous command staff and officers retired, and younger officers hired in their place. In conjunction with the presence of a new police chief, this constituted dynamic change for the department. Chief Wendell Flinchum took the helm in 2006, and provided a stabilizing factor to the department and adopted a more cooperative and proactive stance with regard to campus law enforcement. As of the shootings at VT, the department was still led by Chief Flinchum, who reported to a university vice president.[10] On 16 April 2007 VTPD was below full strength with 35 officers, due to six vacancies.[11]

Both primary agencies – BPD and VTPD – are certified by the Commission on the Accreditation of Law Enforcement Agencies (CALEA). Virginia Tech PD was initially accredited in November 1995 and reaccredited in November 2006. This certification has provided a proven modern management model which includes preparedness programs for agencies to address natural and manmade incidents. One of the purposes of CALEA is to maintain a body of standards covering a wide range of up-to-date public safety initiatives. The Commission's credentialing authority came through the efforts of the International Association of Chiefs of Police, the National Organization of Black Law Enforcement Executives, the National Sheriffs Association and the Police Executives Research Forum.

The purpose of the Virginia Tech campus police is stated in the university's Emergency Response Plan as follows: "The primary purpose of the VTPD is to support the academics through the maintenance of a peaceful and orderly community and through provision of needed general and emergency services." Typically, at VTPD the day shift comes on duty at 0700 with 5 officers. In addition, 9 officers work office hours, including the chief.[12] On 16 April 2007, 34 of the 35 officers went to work at some point that day.[13] All VTPD patrol vehicles are equipped with 12 gauge police shotguns.

VTPD has an 8-10 person tactical team, including a volunteer student serving as a tac medic. According to information supplied by VTPD, the Emergency Response Team (ERT) was established in 1991 and has a competitive selection process. Each applicant must have appropriate letters of recommendation, a flawless background, and must successfully negotiate grueling firearms and PT tests. The team is led by ERT

[10] GPR, 11.
[11] Ibid.
[12] Ibid.
[13] Ibid.

Commander Lt. Curtis Cook and consists of officers who volunteer their services at no additional pay. It specializes in special weapons and tactics, including expertise in such disciplines as sniper skills, team entry, and rappelling. The team's equipment was completely replaced in 2005 with a grant from the Department of Homeland Security, including the addition of night vision for every member.

Up to the date of the VT attacks by Cho, the team had completed numerous high risk search and arrest warrants, partnering mostly with the BPD ERT. The VTPD ERT has also served with the U.S. Secret Service in warrant service and presidential protection. Currently, each ERT member has a specialty within the unit, including the following: chemical/specialty impact munitions instructors; PepperBall instructors; rappelling mastery; firearms instructors; general instructors; police divers; H&K armorers; and snipers. Though led by Lt. Cook, there is no recognized rank hierarchy among the members, though the team does include two sergeants, one detective and four officers. Upon initial entry onto the team, each member must undergo a Basic SWAT course, though training and assessment continues throughout time of service.

2. Blacksburg PD and ERT.

The 57-person Blacksburg Police Department (BPD), has a 13-man tactical team, which includes a tac medic, who is not a sworn officer, supplied by the Blacksburg Volunteer Rescue Squad. Prior to the shootings at VT on 16 April 2007, the BPD tac medic had experience with two gunshot incidents, including a manhunt incident and attempted suicide. The BPD tac team has been in existence since shortly after 9-11. Though not a written policy with BPD, Captain Goodman always activated the BPD SWAT team on all violent calls.

Blacksburg PD was initially accredited by CALEA in July 1993, and was reaccredited in July 2007. The Blacksburg Police Department has never been fully staffed. At full complement, on 16 April 07, BPD would have put 9 officers on the day shift, 11 on swing shift and 9 on night shift. All shifts overlap by two hours. The town of Blacksburg has not increased the number of police officers in 10 years, but their duties have increased significantly over that period.

All Blacksburg patrol officers have assault rifles. Some patrol vehicles have racks to carry them up front in the car. The others must carry their carbines in the trunk. In a meeting with Captain Goodman in July 2007 he stated that BPD had received funding for more rifles. All BPD officers are trained on both shotgun and rifle, and they are schooled in the use of shotgun rounds for breaching. Captain Goodman feels that every police officer in America should have a tactical mindset, and has worked diligently to ensure that the department he works for employs those with the greatest capability of functioning successfully in a life-and-death environment.

3. BPD and VTPD Preparedness and Inter-operability

BPD and VTPD ERTs train jointly once per month, which includes training with the Virginia State Police, and Montgomery County Sheriff's Office. Blacksburg tac team (ERT) members are spread throughout the patrol shifts and BPD attempts to use them as leavening for the patrol officers, by seeing the specialized tactical training raise the overall level of the patrol capability. Former Capt. Goodman stated the BPD and VTPD tac teams had conducted a Columbine-type active shooter field training exercise (FTX) together at a local middle school approximately two months before the VT shootings. The design of the middle school closely resembled the layout of Norris Hall, which ultimately aided in both agencies' ability to organize and execute entry from multiple points in rapid fashion. Capt. Goodman stated that this training included every single officer with BPD. As well, both Blacksburg and VT PDs had conducted mass casualty and terrorist response, full field exercises, jointly within the past two years.

Historically, BPD and VT ERTs responded to every call of each other, and the two units trained and operated together constantly, always maintaining a mutual aid agreement. Per Capt. Goodman: "The two departments' teams were virtually interchangeable." Both BPD and VTPD tac teams' tactical medics were immediately deployed on scene at Norris Hall. Each had trained recently at the NTOA national conference in Los Angeles in September 2006.

Despite this, Blacksburg and VT had no common radio channel between the two departments. Historically, during major incidents BPD communicated with VT and others via Nextel. The VTPD tac team has been in existence since 1991. The VT campus has its own dispatch center, though based on the area communications system all 911 cell phone calls made from campus get routed directly to either BPD or Montgomery County Sheriff's Office (MCSO) dispatch. On the day of the event calls were received by VT, BPD and MCSO.

4. Major Incident Response Experience of BPD and VTPD

Just eight months before Cho's rampage on campus, both departments had experienced another major incident that drew the response of hundreds of officers from around the state, and a mass influx of news media. In August 2006, a double homicide of a police officer and a hospital security guard, committed by William Morva, an escaped convict and killer, resulted in the largest LE manhunt in Virginia history. Over 400 police officers were involved in the search for the suspect. He was found secluded in a thick briar patch on a hilltop on campus, just beyond the football stadium. Capt. Goodman stated that the lessons learned in that event aided VT and Blacksburg PDs in their response to the shootings of April 2007.

In addition to that major incident, Virginia Tech and its police department are no strangers to terrorist threats and other potential critical incidents. VT has been targeted by ELF (Earth Liberation Front) and ALF (Animal Liberation Front) in the past. The town of Blacksburg (BB) has two mosques and a large Muslim population that largely maintains itself quite separate from the community-at-large.

IV. THE LIFE OF SEUNG-HUI CHO

A. INTRODUCTION TO CHO'S FAMILY

Reliable information on Seung-Hui Cho ("Cho") was not in abundance from news media sources after the attacks. As neither BPD nor VTPD were permitted to participate in the investigation of the shootings, or Cho himself, subsequent to the massacre on 16 April 2007, their information on Cho was not in-depth. A significant amount of information was provided by the Governor's Panel in its report (GPR), including what the GPR states was, "one of the most significant" sources of information being a three-hour interview its investigators conducted with Cho's parents and sister. [14] "The family stated that they were willing to help in any way with the Panel's work, and felt incapable of redressing the loss for other families."[15]

Concerning the incident on 16 April 2007, Cho's sister expressed remorse and disbelief on behalf of herself and her family. In the book *April 16th: Virginia Tech Remembers*, Cho's sister discussed her feelings in a statement on 20 April 2007.

> We are humbled by this darkness. We feel hopeless, helpless, and lost. This is someone that I grew up with and loved. Now I feel like I didn't know this person. We have always been a close, peaceful, and loving family. My brother was quiet and reserved, yet struggled to fit in. We never could have envisioned that he was capable of so much violence. We pray for the families and loved ones who are experiencing so much excruciating grief. And we pray for those who were injured and for those whose lives are changed forever because of what they witnessed and experienced. Each of these people had so much love, talent, and gifts to offer, and their lives were cut short by a horrible and senseless act.[16]

Cho's sister and family end with the statement: "We will do whatever we can to help authorities understand why these senseless acts happened. We have many unanswered questions as well."

Despite this heartfelt expression of despair and willingness to assist in the investigation by Cho's family members, the law enforcement community must be circumspect in unqualifiedly accepting the information obtained, as the Governor's Panel appeared to have failed to follow minimal protocols in conducting the interview. Cho's parents were apparently uncomfortable communicating in English (or were simply incapable of communicating in English), and the Panel investigators did not arrange to have a professional, objective interpreter translate the questions and answers between English and Korean, relying instead on Cho's sister, Sun, to perform this function. Thus, it is

[14] GPR, 31.
[15] Ibid.
[16] Lazenby, 150-151.

possible that important information was lost, filtered, modified, not communicated, otherwise paraphrased or euphemized, or simply not conveyed, based upon familial and emotional motivations. It is unlikely that anyone will ever know much of the information that might have been gleaned about Cho's behavior, motivations, preparations or prior behavior, that would have served as *indicia* that an attack was in the offing. Had the interview been conducted according to standard procedures used in judicial proceedings, law enforcement interviews and advisements, information gleaned would not only have been more reliable, but could have aided in efforts to develop models for predictive behavior of others in the future.

B. CHO'S EARLY YEARS

Cho was born on 18 January 1984 in South Korea, the second child of Sung-Tae and Hyang Im Cho. His mother had been a Korean War refugee. Sister Sun-Kyung was older by three years. Islamist conspiracy theorists' insistence that he was actually born in Saudi Arabia and raised Muslim, are incorrect. His was a lower class working family, and is reported to have been quite poor, though the GPR reports that "the families did not encounter the level of deprivation that many did in post-war Korea."[17] They lived in a rented three-room apartment in the basement of a house in Seoul.

When 9 months old Cho developed whooping cough, then pneumonia, and was hospitalized. His parents were told he had a hole in his heart, which was possibly a heart murmur. Cho underwent additional testing of his heart two years later, and the GPR states that this caused the almost three-year-old Cho emotional trauma.[18] From that point forward young Cho did like to be touched by anyone. According to Cho's mother he cried a lot and was constantly sick.[19]

The GPR reports that, in Korea, Cho had only a few friends who would come over to play. He was extremely quiet, and the family describes him as "sweet" by nature. (FN: GPR, 32) The GPR makes the point that in Korea quietness, calm and introspection are valued personality traits and related to intellect, though in Cho's case his behavior was so extreme that the family became concerned.[20] Still, his medical records in Korea did not indicate any diagnosis of mental illness prior to moving to the U.S.

Cho attended Shinchang Elementary School in Seoul in first grade and part of second grade. News reports indicate that the only record of Cho's time there states that he left school on 19 August 1992. That same year, Cho and his family arrived in the United States and moved to Washington, D.C. Cho was eight years old. The GPR reports that in 1992 the family moved to the U.S., largely motivated by Mr. Cho's sister who had already emigrated from Korea to America. The parents state that they made this move to pursue educational opportunities for their children. The move was difficult due to the

[17] GPR, 31.
[18] GPR, 32.
[19] Ibid.
[20] Ibid.

fact that none of the family members spoke English, the children felt isolated, and for the first time Cho's mother began working outside of the home.

C. CHO'S CHILDHOOD IN AMERICA

Upon immigrating, Cho's parents took work at a dry cleaner near Centreville, Virginia. They worked long hours and were gone a great deal of the time. The Korean newspaper, *Dond-a Ilbo Daily*, reported that his parents emigrated from Korea to the U.S. in the hope of finding a better life for their children. Only Korean was spoken in the home. The media has further reported that Cho's classmates said that throughout the rest of his elementary and middle school education Cho was taunted by other students, though there does not appear to be any indication that he was physically assaulted.

For the first six months in the U.S., the Cho's lived with extended family members in Maryland. After that they moved to a townhouse for one year. They, then, moved again to Virginia where they lived in an apartment for the next three years. The move to Virginia took place when Cho was 9 years old, and in the middle of third grade. At this stage in his life, he only had one friend: a boy who lived next door with whom he occasionally went swimming.

As soon as Cho arrived in Virginia in the middle of third grade, his school enrolled him in its English as a Second Language program (ESL). Teachers reported that he would not "interact socially, communicate verbally" or participate in any activities.

Sister Sun-Kyung reported that, once in America, Cho became even more withdrawn. She related that at times they were made fun of at school, but reports nothing beyond that. It has been reported in the news media that Cho exhibited troubling behavior as a child. His family is cited as saying, "that his silence as a preteen was a source of worry to his parents." Despite concerns over the violent nature of his later writings, no known acts of criminal or violent behavior preceded his attacks on 16 April 2007. Within two years of immigrating, the two children began to speak, read and write English. Though Korean continued to be spoken at home throughout his life, Cho, himself, could neither read nor write that language.

D. EARLY SIGNS

During sixth grade Cho's parents bought a townhouse right next to the school, so he could access the school and its resources more easily. A requested parent-teacher conference to address Cho's refusal to answer anything in class or talk at all (the school thought his problems were emotional) resulted in Mrs. Cho assuring them she would find friends for him. She encouraged both her children to attend the church she belonged to in order to get involved in congregation activities. This did not last long. Other efforts to have people intervene with Cho met with similar failure.

For a time during his elementary school years, the family felt Cho was "doing better." [21] He is reported to have gotten involved in Tae Kwon Do for a short time, watched television and played video games like *Sonic the Hedgehog*. His family denies that any of the games he enjoyed had any violent themes. With the parents working long hours, transportation to and from extracurricular activities for Cho was a problem, and he often had to wait long periods of time for rides. Still, the parents reported no disciplinary problems and say that he never threw tantrums or had angry outbursts. It is reported that violence was not tolerated in the household, and no family member had a gun or could use one. At one point, while in college, Cho's mother found a folding knife he had hidden in his bedroom and expressed her extreme disapproval.

Per the GPR, Cho's parents finally decided to just "let him be the way he is." The GPR noted that his parents reported that at no time did he speak of imaginary friends, was not involved in any type of fantasy world, nor was he fascinated with any type of theme or behavior that caused them concern.[22] He never talked of a "twin brother," as was reported by roommates at VT subsequent to the shootings. His parents described him as "very gentle, very tender," and a "good person."[23]

Still, just before beginning seventh grade (and his first year in junior high school), Cho's parents acted on the elementary school's recommendation that Cho receive therapy. Cho was taken to the Center for Multi-Cultural Human Services, a mental health group that provided treatment to low-income, non-English speaking or English-limited refugees and immigrants.[24] This flew in the face of strong Korean cultural biases against acknowledging problems of this type or receiving therapy, as they are cause for embarrassment.

Cho did not react well to his first counselor, another Korean. His next therapist was unable to get Cho to communicate verbally at all, and resorted to having him engage in art therapy. This involved him supposedly expressing himself and his feelings through clay modeling, drawing and making figures on a sand table. He was asked to draw and build houses in the hopes his outlook on life would be reflected. It was noted by the therapist that none of the houses had any doors or windows. Cho's therapist further noted that any time he was asked to explain his artwork his eyes would fill up with tears.[25] Cho also had limited access to a psychiatrist who diagnosed him as suffering from "severe social anxiety disorder."[26] Cho's parents were told – and the GPR reports – that his problems stemmed from his inability to fit into the new culture of America after immigrating, together with the fact that the tests he underwent for his heart as an infant had caused long-lasting emotional trauma. In part, this is erroneous as he had already been demonstrating all of these same symptoms prior to moving to the United States. The GPR states that Cho's school records - obtained with the cooperation of his parents -

[21] Ibid.
[22] These behaviors would be later noted by his peers at VT.
[23] GPR, 34.
[24] GPR, 21.
[25] GPR, 34.
[26] Ibid.

showed that he had been evaluated as being much younger than he was, which indicated social immaturity and lack of verbal skills, but not retardation. His IQ tested above average.

Through junior high school Cho continued to isolate himself, though he was never in any trouble. Then in March of his eighth grade year, Cho's therapist noted that his drawings of houses suddenly became illustrations of tunnels and caves. At the same time he became even more withdrawn. She was concerned that he was having suicidal ideation, though he denied it when she confronted him. She had him sign a contract stating that he would not take his own life.

The following month was April 1999, and the Columbine (Colorado) High School massacre. Afterward, those closest to Cho became concerned that he was fixated with the mass murder. That, and other increasing concerns, resulted in the parents again meeting with his therapist. After meeting with Cho's parents and sister, the therapist contacted a psychiatrist who evaluated Cho in June 1999 at the Center for Multi-Cultural Human Services. The psychiatrist who performed the evaluation was an experienced child psychiatrist and family counselor. He informed the family that there would be a crisis in the fall when Cho's sister finally left home to attend college.[27] This time Cho was diagnosed with "selective mutism" and "major depression: single episode." Selective Mutism is reported by the GPR as being a type of anxiety disorder that is characterized by a consistent failure to speak in specific social situations, where there is an expectation of speaking.[28] This is based on painful shyness, although other mental health experts contacted for this Report opined that it is a behavior selected by the individual, not something he is simply incapable of doing. Cho was prescribed the anti-depressant Paroxetine which he took from June 1999 to July 2000. Cho showed some improvement while on the medication, but its application was ultimately stopped a year later when the doctor determined that Cho had improved.

Despite being on medication, the following fall - Cho's freshman year of high school – he wrote an English class paper that contained Columbine-esque themes of homicide and suicide. It was inferred that "he wanted to repeat Columbine."[29] The school contacted Cho's sister (as the only English speaker in the family) and encouraged her and Cho's parents to have him evaluated by a psychiatrist. Sun-Kyung and the parents attended Cho's next regularly scheduled therapy appointment and were told of the disturbing themes from his paper. Not unexpectedly, the Governor's Panel reports that when this paper was discussed by their investigators with Cho's parents and sister, the parents expressed surprise that it had addressed any aspects of homicide. They said that they were aware he had used suicidal themes, but were unaware that he had ever contemplated

[27] At some point subsequent to the family's emigration from South Korea, Cho fell a full year behind in school. As a result, although only three years older, Sun-Kyung would be graduating high school four years ahead of young Cho, who would only be completing eighth grade at that time. No information as to when and how his failure to progress in school actually occurred could be located.
[28] GPR, 35.
[29] Ibid.

taking the life of another. Cho did have a paternal uncle in Korea who had committed suicide.

This is, quite possibly, one of the inherent problems with all of the schools through Cho's life, and the Governor's Panel itself, relying solely on a three-year elder sister to conduct all of the translations. It should not be dismissed that at the time he was suffering these problems in junior high school, she was nothing more than a 16 or 17-year old girl, saddled with the responsibility of being the sole conduit between Korean culture, her parents, American teachers and mental health professionals and her brother, and American society and its demands and stresses on her.

The biggest problem between Cho and his parents was his refusal to be communicative on any level. As he grew, he would speak very little to his parents and almost never even make eye contact. His parents and sister reported that at times his mother would become so frustrated with him that she would shake him. He would speak more to his sister, but never about anything substantive, and certainly not about his feelings, hopes, likes or plans. If made to speak with guests in the home he would become agitated, nervous and sometimes burst out crying.

As Cho grew, his mother became more frustrated with him being so withdrawn and uncommunicative. While his parents urged him to get involved in sports and other activities, his father put less pressure on him than his mother. Naturally quiet himself, Cho's father did not seem to see the problem that his mother did. Still, Cho's father was very strict on matters of respect, and he and his son would argue over Cho's lack of respectful behavior toward others. As Cho would age, he often wrote stories that involved father-son relationships in which the father was portrayed negatively, and at times committed acts of abuse and anal rape.

Though he never had any type of job during summers or other breaks from school in his entire life, he was never a problem for anyone. In high school he was asked to write about his hobbies and interests and wrote:

> I like to listen to talk shows and alternative stations, and I like action movies… My favorite movie is *X-Men*, favorite actor is Nicolas Cage, favorite book is *Night Over Water*, favorite band is U2, favorite sport is basketball, favorite team is the Portland Trailblazers, favorite food is pizza, and favorite color is green.

E. THE HIGH SCHOOL YEARS

In September 1999 Cho began his high school career at Centreville High School. The following year (September 2000) a new school, Westfield High School, opened in Chantilly, Virginia to handle the population overflow in the area. Cho attended his next three years there (fall 2000 to spring 2003 whereupon he graduated). During high school his behavior was marked with the same concerns and reports from teachers over him

being withdrawn, his refusal to engage, and refusal to even talk or make eye contact. The usual requests or suggestions of having him psychologically evaluated occurred yet again. Guidance counselors asked Cho if he had ever received any mental health counseling or therapy, and he duplicitously told them that he had not.

Westfield's Screening Committee considered Cho's situation and behavior on 25 October 2000 in order to determine whether he fell within federal statutory requirements of providing special services and accommodations, and a special educational plan for students with disabilities. [30] This is called an Individual Educational Program or IEP. They interviewed Cho's parents who, in turn, gave permission for them to work in tandem with Cho's therapist in devising a plan that would help him. This is interesting in light of the fact that all reports indicate that he always did his school work, that his work was good and always timely, and that he received good grades. The Committee determined that Cho was entitled to be enrolled in the Special Education for Emotional Disabilities and Speech and Language program. Cho's IEP would begin in January 2001, halfway into his sophomore year.

There were problems for the school in meeting all of the requirements of Cho's IEP, though he continued to do good school work and was even enrolled in some honors classes. He excelled at science and math, in particular. Relatively, his English skills and writing were never very good, and it was in his work for that subject that most of his problems seemed to surface. Cho was permitted to eat lunch alone and was allowed to provide verbal responses to his teachers in private rather than in front of a class.[31] With this arrangement, Cho's grades were excellent. No record in the school, nor any information Cho's parents or sister ever obtained, indicated that he was the victim of bullying, and certainly not excessive or physically assaultive bullying.

In December of the following year – his junior year of high school - Cho stopped attending his weekly therapy sessions. There had been a small improvement in his behavior, and the one thing he could, and did, verbalize was the fact that he felt there was nothing wrong with him and didn't want to go anymore. With Cho turning 18 the following month (January 2002), his parents felt there was little they could do but accede as he would shortly be in a position to make his own decisions legally.

Cho's grades continued to excel through high school. He graduated with a 3.52 GPA, and he scored a 540 verbal and 620 math on the SAT. The yearbook for 2002 lists Cho as a member of the Science Club. However, upon graduating in 2003, his yearbook does not list either his name or include his picture. Cho's behavior of always walking with his head down and never speaking was well developed at this point.

[30] GPR, 22.
[31] GPR, 37.

F. CHO AT VIRGINIA TECH

1. Selection

Cho's GPA and SAT scores were the basis for his acceptance at Virginia Tech. There was an optional essay about oneself that could be submitted with a student's application. Cho submitted a short writing on rock climbing, which was written in the first person and spoke about human potential that often cannot be achieved because of self doubt.[32] Due, however, to federal and state laws, no information was made available to the university with regard to Cho's IEP which had propped up his academic success, nor of his complete refusal to participate in class. In light of Cho's problems, his guidance counselor strongly recommended that he attend a small school close to home, to aid in the transition from home and high school to college. Cho refused. The guidance counselor gave him the name and number of a school district resource in the Virginia Tech area who he could call if he encountered any problems at college. He never made any such call.

In fall 2003, Cho began studies at Virginia Tech, majoring in Business Information Systems.[33] After the VT shootings, numerous news media sources speculated that he had applied for admission to the Engineering College at VT, but was rejected, and that was the reason for his assault on the Norris Hall engineering building. This was untrue. Despite his predilection for science and math, he never pursued higher education in these fields. As he entered VT he was not on any medication, had no support group, no counselors, and no special academic accommodations for his problems. No one at the university would ever know of these mainstays of his life until after he was dead. In interviews with news media after the shootings, Cho's roommates would be reported as saying that he rarely made eye contact with them, and never spoke to them at all. In the report to the President of the United States on the VT shootings, it is pointed out that many people with serious mental illnesses develop them at the age they enroll in higher education.[34]

2. Early Years at VT.

Cho ended his freshman year with an overall GPA of 3.00. For his sophomore year he made arrangements to share a rented condo with a senior at Virginia Tech, who worked long hours and was rarely home.[35] His grades began to slip during the fall semester of that year, 2004.[36] While living in the condo, Cho became convinced that he had bed mites, due to research he did on the Internet.[37] He went to a doctor who diagnosed him with severe acne and put him on medication.[38]

---

[32] GPR, pg 38.
[33] GPR, 22.
[34] Report to the President on Issues Raised by the Virginia Tech Tragedy, 5.
[35] GPR, 40.
[36] Ibid.
[37] GPR, 41.
[38] Ibid.

Also, during his sophomore year Cho became interested in writing, and in the spring of 2005 he decided to change his major from Business Information Systems to English.[39] The GPR states that after his sophomore year and during the summer of 2004, his sister noted Cho's growing passion for writing, but he was always secretive about what he actually produced.[40] His family was thrilled that he had found something he could truly be excited about.[41] On 6 November 2004 (during fall semester of his sophomore year, and before changing his major to English) he exchanged emails with Dr. Lucinda Roy, chair of the VT English Department, with whom he had a poetry class, and explained his book idea to her, wanting to know if she had any advice for getting his book published.[42] She recommended two resource books and tips for finding a literary agent.[43]

3. Cho's Problems in College

Cho submitted his book idea to a New York publishing house, but it was rejected.[44] The rejection seemed to depress Cho, according to his family.[45] During the 2005 fall semester of his junior year, Cho's sister noticed that he was writing less and the rejection letter had curbed his enthusiasm for writing and reversed his improving attitude. He had also moved back into a dormitory. During that fall semester Cho's suitemates took him to some parties, where on one occasion he was seen stabbing at the floor in a girl's room with a knife.[46] They stopped taking him with them after this incident.[47] Cho's roommates that year never saw him play video games, but did see him watch movies on his laptop.[48] Cho also listened to, and downloaded, heavy metal music.[49] In addition, in the fall someone had been writing heavy metal lyrics on the walls of their suite, and during the spring in the hallways.[50] Several of the students believed Cho was responsible because the lyrics were similar to those Cho had posted on Facebook.[51] Several times, when the suitemates came home, it smelled like Cho had been burning something. Cho would also go to different lounge phones and call one of the suitemates. He would identify himself as "Question Mark, Cho's twin brother," and ask to speak with Cho. He would also access one of his roommate's Facebook page and identify himself as Cho's twin.[52]

During the 2005 fall semester, Professor Nikki Giovanni complained to Department Head, Dr. Lucinda Roy, about Cho.[53] Prof. Giovanni, who taught *Creative Writing*:

[39] GPR, 22.
[40] Ibid.
[41] GPR, 41.
[42] GPR, 40.
[43] Ibid.
[44] GPR, 22.
[45] Ibid.
[46] GPR, 22, 42.
[47] GPR, 42.
[48] GPR, 42.
[49] Ibid.
[50] Ibid.
[51] Ibid.
[52] Ibid.
[53] GPR, 22.

Poetry, told Professor Roy that she would resign if Cho was not removed from her class due to concerns of the violent nature of his writings. It was also reported from female students and Prof. Giovanni that he was taking cell phone photographs of them from under his desk. Prof. Giovanni had even asked a student what was going on when she noticed nobody was attending class anymore, and he responded by telling her everyone was afraid of Cho.[54] Dr. Roy urged Cho to go to counseling, and when he refused she notified the Division of Student Affairs, the Cook Counseling Center, the Schiffert Health Center, the VT Police and the College of Liberal Arts and Human Sciences[55] about Cho's behavior. Cho's problems were discussed with the university's Care Team.[56] Roy has stated that she believed Cho's isolation may have been largely self-imposed.

Professor Roy contacted the Dean of Student Affairs, Tom Brown, the Cook Counseling Center, and the College of Liberal Arts concerning Cho's writing in Prof. Giovanni's class and whether the picture-taking was a violation of the student code of conduct.[57] Dean Brown sent an email to Dr. Roy and advised her there was no specific policy concerning cell phones in class; however, Section 2 of the *University Policy for Student Life*, Item Number 6, spoke to disruption: "Behavior that disrupts or interferes with the orderly function of the university, disturbs the peace, or interferes with the performance of the duties of university personnel."[58] Dean Brown also contacted a counselor concerning the content of one poem in particular, but she did not discern a specific threat. Dean Brown spoke with Frances Keene, Judicial Affairs Director, whereupon he agreed with Dr. Roy that they would make it clear to Cho that if this behavior continued in the future he would be referred for disorderly conduct.[59]

Cho's conduct was discussed at the university Care Team meeting and it was ruled that this problem was resolved and the Team made no referrals to the Cook Counseling center.[60] Dr. Roy emailed Cho and asked him to contact her for a meeting. Cho responded with an angry two page letter in which he harshly criticized Prof. Giovanni and stated that she would cancel class and not instruct, but rather have students read their assignments and discuss them. Contradictorily, he also stated in this letter to Dr. Roy that he knew this was his fault because of his personality. [61]

At the meeting, Dr. Roy had a colleague present: Cheryl Ruggiero. Ms. Ruggiero took notes in the form of a transcript that provided information concerning Cho and his behavior. Cho arrived wearing dark sunglasses and seemed depressed and troubled. Dr. Roy informed him of the seriousness of what he wrote and he informed her he was "just joking."[62] She specifically asked him about a disturbing poem he had written about an

---

[54] GPR, 43.
[55] *Wikipedia.*
[56] GPR, 22.
[57] GPR, 43.
[58] Ibid.
[59] Ibid.
[60] Ibid.
[61] Ibid.
[62] GPR, 44.

"animal massacre butcher shop."[63] Cho had written this poem in response to a class discussion about eating animals, rather than discussing poetry, which had upset him. Dr. Roy asked Cho if he was a vegetarian, or did not eat meat for religious reasons, and he answered "no" to both.[64] Dr. Roy offered to tutor Cho independently so that he did not lose credit for the class. Prof. Lucinda Roy began tutoring Cho, with the assistance of Professor Frederick D'Aguiar, so that he could complete the course.[65]

After one month of meeting with Dr. Roy and Professor D'Aguiar, Dr. Roy wrote an email to Mary Ann Lewis, Dean of the College of Liberal Arts & Human Sciences, who shared this email with the Dean of Student Affairs, and Ellen Plummer, Assistant Provost and Director of the Women's Center.[66] In this email, Dr. Roy wrote that the meetings with Cho had "gone reasonably well, though all of his submissions so far have been about shooting or harming people because he's angered by their authority or by their behavior."[67] Dr. Roy was impressed by his writing skills and was always encouraging him to seek counseling, which he refused. Cho received an "A" for the class.

On 27 November 2005, a female who lived on the fourth floor of West Ambler-Johnston Hall (WAJ),[68] filed a report with VTPD complaining that Cho was "annoying her on the Internet, by phone, and in person."[69] Cho had also showed up at her room wearing sunglasses and a hat pulled down and said, "I'm Question Mark." She was very disturbed by this.[70] VTPD contacted Cho, and he was referred to the school's disciplinary office, the Office of Judicial Affairs. On Wednesday, 30 November at 0945 Cho called the Cook Counseling Center and was given a preliminary screening over the phone.[71] He was interviewed by Maisha Smith, a licensed professional counselor. Ms. Smith has no recollection of Cho and her notes are missing.[72]

In December 2005, emails among resident advisors (RAs) reflect complaints by female students in Cochrane Hall stating that Cho had been instant messaging them under strange aliases.[73] Emails also reported that Cho went in disguise to a female's room.[74] On 9 December Cho sent an instant message to another female. On 11 or 12 December Cho wrote a Shakespearean excerpt on this female's dormitory dry eraser board. This excerpt read:

---

[63] GPR, 42.
[64] GPR, 44.
[65] GPR, 22.
[66] GPR, 45.
[67] Ibid.
[68] This would be the dorm and floor on which Emily Hilscher lived, who would be Cho's first victim on 16 April 2007.
[69] GPR, 22.
[70] GPR 45.
[71] GPR, 23.
[72] GPR, 45-46.
[73] GPR, 23.
[74] Ibid.

By a name
I know not how to tell thee who I am
My name, dear saint is hateful to myself
Because it is an enemy of thee
Had I written it, I would tear the word

On 12 December 2005 this student – who was a friend of Cho's roommate Andy Koch and a resident of East Campbell Hall - (FN: GPR, 23) filed a report with VTPD that Cho was harassing her.[75] It had been in this young lady's room where Cho was stabbing the floor with a knife.[76] This same day Cho failed to keep a 1400 (2 p.m.) appointment at the Cook Counseling Center but was triaged, at 1645 (4:45 p.m.), by phone again.[77]

On 13 December 2005 VTPD contacted Cho concerning a report they received the day before, and instructed him to cease further contact with this female. Cho did not have further contact with either of the females who reported him to VTPD. Subsequent to the shootings, the *Collegiate Times* reported Chief Wendell Flinchum as saying, "The outcome of that report [was] outside the scope of the police department." This was an accurate statement, but did little to quell the highly critical and accusatory nature of news media reporting of the police response to the shootings that day. VT police were reported by local newspapers as stating that the two young women declined to press charges against Cho. Neither of the two females were victims of either of Cho's shootings on 16 April 2007.

After police contacted Cho on 13 December 2005 he sent an instant message to roommate Andy Koch stating, "I might as well kill myself now."(FN: *Wikipedia*) This message was alternatively reported by other sources to have read: "Maybe the world would be better off if I wasn't here." Upon receipt, Mr. Koch notified the resident advisor and Cho's father of the message. Cho's father contacted VTPD and informed them of the message. VTPD took Cho to a voluntary counseling evaluation at New River Community Services where he was examined by Kathy Goodbey, who recommended Cho for hospitalization. The New River Valley Community Services board concluded Cho to be "an imminent danger to self and others."[78]

A temporary detention order (TDO) was requested by Mrs. Goodbey. At 2212 a judge issued the temporary detention order against Cho due to his depression and possible suicidal tendencies, declaring Cho a danger to himself and ordered a psychiatric evaluation. Cho was transferred to Carilion-St. Albans Psychiatric hospital, admitted at 2300, and was evaluated by Roy Crouse.[79] Roy Crouse, however, concluded that Cho did not present an imminent danger to himself or others.[80] On the Carilion screening

[75] *Wikipedia.*
[76] GPR, 46.
[77] GPR, 23, 46.
[78] GPR, 23.
[79] *Wikipedia*, GPR, 23.
[80] GPR, 23.

form the box was checked that allowed Cho access to a firearm.[81] That night Cho was prescribed an anxiety medication called Ativan and given a dose at 2340.[82] After being held overnight at the mental hospital, Special Justice Paul M. Barnett, chose to not commit him, even though he found that Cho posed an "imminent danger" to himself due to mental illness.[83] Special Justice Barnett did review Cho's paperwork, certified the findings, and ordered follow-up outpatient treatment.[84] Cho then made and kept an appointment with the campus Cook Counseling Center. This would be the first of two mental health evaluations. The staff psychiatrist found that Cho's "insight and judgments are normal," and Cho was released. Neither the Cook Counseling Center nor the Care Team took any action to follow up on Cho.[85] Cho's parents were never informed that he was committed to St. Albans Hospital at any time.[86] The GPR states "…the university did not intervene effectively. No one knew all the information and no one connected all the dots."

In the spring of 2006, still during Cho's junior year, his problems in class continued due to the nature of his writings and his participation. Professor Robert Hicok experienced this with Cho and reported him to Dr. Roy. Professor Hicok, however, decided to just deal with Cho on his own for the semester and Cho received a D+ in the class.[87] On 17 April 2006 Cho's technical writing professor, Carl Bean, suggested that Cho drop his class after repeated efforts to address shortcomings and inappropriate choices of writing assignments. At one point after class, Cho followed the professor to his office, raised his voice and was asked to leave. Prof. Bean did not report this incident to the university. That spring Cho wrote a paper in Prof. Hicok's creative writing class about a young man who hated the students at his school and planned to kill them and himself.[88] The GPR notes that the writing contains a number of parallels to the attack that Cho would ultimately undertake on 16 April 2007 and the manifesto he would ultimately create and mail to NBC in New York.[89] Also, through his junior year, Cho was known to insist that he had a twin brother, that he had vacation with Russian President Vladimir Putin, and that he had a supermodel girlfriend, named "Jelly," who lived in outer space.

4. Last Year at Virginia Tech.

During his senior year (2006-07) Cho lived in a three-bedroom suite, number 2120, with Cho's bedroom being room 2121, in Harper Hall. Harper Hall is two buildings west of WAJ. The other two bedrooms were 2122 and 2123. The suite was on the east side of Harper Hall, facing West Ambler-Johnston residence hall (WAJ), with the top two floors of the taller West Ambler-Johnston Hall, possibly visible from Cho's suite. With Cochrane Hall standing between the two, and at the top of a rise in the ground above

[81] GPR, 47.
[82] Ibid.
[83] Lawrence Hammack,"Focus Shifts to Gun Laws," *The Roanoke Times*, April 24, 2007, 1.
[84] *Wikipedia*, GPR, 23.
[85] GPR, 23.
[86] GPR, 49.
[87] Ibid.
[88] GPR, 23.
[89] GPR, 23-24.

WAJ, speculation that Cho would have sat in his room, staring at WAJ and obsessing about launching an attack there seems baseless. Cho's bedroom was at the farthest (north) end of the suite, with the other two bedrooms being on opposite sides of the entrance to the suite. Cho was 23 years old by January 2007 of his senior year, preparing to graduate with his degree in English at the end of the spring semester.

The *Roanoke Times* reported that Karan Grewal and five others shared a three bedroom suite with Cho. This would mean there were seven men in that three-bedroom dormitory suite, though no one has been reported to have shared a bedroom with Cho.[90] The seven suitemates had moved into the dormitory apartment together in August 2006 to begin the 2006-07 academic year. Due to Cho's recalcitrance to engage in any interaction, they assumed he was an exchange student, new to America and either unable, or reluctant, to converse in English. They were later shocked to learn that he was, in fact, an English major.

Grewal confirmed what others suspected: that Cho seemed to have no friends, either male or female. His only pastimes, until shortly before the shootings, were working on his computer and watching television. Suitemate Grewal, 22, an accounting senior from Falls Church, Virginia, who moved to the U.S. from India in 2001[91] reportedly told *The Roanoke Times* and other media sources that Cho was "so uncommunicative that the first time he really heard Cho's voice was on television, in the ranting videos the killer left behind." *The Roanoke Times* reported Grewal as saying, "In the beginning, I just thought he was quiet and reserved. Later I thought he just got tired of life." No more prophetic words could have been spoken as an epitaph of Cho's tragic and largely self-tortured life. "But I don't understand why he killed so many people," Cho's roommate lamented.

According to *The Roanoke Times*, Grewal said that "he and the others in the suite tried to reach out to Cho, but were rebuffed every time. Cho never made eye contact and rarely spoke, not answering if someone spoke to him." "I learned to pronounce his name correctly when I heard it on the news," Grewal said.[92]

From 6-12 September 2006, during the fall semester of Cho's senior year, Prof. Lisa Norris alerted the Associate Dean of Liberal Arts and Human Sciences, Mary Ann Lewis, about Cho, but the dean did not find any mention of mental health issues in the police reports and encouraged Cho to go to counseling with her. Cho declined.[93] During this fall semester, Cho submitted two screenplays for a class. Disturbed by the intensely violent nature of these writings, classmates complained to the teacher who removed Cho from the class. In its Monday, 23 April 2007 Special Edition, *The Collegiate Times* reported classmate Stephanie Derry, a senior English major in Cho's 3000-level playwriting class, as saying: "His writing, the plays, were really morbid and grotesque. I remember one of them very well. It was about a son who hated his stepfather. In the

[90] Mike Gangloff, "Finding Comfort in Front of Camera," *The Roanoke Times*, April 24, 2007, 4.
[91] Ibid.
[92] Ibid.
[93] GPR, 24.

play the boy threw a chain saw around, and hammers at him. But the play ended with the boy violently suffocating the father with a Rice Krispy treat."[94]

G. CHO PREPARES HIS ATTACK

At 1341 on 2 February 2007, Cho submitted an order for a semi-automatic .22 caliber Walther P-22 handgun over the Internet from TGSCOM, Inc., in Illinois. On 9 February he picked it up at a local pawnshop, J-N-D Pawnbrokers, just off campus.[95] On 13 March 2007, he purchased a semi-automatic 9 millimeter (9mm) Glock and a box of 9mm ammunition at Roanoke Firearms.[96] Cho had to wait 30 days by Virginia state law for the dealer to perform a background check, but no record of mental health issues was found.[97] Cho's purchase of the firearms was an arguable violation of federal law due to fact that Cho had been judged to be a danger to himself and ordered to outpatient treatment.[98] On 22 March Cho purchased two 10-round magazines for the Walther P-22 through his eBay ID - "blazers5505" - from "bullelk14" of Elk Ridge Shooting Supplies in Idaho.[99] Hanni Durzy, an eBay spokesperson, said that the purchase from a vendor in Idaho was legal. On 23 March Cho purchased three more 10-round magazines from another eBay seller.[100] Durzy also said that Cho had used eBay to sell VT football tickets and horror-themed books "that were assigned in his classes."[101]

During his senior year, as with all of his other years, and throughout his life, Cho appears to have spent most of his time outside of class working alone on his computer, or watching TV. At 0858 on 12 March 2007, Cho rented a minivan at Enterprise Rent-A-Car at the Roanoke Regional Airport and used it to travel to local gun ranges and carry out training and reconnaissance on his target[102] Beginning in January or February 2007, just months before the shootings, he began what seems to have been a disciplined exercise program, and spent time lifting weights, according to his suitemate, Karan Grewal.[103] On 14 March 2007 Cho was seen at a national forest shooting range where he was observed shooting targets on the ground. On 22 March 2007 he practiced for one hour at the PSS Range and Training, an indoor pistol facility.[104] Like any soldier or terrorist preparing for an operation, it appears that Cho was getting ready for his one-man assault. This is little different from the intensely physical terrorist training camps in Afghanistan, Chechnya, Philippines, Indonesia, Somalia and Libya, or the flying, martial arts and scuba diving lessons al Qaeda operatives have been known to seek out in the U.S. and other countries. At no time did Cho's suitemates have any idea he had

---

[94] Kevin Anderson and CT Staff, "Week of Follows Day of Horror on Campus", *Collegiate Times*, 2.
[95] *Wikipedia*, GPR, 24.
[96] GPR, 24.
[97] Ibid.
[98] GPR, 2.
[99] *Wikipedia* – "Virginia Tech Massacre Timeline."
[100] GPR, 24.
[101] "Law Would Focus On Gun Buyers' History of Mental Illness," *USA Today*, April 23, 2007, 5A.
[102] GPR, 24.
[103] Gangloff, 4.
[104] GPR, 24.

purchased two firearms, or that he had begun practicing at local gun ranges. "The isolation he was in was self-induced, mostly," Grewal told Mike Gangloff of *The Roanoke Times*.

Cho had been stockpiling ammunition and magazines for his assault and training. On 28 March he checked into a hotel in Roanoke and, according to police, arranged to have sex with a woman. He checked out the following morning. It should be noted that until that encounter, there is no indication Cho ever had any social relationship with a female in his life. On 31 March 2007 he was issued a speeding ticket by the Montgomery County Sheriff's Office. Then, on 7 April 2007, he was issued another ticket by VTPD. On 31 March, Cho purchased additional ammunition, magazines, and a hunting knife from Wal-Mart and Dick's Sporting Goods.[105] On 31 March he also purchased several chains at a Home Depot.[106] On 3 April 2007 Cho purchased a four-pack of Brinks solid brass keyed padlocks, a "Signatures" black mesh baseball cap, shooting targets and a Dremel multi-pro 7.2 volt cordless tool. The Dremel tool was used to file the serial numbers off the firearms. On 8 April 2007 Cho spent the night at the Hampton Inn in Christiansburg, Virginia videotaping a large portion of his manifesto.[107] On 9 April 2007 Cho was seen at a Blacksburg shooting range, and later observed sitting in the back of the minivan he had rented. Additional portions of his videotaped manifesto were filmed while sitting in the back of the van in that parking lot.

On 10 April 2007 Cho returned the Kia Sedona minivan after normal business hours – dropping the keys in the overnight delivery slot - and took a cab back to his dorm. Two days later, on 12 April 2007, Cho purchased a 26-pocket fishing vest from a local business. Then, on 15 April 2007, Cho made a personal phone call. This is the last known call made by Cho, with no indication of what would follow. Records indicate that Cho purchased the ammunition and firearms with his parents' credit card. Cho's parents stated they did not receive the bill for the credit card until after the shootings, and so, had not known what he was purchasing. After his death they received a bill for more then $3,000 dollars.[108]

On 15 April 2007 Cho made his weekly Sunday telephone call to his family in Fairfax County, but his family reported that there was nothing unusual about the call.[109] This would be the last time they would ever hear from him until his image appeared on television following the worst mass shooting-murder at a school in U.S. history.

---

[105] GPR, 23.
[106] GPR, 24.
[107] Ibid.
[108] GPR, 71.
[109] GPR, 24.

V. CHO'S ATTACKS ON WAJ AND NORRIS HALLS

A. EARLY MORNING

0500: Cho is seen by one of his suitemates at his computer.[110]

0530: Cho is observed by suitemate Karan Grewal brushing his teeth and applying acne cream to his face in the bathroom. Cho says nothing, leaves the bathroom, gets dressed and leaves the suite shortly after.[111]

0647: According to the Governor's Panel Report, Cho is observed by students outside the external doors of West Ambler-Johnston Hall (WAJ). This is the dormitory where Cho receives his mail in the post office distribution area on the ground floor. It is also the dorm in which 19-year old Emily Hilscher lives.

West Ambler-Johnston Hall, is a dormitory located in the southern quadrant of buildings on the campus of Virginia Tech. *See Figure 2, Map of Campus, Addendum A.* It is seven floors, houses 895 students and is one of the largest dormitories on the Virginia Tech campus. WAJ has post office boxes, so many students have access to this area with their key cards, but cannot access the interior living area, or elevators, of the dorm. This access card does not work for non-residents until 0730 each day. Therefore, Cho must have entered by other means at this time, which explains his initial presence loitering outside the building.[112] There is no video surveillance at any building on the campus, though at one point Archangel investigators were told that some of the science lab buildings might have some cameras.

B. ATTACK IN WAJ

0702: Emily Hilscher enters the dormitory after being dropped off by her boyfriend Karl Thornhill, with whom she had spent the weekend. This time is based on the computer log of her swipe card to gain entry to the dorm building.[113]

0715: By this time Cho has shot both Hilscher and male resident assistant (RA) Ryan "Stack" Clark, in her room, 4040. Clark is a fifth year senior with triple majors in Biology, English and Psychology. He is shot by Cho just inside the door to Hilscher's room. GPR and police reports state that Clark had gone to investigate noises coming from Hilscher's room, which was next door to his own. Both victims' wounds are fatal.

0717: Cho's access swipe card is used by him to gain entry into Harper Hall, where he lives. This is scant minutes after shooting both Hilscher and Clark in the head at point-

---

[110] *Wikipedia*, GPR, 24.
[111] GPR 25.
[112] GPR, 77.
[113] GPR, 25.

blank range. He goes to his room to change out of his bloody clothing. Students later report seeing him enter Harper Hall at approximately this time as well, though no mention is made of them observing blood on Cho's clothes.

0720: Virginia Tech Police Department (VTPD) receives a call on its administrative telephone line from a fourth floor female RA of WAJ, advising that a female student in room 4040 had possibly fallen from her loft bed. Per GPR, the caller had been given this information from another WAJ resident, Molly Donohue, who lived on the other side of Hilscher's room.

From accounts of that morning told in the book *Lifting Our Eyes*, by Beth Lueders, freshman Molly Donohue had returned to her dorm room at approximately 0420 after a late night studying with her boyfriend. Her room was next door to Emily Hilscher's room, on the fourth floor. She set her alarm for 0650 and dozed off at 0430. Miss Donohue stated in the book that she woke up before her alarm, shut it off and lay in bed half awake. She heard a scream which shocked her awake. She looked at her clock, which read 0715, and realized she was late meeting her boyfriend for breakfast. Miss Donohue began to get dressed when she heard a pounding followed by a strange scream, which came from next door in Emily Hilscher's room. The walls are thin and she heard more pounding which woke her roommate, who observed Molly standing in the middle of the room.

Miss Donohue claims that she ran to the door and paused there. She then heard a door slam loudly, followed by someone running down the hallway past her room. She opened the door and saw bloody footprints right outside her door. She says that she initially thought the pounding was someone falling out of a loft bed. After she saw the bloody footprints she thought it was Emily Hilscher running to get help. Miss Donohue reports to have then proceeded to Emily Hilscher and Heather Haugh's room and tried to open the door, but there was a body pressed against it, and she saw an arm in the doorway. She yelled, "Is everything all right? Is everything all right?"

Miss Donohue further reported to author Lueders that she then ran to her RA's room - Ryan Clark - but he wasn't there. His door was open and she feared something was wrong. Miss Donohue states that she then ran back to her room, and her roommate went to find the female RA. Molly Donohue finished getting dressed and met her roommate, in addition to two other girls from a neighboring room and the RA in the hallway. Donohue claims the RA approached Emily Hilscher's room and forced her way through the door. The RA returned seconds later with horror on her face and kept repeating, "I need a phone. I need a phone." The RA then made a 911 call, as she had just observed Emily Hilscher and Ryan Clark with gunshot wounds to the head.

Law enforcement accounts cast serious doubt on this version of events. Reports that the first call was a 911 call alerting VTPD to a shooting at WAJ are false. According to police, after making the report, Miss Donohue went to breakfast and class, and could not be located for some time. Per BPD ERT leader Wilson, the dispatcher stated it "was a very generic call," and came in on the administrative line. Further, Miss Donohue could

not have heard the door to Miss Hilscher's room slam shut, yet have seen Ryan Clark's bloody arm protruding from it. Nor does she appear to have, at any time, mentioned seeing bloody footprints, nor did anyone else mention this to the police when calling in.

C. RESPONSE TO ATTACK IN WAJ

0721: The VTPD dispatcher notifies the Virginia Tech Rescue Squad (VTRS) of the report that a female student had possibly fallen from her loft bed. The VTRS is comprised of first aid-giving medical personnel only, and does not include any police officers, nor is any member of the VTRS armed. However, in conjunction with VTPD and VTRS SOPs, a VTPD officer was dispatched to room 4040 to support the VTRS response.

0724: VT Police and the VT Rescue Squad Number 1 arrive and find two victims, a man, Ryan Clark, and a young woman, Emily Hilscher, in room 4040.[114] The responding Rescue Squad members and police officer immediately request "additional VTPD resources."[115]

0725: Per GPR and the Panel's review of computer records,[116] Cho accesses his university email account and erases all of his files in the account. It is believed that at this time Cho made final edits to the video clips of himself, to be mailed as part of his manifesto, to NBC. This was supported at a 7 July 2007 debriefing with the Archangel Team, and BPD and VTPD. Beth J. Lueders, in her book, *Lifting Our Eyes*, states that he accessed his computer one minute earlier, at 0724.[117]

0726: VT Rescue Squad Number 3 arrives at WAJ.

0729: VTRS 3 arrives at room 4040 of WAJ.[118] Squad members begin treatment of both victims and determine that Hilscher has a better chance for survival than Clark.[119] Hilscher and Clark are separately transported to Montgomery Regional Hospital. Clark will be dead on arrival (DOA) at the hospital, as he expired and could not be resuscitated in transit. Emily Hilscher will be sent on to Roanoke Memorial Hospital Trauma Center by ambulance, where she will die.

0730: Additional VTPD officers begin arriving at WAJ and room 4040. The crime scene is secured and preliminary investigation begun.[120] Initial contact with other residents results in no suspect description, and no one on the fourth floor observed anyone leaving Hilscher's room after the initial noise was heard by Donohue. The five women who

---

[114] The book *April 16th: Virginia Tech Remembers* states that VTRS was dispatched at 0724 and arrived 2 minutes later, Lazenby, 6.
[115] GPR, 25.
[116] Ibid.
[117] Lueders, 9.
[118] The book *April 16th: Virginia Tech Remembers* says VTRS 3 arrived at 0735, Lazenby, 6.
[119] Ibid.
[120] GPR, 25.

supposedly saw Ryan Clark's bloody arm and the footprints in the hallway either fail to inform police of this, or cannot be found.

0730 – 0800: Per GPR (GPR, 25) Hilscher's roommate, Heather Haugh, arrives, at WAJ to walk with her to chemistry class. Miss Haugh is questioned by detectives. She explains that, typically, Hilscher's boyfriend, Karl Thornhill, would drop her off early Monday morning after spending the weekend together. She believes Emily Hilscher had been dropped off at WAJ at approximately 0650 that morning. She informs police that Thornhill is a student at nearby Radford University. She further informs law enforcement (LE) that he is an avid shooter and gunowner. This information, together with the fact both victims died from gunshot wounds and the obvious presence of numerous photos of Thornhill in the suite with guns, makes him a *person of interest* and potential suspect. Even Miss Hilscher's computer screensaver was displaying photos of Thornhill with firearms when police entered. This is further supported by the fact that, per Miss Haugh's account, Emily Hilscher had just been deposited at her dorm by Thornhill at approximately 0700, and was found shot just minutes later with another man in her room, clad only in his underwear. It appears that Clark must have been asleep when noises from next door woke him, and caused him to go immediately to Emily Hilscher's room.

0740: VTPD Chief Wendell Flinchum is notified by telephone of the WAJ shootings.[121]

0743: Ambulance departs to hospital with Hilscher.[122]

0748: The book, *April 16th: Virginia Tech Remembers*, reports that VTRS requests air rescue from Carilion-Roanoke Memorial Hospital at this time, but due to the wind the medevac helicopter cannot respond to the request.[123] This is inaccurate, as the request had already been made and denied, and an ambulance dispatched which had arrived, prior to Miss Hilscher being transported to the hospital at 0743.

0749: Second ambulance leaves for hospital with Ryan Clark.[124]

D. POLICE AND VT ORGANIZE

0751: VTPD Chief Flinchum contacts Blacksburg Police Department (BPD) and makes a mutual aid request for the assistance of a BPD evidence technician and detective for the WAJ crime scene and investigation, and both departments' ERTs are assembled and report to WAJ. BPD patrol officers and elements of its ERT begin to arrive at WAJ at approximately 0815. VTPD ERT is being assembled and begins arriving at WAJ at approximately this time as well.

---

[121] Ibid.
[122] Lazenby, 7.
[123] Ibid.
[124] Ibid.

0757: VTPD Chief Flinchum notifies the Virginia Tech Office of the Executive Vice President of the WAJ shootings. This causes the university's Policy Group to convene an emergency meeting.

0800: Classes begin on the VT campus. Chief Flinchum arrives at WAJ at this time where he contacts both VTPD and BPD detectives on scene. Also, at this time, a local agent of the Virginia State Police (VSP) has been contacted and is en route to WAJ.

0810 – 0820: Based on at least one witness account, Cho is seen near the Duck Pond at this time. The Duck Pond is approximately one-quarter mile to the northwest of Norris Hall, and approximately 645 yards to the northwest of Harper Hall, Cho's dorm. *See Figure 2, Map of Campus, Addendum A.*

0810 – 0925: During this period,[125] Chief Flinchum provides updated information via telephone to the Virginia Tech Policy Group (VTPG) regarding the status of the investigation into the WAJ shootings. Chief Flinchum informs the VTPG that a possible suspect has been identified, and that he is most likely off campus. This "possible suspect" is Karl Thornhill, Hilscher's boyfriend.

0811: BPD Chief Kim Crannis arrives on scene at WAJ to assist in the investigation.

0813: Chief Flinchum requests additional officers from both VTPD and BPD to secure WAJ entrances and assist with the investigation. Due to the growing enormity of this event and the need for multiple officers to secure the perimeter, officers that have gone off-duty from the nightshift are recalled and assigned to respond to Ambler-Johnston. Upon arrival, officers were teamed in pairs (some with same department, some with arriving recalled VT officers), and assigned either a door security position or a roving patrol mission. The perimeter was to be secured and checked for dropped or discarded articles of evidentiary value. Lts. Davis and Cummings were coordinating these assignments, with flexibility built in, to respond to investigative leads passed on through Captain Goodman or Lt. Glass. Officers are teamed up: one each from BPD and VTPD, in all patrol units.

0815: Capt. Goodman ordered Lt. Glass to call out the full BPD ERT at this time. In fact, both ERTs are called out, though elements of both VTPD and BPD ERT are already on scene. Of the initial officers responding to the call at WAJ, four BPD officers who are on duty belong to the ERT. These were tasked with such duties as investigation (as it included detectives), security and perimeter search/patrol.

0816-0924: A BOLO is issued (0830), and officers from VTPD, BPD, Montgomery County Sheriff's Office (MCSO) and Virginia State Police (VSP) search for Karl Thornhill. It is determined that he is not at his scheduled class at Radford University, is not at his residence and is not at his place of employment. His vehicle is not found in VT campus parking lots. Per GPR, officers are increasingly confident he has left the VT

[125] GPR, 25.

campus. Investigators continue looking for witnesses at WAJ. VTPD, BPD and VSP continue processing the crime scene at 4040 WAJ. Victims are positively identified.

0819: Per GPR, BPD Chief Crannis alerts and assembles the full BPD ERT. Four ERT members were already at WAJ, as they were among the first BPD officers deployed to assist with the investigation. During a meeting with BPD and VTPD on 7 July 2007, it was stated that both ERT teams were activated at 0815.

0825: VT officials, in the form of the VT Leadership Team or Policy Group, which includes the university President, Charles Steger; Executive Vice President, James A. Hyatt; and Provost, Dr. Mark G. McNamee, meet to assess what is known about the situation, and to determine what information they should provide to the students and faculty about the homicides.

0852: Blacksburg public schools lock their outer doors upon hearing of the incident at WAJ from their security chief, who had heard about the incident on his police radio, according to the Governor's Panel.[126] However, both PDs insist that this information was conveyed by one of the BPD school resource officers who had been called to provide perimeter security at WAJ.

0900: VTPD Capt. Albert begins to brief the VT Policy Group in person on the shootings. Police Chief Wendell Flinchum was still at WAJ overseeing the investigation.

0901: Approximately one hour and fifty minutes after the WAJ shootings, "Cho Seung-Hui"[127] mails a package to NBC News in New York, from the downtown Blacksburg Post Office. The package contains an approximate 1,800 word written "manifesto," or "rambling diatribe"[128] of his anger, 43 photos of himself, and a DVD with 27 Quick Time video files of his beliefs[129] complaints and positions on issues important to him. He "alludes to a coming massacre" and otherwise expresses his desire to "get even" with "oppressors."[130] The GPR states that the videos are nothing more than performances of his enclosed writing.[131] Cho also mails a letter to the VT English Department verbally attacking Professor Carl Bean, with whom he had had an earlier disagreement.

0905: Classes begin for the second period of the day at Norris Hall.

0915: Both ERTs arrive and are in position in full force. Elements of both VTPD and BPD ERT teams are divided between WAJ and the BPD headquarters, ready to respond to a possible arrest of Thornhill when found, and to execute corresponding search

---

[126] GPR, 26.
[127] As with most Asian cultures, the "last name" or surname, is typically placed at the front of a person's full name, resulting in both Chief Flinchum and many initial media reports identifying the individual as Cho Seung-Hui.
[128] GPR at 26
[129] Kevin Anderson and CT Staff, "Week of Strength Follows Day of Horror on Campus," *Collegiate Times*, 1.
[130] Ibid.
[131] GPR, 26.

warrants. Per Anthony Wilson, some were dispatched to Mr. Thornhill's home and place of employment. As well, they are ready to answer any calls of more violence. Those at WAJ are assisting in the investigation. Other members are in the field looking for Hilscher's boyfriend, Thornhill.

E. THE ATTACK ON NORRIS HALL

The media speculated that Cho applied to the Engineering department and failed to get in, and this was the reason for his attack. This was false. He did, however, have class in Norris Hall that semester. Cho was reported taking a second-semester sociology class called Deviant Behavior.[132] On 29 March 2007 Cho had missed his class in Norris Hall and never returned. From February 2007 to April 2007 Cho was seen in the vicinity of Norris Hall several times. This would not be unexpected, except he was reportedly seen pacing off distances of the building, and police believe he was conducting recon and intelligence-gathering on his target. Cho did not have class in Norris Hall on 16 April 2007, nor did his class meet on Mondays at all.

Cho's target selection was one of the best choices of the 131 major buildings on the Virginia Tech campus. Norris Hall is a three story "L" shaped structure with a long base. Norris Hall contains offices and laboratories on the ground floor, with classrooms on the second and both faculty offices and classrooms on the third. The book *April 16th: Virginia Tech Remembers*, reports: "He has selected an old building on campus because it has just a few escape routes. He can chain the doors on the exits to the building and quickly trap the people inside. He knows the second floor of the building is filled with students in their classes. He also knows that the classroom doors have no locks. The occupants will be defenseless. The classroom windows are too small in many cases to exit through."[133]

In addition the building was one of the few remaining campus buildings that had the old style swing-bar doors that made it easy to chain, rather than the newer solid push-bars found in most buildings today. The GPR notes that on 14 April 2007 a faculty member in Norris Hall remembers seeing an Asian male wearing a hooded garment. The GPR notes that this may have been Cho practicing.[134]

<u>0915 – 0930</u>: Per GPR, Cho is observed outside and then inside Norris Hall. Construction workers see him outside the breezeway door at the east entrance. He chains the external doors shut from the inside in the alcoves of the stair wells at the three external public entrances to the building. Though he is later reported as having been seen reaching into his backpack inside the western entrance,[135] no one observes him chaining any of the doors. As there are no witnesses to Cho chaining any of the three public

[132] Lueders, 15.
[133] Lanzenby, 3-4.
[134] GPR, 24.
[135] This is the same entrance the entry teams would ultimately attempt to breach with shotgun rounds before moving to a set of doors to the immediate left or north.

entrance doors into Norris Hall, the pattern of these defensive measures, the means by which he accessed the second floor and the exact sequence of rooms he attacked, or attempted to attack, is partially speculative. However, it is generally concluded by the responding officers that Cho chained the east breezeway entrance first. It is believed that he, then, chained the west entrance, and finally chained the south entrance or Drillfield entrance. The chains were effective in both delaying law enforcement and keeping his prey from escaping. *See Figure 3, Diagram of First Floor Norris Hall Depicting Entry Points of LE, Addendum A.*

The GPR reports that Cho had also put a note on the east or breezeway entrance doors stating that if the chains were removed that a bomb would go off.[136] It was also noted that a building maintenance worker had found the note and taken it to the Engineering School's Dean's office. Supposedly, they were about to call the police when the shooting started.[137] The GPR reported that had this note been reported immediately, as university instructions to faculty states, this may have saved the police a crucial few minutes.[138] Many students and faculty assumed that the doors were chained by the construction workers.

Once on the second floor from the west or central staircase, one has to make a U-turn to the right to enter the hallway containing the classrooms Cho ultimately assaulted. *See Figure 4, Diagram of Norris Hall Second Floor, Depicting Cho's Initial Movements.* The first room on the left (east side of the wing facing into the courtyard surrounded by the long northern leg of the "L" that forms Norris Hall, along with Holden Hall) is room 210, followed by rooms 206, 204 and 200. Room 200 is the last room at the end of the hall before reaching the stairs leading down to the front entrance at the south end of the building. It is believed that Cho chained the Drillfield entrance last, ascended the stairs and finding room 200 empty, entered and prepared for his assault.

If Cho had been conducting surveillance on the building on Monday mornings prior to the attack, it can be inferred that he knew it would be empty. It is later reported that he was seen going through his backpack inside that room. Cho then walks down the second floor hallway (northward) and is seen looking into each room, even to the point of opening closed doors to look inside the occupied classrooms. He leaves his backpack on the floor next to the water fountain, which is situated just outside the men's room and across from the second floor landing of the western (central) staircase. Contrary to news reports, there is no room 208 in that hallway. Many students recall Cho poking his head into classes. In the book *April 16th: Virginia Tech Remembers*, a student recalls the teacher saying it was weird that a student was lost that late in the semester.[139]

0924: A Montgomery County Sheriff's Office (MCSO) deputy sheriff sees Karl Thornhill driving his pickup truck off campus and inside Blacksburg city limits on Prices Fork Road near the Blacksburg Middle School. The vehicle was stopped and the driver

[136] GPR, 89.
[137] GPR, at 89, reports that the person who found the note was a faculty member.
[138] GPR, 89-90.
[139] Lazenby, 13.

was identified as Mr. Thornhill. Detectives and ERT members are immediately dispatched to assist and begin questioning him.

0925: According to the GPR, at this time a VTPD captain joined the VTPG as police liaison.[140] However, VTPD Capt. Albert was already with the VTPG, with Chief Flinchum remaining at WAJ to oversee the investigation into the shootings of Hilscher and Clark. Capt. Albert provides the Policy Group with updates as information becomes available by phone.

0926: A recorded message is placed on the VT Emergency Weather Line, and a telephone message is sent to campus phones, and an email is sent to the entire VT community attempting to notify everyone of the first two shootings. A news release is drafted and posted on the VT website.[141]

The email states:

"A shooting incident occurred at West Ambler-Johnston earlier this morning. Police are on the scene and are investigating."

"The university community is urged to be cautious and are asked to contact Virginia Tech Police if you observe anything suspicious or with information on the case. Contact Virginia Tech Police at 231-6411."

"Stay attuned to the www.vt.edu. We will post as soon as we have more information."

Some media outlets erroneously report this email as having been sent at 0928.

0931 – 0948: A VSP special agent (who will ultimately inherit the investigation) also arrives at the traffic stop of Thornhill and assists in questioning. A field gunpowder residue test (GRT) is administered, though results will not be known for some time as it must be sent to a lab for processing. Thornhill is initially cooperative and reports to LE that he is already aware Emily Hilscher is dead. Initial interviews and his willingness to submit to the gunpowder testing at the traffic stop lead investigators to begin questioning Thornhill's suspected involvement in the shootings of Hilscher and Clark. These units are "clearing" from this traffic stop to return to WAJ and continue to assist in the investigation when the radio reports: "Shots fired at Norris Hall."

0941-0942: Cho begins entering rooms and shooting professors and students on the second floor of Norris Hall. The GPR speculates that the shooting may have begun as early as 0940, "based on the time it took for the students and faculty in the room next door to recognize that the sounds being heard were gunshots, and then make the 911 call,"[142] though this is speculative and may be somewhat inflated relative to the short amount of time Cho would have spent in each of the other rooms throughout the

[140] GPR, 26.
[141] *The Collegiate Times* says this email was at 0928 and *Lifting Our Eyes* states 0926, at 9.
[142] GPR, 27, footnote 1.

rampage. The first room to be entered is 206 on the east side of the building where a graduate Engineering class in Advanced Hydrology is being held. Cho takes a fixed position just inside the door and begins shooting from left to right. Cho shoots most of one magazine and reloads. His shooting is reported as slow and methodical. He reloads a second time.

Cho walks across the room to Prof. G.V. Loganathan[143] and kills him with a direct shot. He shoots at, but misses, one male student, but fatally shoots two others. Two students are wounded during this initial entry. Before all three of his trips to room 206 are over, he will have killed nine (9) students in the classroom, and wounded three (3), of the total thirteen (13) students in the room, in addition to killing the professor. As he leaves 206 a student initiates a 911 call. Cho will return to room 206 two more times.

Next door in room 204, Liviu Librescu immediately recognizes the sounds for what they are, and tells the students to begin pulling out the windows and screens at the back of the room and start jumping. He says that he will attempt to hold the door shut. Yang Kim and Jamal Carver, students in the class, make the decision to exit the room and try to reach the southern (Drillfield side) stairs, a short distance away. Only room 200 is between them and the staircase. As Cho exits room 206 he sees Kim and Carver leaving room 204 and fires at least one round at them, wounding Carver in the arm. They attempt to flee the building at the southern (Drillfield side) entrance, but find the doors chained. They hide in a a room on the west side of the first floor, and fashion a sign that reads "WOUNDED" which they place in the window.

Hearing the sounds of gunfire, teacher Haiyan Cheng, and student, Theresa Walsh, look out of room 205, across and halfway down the hall to the left (north) toward room 206. Cho sees them and fires, hitting neither.

Cho crosses the hall from 206 to room 207 (west side) where an Elementary German class is being conducted by teacher Christopher James Bishop. Upon entering room 207, he first kills Prof. Bishop, then begins shooting the students seated at the front of the classroom. He paces across the front of the room firing. This rampage results in the deaths of six (6) students and a teacher: Lauren McCain, Michael Pohle, Maxine Turner, Nicole White and Prof. Bishop. In all, six (6) are wounded. Eighteen (18) 9mm rounds and one (1) expended magazine are recovered in this room.

At the same time as Cho is assaulting room 207 - approximately 0943 - student Tiffany Otey has completed a test she is taking in room 306 on the third floor for Professor James Yardley. *See Figure 10 for a diagram of the Norris Hall third floor, Addendum A.*. While descending the southern (Drillfield) staircase she hears gunshots and returns to the class to inform her professor. She states that the hallway is full of smoke. Prof. Yardley crosses the hall to Professor Kevin Granata's office, room 307, (*See Figure 10, Diagram of Third Floor and LE Movement there, Addendum A.*) and tells him what his student has reported. Prof. Yardley and his students lock themselves in Prof. Granata's office, and Prof. Granata proceeds down the central (western) staircase to investigate.

[143] No first name is provided and he simply goes by the initials "G.V."

At the same time, Prof. Wally Grant is in his office in room 222 of the west-east wing of the second floor of Norris Hall. He hears what sounds to him like metal scraping on metal and leaves his office, walking west toward the central (west) staircase at the elbow of the two wings of Norris Hall that form its basic "L" shape. *See Figure 11, Diagram of Norris Hall Second Floor Depicting Law Enforcement Search, Addendum A.* He encounters Prof. Granata coming out of the central (western) staircase and they proceed southward down the north-south wing of the second floor to investigate. Cho is in room 207 at this time.

Cho opens the door to room 207 preparing to leave and encounters Professors Grant and Granata. He shoots Prof. Granata in the head at close range. Prof. Grant flees northward up the hall, back in the direction they had come from. Prof. Grant is shot in the upper right portion of his back, and upon reaching the elbow of the two wings of the building, takes refuge in the men's room on the east side of the hall, next to where Cho had left his backpack. There is another student in the men's room. They try to find something with which to barricade the door, but nothing is available. Prof. Grant makes a 911 call at this time. It is only at this point that he realizes he's been shot. Neither the professor nor the student come out of the men's room until the building has been secured by police.

After exiting room 207, and shooting Professors Granata and Grant, Cho moves to room 211 which is the northernmost classroom on the west side of this leg of the second floor. Madame Jocelyne Couture-Nowak has been teaching a French class. She and her students have heard the shots, and she looks out the door in time to see Cho shoot Dr. Granata. She immediately communicates to the class that they should get on the floor, and some should help her barricade the door with desks. Mme. Couture-Nowak instructs student Colin Goddard to call 911 at 0941. This will actually be the first 911 call received, and it initially goes directly to the BPD operator, but the operator has difficulty understanding what is being said and the location of the shooting. When she realizes it is a call from campus, she re-routes the call to VTPD dispatchers. The call is logged by VTPD at 0942. A message is immediately sent to all county EMS to respond.[144]

Mme. Couture-Nowak and student Henry Lee have little time, and only manage to push a couple of the smaller student desks in front of the door when Cho arrives. Upon seeing the professor look out of the room, he has headed straight to room 211. Cho forces his way into the room and shoots Mme. Couture-Nowak and student Lee. He then begins sweeping the front of the room with gunshots from left to right, before proceeding to walk down the narrow aisles separating closely packed desks, shooting students on both sides. Most of the students attempt to hide under their desks.[145] Goddard is shot in the leg and drops his cell phone, which is picked up by student Emily Haas. Per GPR, she begs the police to hurry. Cho hears her as she lies on the floor speaking to the dispatcher and shoots her, grazing her in the back of the neck. She does not lose consciousness, but continues to lie on the floor, feigning death, yet keeping the line open and continuing to talk to police. In all, three students in room 211 who pretended to be dead would live. In

[144] GPR, 27.
[145] Crime scene photos indicate that several of the shots appear to be direct head shots.

addition to the professor and the first student, students Emily Haas, Colin Goddard and Austin Cloyd are shot at this time.

Cho leaves room 211 at this time. The surviving students play dead hoping that Cho will not return. As Cho exits room 211 he is seen by a janitor, Gene Cole, loading one of his guns. The janitor flees downstairs, later reporting that Cho fired at him. In a subsequent interview Mr. Cole's account would appear to place him seeing Cho shortly after Dr. Granata was shot, and while Cho was further down the hallway to the south.

0945: Officers from both BPD and VTPD arrive at Norris Hall. They have come from patrol, as well as those staged at both WAJ and BPD headquarters. All tactical teams were still assembled and were ready to be deployed when the second attack began at 0942. These units responded within one minute of being informed of the second attack. Other, Hasty Teams, had also been assembled. The Governor's report states that their responses were well coordinated.

The first officer marked on scene is VTPD ERT commander Lt. Curtis Cook, as established by radio contact with dispatch. Others are already there, however. VTPD Captain Albert had been at Burruss Hall twenty yards to the west of Norris Hall, meeting with the VTPG. Sgt. Wilson from BPD ERT had been with VTPD ERT and investigators at WAJ, as had been BPD Operations and Operations Division Commander, Captain Donnie Goodman. Sgt. Wilson estimated that it took him fifty seconds driving time to get to Norris Hall from WAJ. Chiefs Flinchum and Crannis, along with Capt. Goodman, take a single vehicle, arriving at the north side of Norris Hall, on Old Turner Street. *See Figure 5, map depicting routes taken by responding LE, Addendum A.*

All arriving officers immediately break up into three separate teams, in their efforts to enter Norris Hall, each taking a different public entrance door. The GPR reports that "Hearing shots, they pause briefly to check whether they are being fired upon, then rush to one entrance, then another, and then a third but find all three chained shut. Attempts to shoot open the locks fail."[146] This is not a complete recitation of the response of the arriving LE teams, nor their efforts and ultimate success in gaining entry into Norris Hall.

Lt. Cook's Team Three stacks outside the west (central) entrance as Sgt. Wilson's Team One attempts to gain entry at the southernmost entry fronting Drillfield Drive. They find the doors chained. Sgt. Wilson moves his team northward up the west side of the building to the central (or west) entrance that Lt. Cook's team is attempting to breach. Team Two, with both chiefs and Capt. Goodman, attempt to enter through the eastern doors under the breezeway connecting Norris with Holden Hall. *See Figure 3, Addendum A.* They, too, find doors chained and order a pair of boltcutters be brought to them.

Approximately 0945: As police are attempting to gain entry to Norris Hall, Cho leaves room 211 and returns to room 206. Chang Park, Guillermo Coleman and Nathaniel Krause strategize to play dead. Cho walks through the room shooting some students a

[146] GPR at 27.

second or third time. He stands over Krause and begins shooting, wounding him again. Guillermo Colman has pulled the body of fellow student Partahi "Mora" Lumbantoruan on top of him, as he continues to feign death himself. Cho fires several shots into Mora's body, then exits the room.

He crosses the hall, returning to room 207 where the German class was being held. Two wounded students, and others who had not been injured, are now holding the door shut with their feet and hands. Among these students are Derek O'Dell, Katelyn Carney and Kevin Sterne. Cho forces the door open an inch or two, but cannot gain entry. He shoots four rounds into the closed door, then abandons this effort and moves on. One round passed through the loose, untucked shirt that Derek O'Dell was wearing, barely missing him, though he was previously wounded. The following students would be wounded, but survive, in room 207: Katelyn Carney; Jarrett Evans; Elilta Habtu; Sean McQuade; Derek O'Dell; and Kevin Sterne. Fatalities are: Lauren McCain; Michael Pohle; Maxine Turner; Nichole White; and Christopher Bishop.

Cho then turns down the hall to the right (southward) one room to 205. The students in this room, attending a class on Issues in Scientific Computing being taught by graduate assistant Haiyan Cheng (substituting for the assigned professor), know that someone is shooting at people in other classrooms due to the teacher and student, Theresa Walsh, having already seen Cho and been shot at. When this happened, they had quickly barricaded the door with a table and a desk. The students are lying on the floor, holding their barricades in place with their hands. Cho attempts to force his way in, but is unsuccessful. He fires two (2) rounds through the door then moves on, having been unsuccessful in gaining entry or wounding anyone. This is the only room from which everyone will emerge unscathed.

Cho proceeds across the hall and to the right (south), to room 204 where Prof. Liviu Librescu is attempting to hold the door closed with his hands and body, providing his students time to remove a window and screen so they can jump to safety. Ten students drop into the bushes below. One suffers a compound fracture of the leg and limps to a nearby bus stop where he catches the bus to the hospital.

Librescu is overpowered by Cho shoving the door open with his shoulder. He fires a single shot from his right hand pistol, striking Librescu in the head. All but three students escape by jumping out the window. After killing the professor, Cho moves across the front of the classroom from left to right, where he confronts coed Minal Pinchal. He shoots her in the head, fatally wounding her. He then moves down the aisle along the windows on the east side where he arrives at the remaining students, Nathaniel Webster and Justin Klein lying on the floor. He stands directly over them firing at point blank range, wounding both.

In all, eleven (11) 9mm bullet casings, and twelve (12) .22 caliber casings would be recovered from this room and the bodies of the victims in 204. Two (2) expended magazines, one each containing six (6) and eight (8) unexpended rounds are found. Total shots fired in room 204 were twenty-three (23). Two are killed: Prof. Librescu and Miss

Pinchal. Klein and Webster, both wounded, would live. Additional wounded are Jamal Carver; Jeffrey Twiggs; Sundeep Patel; Caroline Merrey; and James Calhoun.

Cho moves next door (to the north) and attacks room 206 for the third and final time, shooting more students. Ultimately, thirty-four (34) 9mm rounds will be expended, along with eleven (11) .22 caliber rounds in this room, for a total of forty-five (45) bullets fired into a classroom of twenty-four (24) people. No one emerged from this room without being shot. Wounded are: Guillermo Colman; Nathaniel Krause; and Chang-Min Park. Deceased are: Brian Bluhm; Matthew Gwaltney; Jeremy Herbstritt; Jarrett Lane; Partahi Lumbantoruan; Juan Ortiz; Julia Pryde; Waleed Shaalan; Daniel O'Neil; and Vasudevan Loganathan.

He returns to room 211 (French Class) and repeats his steps, attacking it for the second time. He goes up and down the aisles shooting students. Cho shoots Goddard, who survived the initial assault, twice more at this point.

F. LAW ENFORCEMENT RESCUE AT NORRIS HALL

As this is occurring, arriving police have found chains securing the entrances. Sgt. Wilson has moved his Team One up the west side of the building to join Lt. Cook's Team Three at the west (central) stairwell entrance. The west side entrance doors are pulled open and two shotgun blasts are used to attempt to breach the chain. This is unsuccessful. A set of doors eleven feet (11 ft.) to the left (north) leads into a machine shop on the first floor. The entry teams breach the bolt lock to that door with a slug pre-loaded in the patrol shotgun carried by a VTPD officer and the teams enter the building. The GPR states that this was accomplished at 0950. In actuality, the clock was well into the 0950 minute (almost 0951) when the final breaching shot was fired. Machine shop workers show the officers the nearest staircase, which is the central stairs on the west side of the building. This is the same entry where they attempted to breach the chain with two .00 buckshot shotgun rounds.

Upon determining that the gunshots are coming from the second floor only, Team One, led by BPD ERT commander Sgt. Anthony Wilson takes his team up the central (west entrance) staircase. Team Three, led by VTPD ERT commander Lt. Curtis Cook, races down the first floor hallway to the south, and leads his team up the southern Drillfield staircase. When they reach the second floor, the two teams will have the source of the gunshots caught between them.

0950: As officers are entering Norris Hall, the VT community is notified of the shooting that took place earlier at WAJ by email. The email reads as follows:

"Subject: Please stay put."
"A gunman is loose on campus. Stay in buildings until further notice. Stay away from all windows."

Various news media erroneously reported this at 0954, including the *Collegiate Times*.

0952: Cho is still in room 211. The entry teams move up the stairways shouting, "Police, Police!" There is a thirty-eight (28) second period of quiet, with no shots being fired by Cho between the last shotgun breaching round that gained the teams entry into the building, and the first of Cho's final two shots. Colin Goddard, 21, a British and American citizen, said that he believed he may have been Cho's last victim before he turned his gun on himself. Evidence, however, indicates that the first of Cho's last two shots would have been made into the right side of the head of Air Force Cadet Matt LaPorte, whose body position and prior wounds indicate that LaPorte had maneuvered around the room and attempted to attack Cho across the front of the room, from west to east.

Cadet LaPorte, attired in his uniform, fell just short of the door, lying next to the blackboard facing where Cho would have been standing while shooting, his arms outstretched in a classic football tackling position. Matt LaPorte had eight bullet entry wounds that could have only been sustained while moving forward on the shooter in the very posture in which he fell: fingers and thumbs shot, arms and shoulders and the front of his head. Forensic evidence indicates that LaPorte had been dead for some time before Cho put the final round into the side of his head.

Cho is still in room 211 as Team One led by Sgt. Wilson reaches the second floor landing of the central (west) stairway. As they reach the second floor Cho takes his own life with a final gunshot to the left side of his head at 0952.

In all, thirty-six (36) 9mm bullet casings would be found in room 211, along with twenty-five (25) .22 caliber casings. Three (3) magazines which contained a total of eight (8) rounds between them and four (4) empty magazines are recovered. A total of sixty-one (61) shots were fired by Cho in room 211. Wounded in room 211 are: Allison Cook; Colin Goddard; Emily Haas; Kristina Heeger; Heidi Miller; and Hillary Strollo. Deceased are: Ross Alameddine; Austin Cloyd; Caitlin Hammaren; Rachel Hill; Matthew LaPorte; Henry Lee; Daniel Perez; Erin Peterson; Mary Read; Reema Samaha; Leslie Sherman; and Jocelyne Nowak-Couture.

Tactical Medics from both VTPD and BPD ERTs begin triaging and rendering first aid to the wounded. Both BPD and VTPD ERT's tactical medics were on-hand at Norris Hall immediately.

0953: The 0942 call out for all EMS units is repeated.

The entry teams are unaware that Cho has shot himself, nor are they aware of the number of shooters in the building. As they reach the second floor no more gunfire is heard. The entry team commanders immediately suspect that the shooters have taken hostages or are reloading and attempting to ambush them. They transition to a tactical search of the building. Despite believing that ambushing shooters have taken positions inside rooms along the hallway on the second floor, two officers race down the hall to drag Prof.

Granata back and into the second floor stairwell landing where the BPD tac medic can begin working on him, while other officers cover them.

Facing each other from opposite ends of a narrow hallway (the hallway is only 7 ft. 9 in. wide), the two teams are concerned about a friendly fire incident. With no knowledge of the location of the shooter, or shooters, who had gone quiet, Lt. Cook leaves a two man element in the stairwell of the southern staircase, and moves up to the third floor with the rest of Team Three.

Team Three moves northward along the third floor hallway, clearing rooms as they pass to the extent possible. They then descend the central (west) staircase, coming in behind Sgt. Wilson's Team One, where they link up.

1008: The two teams move southward along the second floor of Norris Hall, attempting to determine whether any students are alive and the location of the shooter or shooters. At this time, Emily Haas, who is still on Colin Goddard's cell phone, tells the dispatcher that the shooter is in room 211 with her. She relates that she believes he is dead, but does not want to move or open her eyes to find out. She states that there is only one shooter. Eventually, she does verify that Cho is in 211 and dead. Information is then relayed to the teams, but only that the shooter is in 211, not that he is dead.

The two teams immediately move to room 211 together. The bodies of the professor and Henry Lee had fallen, or were moved by Cho, behind the closed door only allowing it to be opened approximately 18 inches. VTPD ERT Leader Lt. Cook instructs the pointman, VTPD Sgt. Gallemore, to shoulder the door open. Sgt. Gallemore instructs anyone who can, to open the door. Miss Haas and Charles Violand (the only person inside room 211 not shot) get up and pull the door open. Only upon entry to the teams learn that Cho has shot himself.

The call goes out over the radio from Lt. Cook inside room 211, "Shooter Down!" Two handguns are found near the body of Cho, though no identification is found on him. The self-inflicted gunshot wound to the left temple had clearly left him dead. Lt. Cook instructs Det. Daniel Hardy to handcuff him. As the bodies are still limiting rescue capability, Capt. Goodman has the bodies moved.

G. AFTERMATH

Emily Haas is removed from 211 immediately. Charles Violand gets up and walks out after her. Allison Cook, who had been shot three (3) times in the leg, gets up and walks out under her own power as well.

The responding officers do not assume that there is only a single shooter. Tactical teams are redeployed to clear all rooms in Norris Hall. Other officers arriving from multiple jurisdictions provide support to the rescue effort and otherwise serve to contain a very large perimeter. All available rescue assets are called for and staged in close proximity to

Norris Hall. A second triage site is established on the Drillfield Drive-side of Norris Hall. Three rooms on the third floor are shotgun breached to clear that level, and the chain securing the Drillfield doors is shotgun breached as well to allow the evacuation of wounded out of that exit.

Police locate Minal Pinchal across the room of 204, along with two other critically wounded students against the windows at the back of the room (Webster and Klein). They attempt to move and save the life of the female student. She is moved up the hall to the central (west) stairs where she can be attended by a tactical medic. The bodies of both Miss Pinchal and Prof. Granata will be left in the stairwell while police continue to search the building, and the tac medics attend to other wounded.

1017: A third email is sent to the VT community. It reads:

"Subject: All Classes Canceled; Stay where you are"
"Virginia Tech has canceled all classes. Those on campus are asked to remain where they are, lock their doors and stay away from windows. Persons off campus are asked not to come to campus."

"All people in university buildings are required to stay inside until further notice."

Newsmedia, including the *Collegiate Times* would mistakenly report this email being sent at 1026.

Both departments continue searching, clearing and securing all rooms and all floors of Norris Hall. The carnage is so great they do not believe that a single shooter was the cause. All officers are carrying the wounded into the hallway on the second floor. The chained southern entrance doors are breached from the inside with a shotgun. Press photos of victims being removed by officers are actually of the last three living victims removed from Norris Hall: Hillary Strollo, Kristina Heeger and Kevin Sterne.

Lt. Bradbery of Blacksburg PD begins to shuttle victims by police vehicle from triage to waiting rescue vehicles. He makes four trips with multiple wounded before BPD Capt. Goodman orders all vehicles be driven across the lawn and up the bank to the Drillfield side entrance door for faster evacuation. Other evacuation teams are bringing wounded out of the southern entrance of Norris Hall for transport organized by Capt. Goodman.

1051: All wounded from Norris Hall have been transported to hospitals or to a minor treatment unit. Ultimately, after being treated by the tac medics and police, every single one of the wounded who were alive when they left Norris Hall would survive.

1053: A fourth email is sent:

"Subject: Second Shooting Reported; Police have one gunman in custody."
"In addition to an earlier shooting today in West Ambler Johnston, there has been a multiple shooting with multiple victims in Norris Hall."

"Police have one shooter in custody and as part of routine police procedure, they continue to search for a second shooter."[147]

1057: An initial casualty count is taken at Norris Hall. All rooms are secured of all but essential personnel, with sentry positions established to keep others out.

A report of a "shooting at Lee Hall" is received.[148] Numerous officers respond. A wounded female student from Norris Hall has walked 943 yards to the tennis courts near Cassell Coliseum, where she collapses. She is found and survives her wounds. The "shots fired" report is false.

Command Posts are established in Norris, and at Burruss (immediately to the west of Norris Hall) Hall.

1200: A press conference is held in the Holtzman Alumni Center at the Inn at Virginia Tech. The Associate Vice President of University Relations confirms 22 dead and 15 wounded. According to the *Collegiate Times*, "The number of casualties and fatalities escalated over the remainder of the afternoon to 32 dead and 29 wounded at the subsequent press conference at 4:30 p.m. Classes were cancelled, campus traffic was restricted and Gov. Tim Kaine declared Virginia to be in a state of emergency."[149]

1242: VT President Charles Steger announces that police are releasing people from buildings and counseling centers are being established.

1335: A report of possible gunshots fired near the Duck Pond proves to be false.[150]

1700: The first corpse is removed from Norris Hall and transported to the medical examiner's office. The last deceased victim would not be moved until 2045.

By that evening a search warrant had been served at the home of Karl Thornhill, Emily Hilscher's boyfriend. Investigation would go on for some time as to whether he was linked to the first crime. The two crimes would not be definitively linked until the following day, Tuesday, 17 April 2007.

On Wednesday morning, 18 April, Burruss Hall, the administrative building immediately to the west of Norris Hall, was evacuated in response to "an unfounded threat."[151] There would be numerous other threats and bomb scares in the coming days, and into the following week. At 1630 on Wednesday, news broke that NBC News' New York office

---

[147] *Wikipedia* and GPR claim this was at 1052.
[148] Time based on VSP Salem Division Dispatch.
[149] Kevin Anderson and CT Staff, "Week of strength follows day of horros on campus," *Collegiate Times*, Special Edition, Monday, April 23, 2007, 1.
[150] Time based on VSP Salem Division Dispatch.
[151] Kevin Anderson and CT Staff, "Week of Strength Follows Days of Horror on Campus", *Collegiate Times*, April 24, 2.

had received Cho's multi-media package. One videotape aired by NBC and other networks included Cho making the following statement: "You had a hundred billion chances and ways to have avoided today, but you decided to spill my blood. You forced me into a corner and gave me only one option. The decision was yours. Now you have blood on your hands that will never wash off." Cho had written a zip code that was erroneous by one digit in addressing the package, which had delayed its delivery.

As of noon on Monday, 23 April, the local office of the FBI had not yet made any effort to interview the BPD tac team. The FBI had spent the prior week interviewing students, professors, parents and security and LE officers who had been on the perimeter, or assisted in the recovery phase of the incident. Also on Monday, Cho's family was secluded under protection by the Virginia State Police and the FBI, according to Consul General Taemyon Kwon at the South Korean Embassy in Washington.

On Tuesday, 24 April, VSP tac team members stated that VT students were circulating a petition stating that they believed the police had done nothing wrong, and had, in fact, performed well, in responding to the shootings. We were informed by students on campus that the petition already had approximately 3,000 signatures. CISM was made available to all officers as this incident affected them greatly. Officers had limited down time as this incident was ongoing.

The university provided a family assistance center at The Inn at Virginia Tech.[152] The Governor's report concluded this did not help the families due to lack of leadership and poor organization among service providers. In addition, The Inn was also where the university chose to house all the news media that were arriving.

H. CHO'S PLANNING AND TACTICS

In the two weeks prior to this attack, VT had suffered two bomb scares. The first was by note, and involved a single building, Torgersen Hall (Building 174). On 13 April 2007 the second bomb threat was made, also by note stating: "This will continue." It involved three buildings, Torgersen, Durham, and Whittemore Halls.[153] In both bomb scares all of the targeted structures were engineering buildings. None of these was Norris Hall. On 23 April the news media reported that there might have been a third bomb scare the morning of the shootings. Police later confirmed the scare had been for Norris Hall. In the book, *April 16th: Virginia Tech Remembers*, the authors criticize VT for its response to the scares: "The university took a low-key approach in the reporting of these bomb threats, which in turn left some students with an almost casual attitude toward them."[154]

While the university administration may not have reacted as strongly as it could have, according to the students, in Archangel's interviews with VTPD and BPD, both confirmed that they had taken these very seriously. Though police believe Cho had been

[152] GPR, 3.
[153] GPR, 24.
[154] Lazenby, 5.

the author of the bomb threat notes, there is insufficient evidence to firmly establish that he was the perpetrator, or that he had been engaged in active intelligence-gathering efforts to evaluate LE response on campus. Even if these threats were not Cho's, they would have given him insight concerning response times of PD. ERT checked and cleared the buildings in all of these threats. Certainly the commitment of, both, large amounts of time and resources by the two departments in responding to these bomb threats bears testimony to the seriousness with which they were taken.

There is no evidence that Cho followed Miss Hilscher into WAJ, that she had been targeted in any way, or that Cho knew her. One reporter at the Wednesday, 25 April, press conference asked if police could confirm that Miss Hilscher had been working at a local escort service and that Cho had met her through her services there. Police refused to even comment on that question, so outrageous and baseless was its nature. It is the belief of LE that the selection of Miss Hilscher was completely random and that Ryan Clark died for attempting to intervene. Anonymous sources in LE were quoted by the media as saying that Cho committed the first murders for no other reason than to divert LE from his planned attack on Norris Hall across campus. Based on our assessment of all events and Cho's perspective, we do not believe this to be true. It is the Archangel Team's conclusion that Cho committed the first murder of Emily Hilscher simply to see if he could go through with all that he had planned. There was no evidence evinced from investigations that he had planned the killings in WAJ in advance. Due to his knowledge of that building from his mail collection, and possibly even the young lady he had harassed who lived on the fourth floor the previous year, all indications are that he was drawn to it. As well, it was in proximity to his dorm, and VT alumni informed Archangel that Cochrane Hall (in between Cho's dorm and WAJ) is where most of the football team lives, which would not have made nearly so viable a target for an initial killing.

Whether he followed Miss Hilscher into the WAJ dorm building and up to her room, or was simply walking down the hall on the fourth floor when he saw her enter her room, or came upon her already open door, he took his opportunity to "get his hands bloody" by killing her. In Cho's mind, he was then forced to kill Ryan Clark who came to her rescue. This is why he had not mailed his manifesto, videos and photos to NBC prior to these killings: he had to know he could go through with it first. Once he committed those murders, he would have felt that he would be caught and, so, had to go forward with his real plan of attacking Norris Hall.

What is not definitely known, however, is what Cho did for those two hours in between the first killings in WAJ and his assault on Norris Hall. It is certain that he would have had to walk directly to his own dorm room, as the computer log for his card swipe showed he re-entered Harper Hall at 0715, with the first two shootings having occurred by 0715. Depending on which way he walked around Cochrane Hall on the return trip, it would have either taken him two and one-half minutes to traverse the 334 yard distance, or two minutes to travel the 270 yards going in the other direction.

He changed his bloody clothing and accessed his university computer account at 0724. The interim would have been just enough time for him to change and go down to the

lobby to access his email. Investigators had reason to believe that while on the computer, he not only completely erased his email account with VT, but did final edits to his manifesto and video clips that he would mail to NBC.

Assessing that Cho would have spent 30 to 40 minutes on his computer and preparing his package for NBC, he would have departed Harper Hall between 0755 and 0805. The shortest walking distance from Harper Hall to the post office in Blacksburg is 1,220 yards and only took Archangel's Chris Hays and Walter Chi 13 minutes 37 seconds to walk at an average pace. The shortest walking distance from the post office directly to Norris Hall is approximately 850 yards and took Archangel's team members 10 minutes 37 seconds to travel by foot. If Cho had gone straight from Harper Hall to the post office, and then directly to Norris Hall he would have been traveling merely 24 minutes 23 seconds. Assuming, both, that Cho finished with his computer and departed Harper Hall at 0805 (the latest estimated time) and spent ten minutes at the post office, he would have arrived at Norris Hall at approximately 0829 to 0830. This well precedes the times he is seen outside Norris Hall at both the breezeway and outside the west entranceway by a minimum 45 minutes.

From Archangel's investigation, the most likely answer lies in the reports from students after the shootings that Cho had been seen at the Duck Pond between 0815 and 0820. It is important to note that much information on the preparations and other activities of Cho leading up to the attacks is missing, due to the fact that the hard drive to his computer has never been found. With Cho never having had a friend throughout his life – much less his time at VT – it is unrealistic to assume he had an accomplice who would have assisted him or disposed of his computer information. Thus, we must conclude that Cho took steps to ensure it would not be recovered through the police investigation into the atrocity he was about to commit. Since his computer was still operational at 0724 – and he never left Norris Hall alive once he entered - he would have had to discard it after leaving Harper Hall and either arriving at the post office or after leaving the post office.

However, with his package being time-stamped at 0901, and Cho being seen by witnesses outside Norris Hall as early as 0915, he would have barely had enough time to make the almost 11 minutes walk. Simply, there would have been no time for him to secret the hard drive away in a manner that would keep it from ever being found despite massive efforts by countless police to locate it.

Thus, we are left to assume that Cho eliminated the hard drive between leaving Harper Hall at approximately 0800 and arriving at the post office. The distance from his dorm at Harper Hall to the closest point of the Duck Pond is 645 yards and takes six minutes to walk. The Duck Pond sits approximately one-quarter mile northwest of Norris Hall, and is a large expanse of water covering between 3 and 4 surface acres. It is approximately 6 feet at its deepest point with a bottom that is several feet deep in duck and goose excrement. This is the pond that police divers have searched underwater on several occasions since the shootings, with no success. Without completely draining the pond and conducting a veritable archaeological dig in the muck, there is little to no possibility of the hard drive ever being found; assuming Cho threw it into that water. Due to the

nature of that computer part, metal detectors and magnets cannot be used to attempt to locate it.

Had Cho walked directly from his dorm to the Duck Pond, leaving at 0805, he would have arrived at approximately 0811 to 0815, placing him there at 0815 to 0820, exactly the time he was reportedly seen. From the Duck Pond to the post office in Blacksburg is another 1,593 yards and takes 16:40 minutes to walk. Assuming he spent just a few minutes at the Duck Pond, or walked around the more remote far end, it would, again, place him in that facility with sufficient time to wait in line, obtain the Express Mail envelope, address it and pay for it at the counter, accounting for the 9:01 a.m. (0901) time stamp, the exact time he mailed his package.

Just as with the supposition that no one assisted Cho in disposing of his computer hard drive, it is not known with absolute certainty that Cho was even the individual who mailed it. Still, the assumption appears safe that he had no accomplice – either before or after the fact – which leaves the conclusion that he did mail his videos and letters himself.

The videos, themselves, were later determined to have been made prior to the 16 April shootings at two locations: the hotel in Roanoke and inside the Kia Sedona van he rented while sitting outside the shooting range. Cho's roommate, Karan Grewal, mistakenly stated in an interview that from what he could see on the tapes aired on television, he thought they had been made somewhere in their dorm – Harper Hall – as he believed he recognized the freshly painted cinderblock walls in the background.

As is now widely known, Cho's "manifesto" was sent with the wrong zip code, which delayed its delivery to NBC by one day. On the sender receipt Cho wrote the name "A. Ishmael" which has raised many questions as to its meaning. In the book *Lifting Our Eyes*, Beth J. Lueders writes "…Cho lists himself as 'A. Ishmael,' perhaps in reference to Abraham's firstborn son through Sarah's concubine. The Bible's Genesis 16:12 declares this about the ancient Ishmael: 'He will be a wild donkey of a man; his hand will be against everyone and everyone's hand against him, and he will live in hostility toward all his brothers'." The GPR noted that "A Ishmael" was similar to "AX Ishmael," which was written on Cho's arm when he committed suicide and was also the name he used to sign some emails.[155]

All manner of theorists, conspiracy theorists and Islamophobes have speculated, variously, that Cho had converted to Islam; that Cho had gone to a mosque in the Student Union on campus and conducted ritual suicide-martyrdom prayers, including shaving all the hair from his body, before committing his attacks; had become conscripted into or obsessed with al Qaeda, and so forth; all of which was the reason for what is seen as the biblical references. Yet another biblical explanation has been offered by some who are well versed in both the bible and its history; however, there is no definitive evidence of any of this, though clearly Cho was influenced by something or someone to use these names. As well, there is no mosque in the Student Union. Nor is there any evidence of

[155] GPR, 86.

Cho having contact with any radical Islamist groups or individuals, though, again, the hard drive is missing and would likely provide a great deal of information about him.

As to the guns and bullets Cho used in his rampage, ballistics tests conducted by the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives' lab in Maryland confirmed that the 9mm Glock had been used in both the WAJ and Norris Hall shootings.[156]

During the attack on Norris Hall, numerous surviving students and teachers reported that Cho fired in a controlled, steady staccato tempo. He was accomplishing high speed, tactical reloads of his weapons in scant seconds, with some reporting that it only took him two seconds to change magazines. At times he would walk down the aisles, a gun in each hand, firing at students on both sides of him, still sitting at their desks or huddled on floors. In "*Lifting Our Eyes*," Derek O'Dell recalls Cho's eyes and describes them as "empty." The Norris Hall classrooms did not have interior door locks on the second floor, but the offices did on the third, which did not require keys to secure from inside. All classroom doors were heavy, solid wood. Cho did have a backpack which contained a number of loaded magazines which he left in the hallway by a waterfountain outside the men's room. It is likely he intended to fall back to that cache of ammunition to continue his massacre after expending all of the full magazines that his fishing vest could hold.

The eight classrooms on the second floor were 200, 204, 206 and 210 on the east side of the building. Rooms 205, 207 and 211 were on the west side. Rooms 204, 206, 207, and 211 were breached by Cho and deaths occurred in each. The desks were very close together. There would be three or four desks jammed together with a narrow aisle before the next set, with only approximately 24 inches in between desks on opposite sides of these aisles, so it was very hard for victims to escape or take cover.

The classrooms themselves were quite small, with a large number of desks inside which created narrow aisles, leaving little in the way of avenues for escape. In some cases there were no real aisles at all, with the desks being jammed so closely together that students would have to enter from behind the desks, but after everyone was seated it would have been impossible for the innermost students to get up without all others getting up and moving, not unlike very tightly packed church pews. On the third floor some of the rooms were very small, no more than 10 ft by 12 ft. Second floor rooms (there were eight, with four on each side) were somewhat larger. Archangel Team estimates put the rooms on the second floor at an average of 15 to 18 ft. x 18 ft. The official measurements of the rooms in the GPR are as follows, though it is possible these figures were taken from obsolete records and could have been altered as walls inside the building had been moved over the years, which could explain the fact that the rooms do not follow numerical sequence:

Room 204	28' x 25'
Room 205	24' x 25'
Room 206	22' x 25'

[156] Kevin Anderson and CT Staff, "Week of Horror Follows day of Horror on Campus," *Collegiate Times*, _____,2.

Room 207 24’ x 25’
Room 211 22’ x 25’

Whatever the actual dimensions, each room was densely packed with desks and the students had little, to no, room to maneuver. The tightness of the desks is evidenced, for instance, by room 211, in which were situated 39 desks, in addition to AV equipment and a teacher’s desk. All doors opened inward on both the second and third floors. On the third floor some classroom doors had small viewing windows made of safety glass with wire mesh. None of the second floor classroom doors had windows. Ultimately in searching and securing the third floor, three doors – all on the west side of the corridor – were breached with shotgun slugs, which included two classrooms and one utility room or closet.

The second floor hallway was less than 8 ft wide, and 25 yards long from the furthest point. From room 211 to the far end at the front of the building at the furthest southern point is approximately 20 yards long.

Cho’s entire shooting spree, at its greatest estimate, took only eleven minutes.[157] From the point at which the first 911 call was received and officers dispatched to Norris Hall until his suicide, less than nine (9) minutes elapsed. From the time the officers first arrived at Norris Hall in their vehicles, until gaining entry into a barricaded building, under five (5) minutes elapsed. From entry until movement toward the shooter forced him to take his own life, rather than confront police, took less than two (2) minutes, with police almost reaching the second floor landing 28 seconds after firing the round that breached the lock of the doors into the machine shop.

Dr. William Massello, assistant state medical examiner based in Roanoke, VA, stated on Sunday, 22 April, after concluding Cho’s autopsy that he died of a self-inflicted gunshot wound to his temple. Nothing else of any real significance was revealed in the autopsy. Massello also said that many of the victims exhibited defensive wounds consistent with victims trying to shield themselves from gunfire. Massello also confirmed that Cho “hit many of his victims several times. Several of the victims had gunshot wounds to the head.”[158] Dr. Massello was also reported in *USA Today* as saying that “autopsies showed Cho fired more than 100 shots into his victims….” “Cho was not especially accurate with his shots, but hit many of his victims several times.”[159] Nothing could have been further from the truth, as out of the 174 rounds Cho fired, few missed his intended victims.

A 9mm Glock 19 semi-automatic handgun and .22 caliber Walther semi-automatic handgun were recovered near Cho’s body. A folding knife, fixed blade knife and claw hammer were all recovered from Cho’s backpack left near the water fountain just outside

[157] GPR, 28.
[158] Kristen Gelineau, “Nothing Unusual Found in Cho’s Autopsy,” *The Roanoke Times*, Monday, April 23, 2007, 6.
[159] Andrea Stone, Roger Yu and Martin Kasindorf, “Law Would Focus on Gun Buyers’ History of Mental Illness,” *USA Today*, Monday, April 23, 2007, 5A.

the men's room across from the central (west) staircase entrance onto the second floor. In all, Cho expended 174 rounds. The 174 expended rounds were comprised of 113 9mm and 61 .22 caliber bullets. Seventeen (17) empty – or partially empty – magazines[160] were found inside Norris Hall, comprised of eight (8) 9mm magazines and nine (9) .22 caliber magazines. 122 9mm and 81 .22 caliber live cartridges were found, including two (2) pre-loaded 9mm 15-round magazines. An additional 203 rounds were found in Cho's backpack. No other ammunition was ever found anywhere outside of Norris Hall, so there is no evidence that Cho intended to attack any other buildings, or escape Norris Hall. In addition, Cho had not yet moved to the west-east leg of Norris Hall, nor any of the classrooms, labs or offices on the first and third floors. During this attack on Norris Hall, Cho killed thirty (30) professors and students. Another 27 were wounded or injured, requiring medical attention.

Between the two attacks a total of 32 people lost their lives: 18 undergraduate students were killed, 9 graduate students, and 5 professors.

[160] Cho rarely shot a magazine empty, instead utilizing tactical opportunities to reload, a point we are confident will not be lost on law enforcement.

VI. SUBSTANTIVE ASPECTS OF THE LAW ENFORCEMENT AND MEDICAL RESPONSE TO SHOOTINGS

A. FIRST SHOOTINGS AT WEST AMBLER-JOHNSTON HALL

16 April 2007 was a cloudy day with light snow and gusty winds. Seung-Hui Cho was seen outside West Ambler-Johnston Hall by a witness at 0645. By 0715 Cho had already shot Emily Hilscher in the head in her dormitory room, number 4040, of West Ambler-Johnston Hall, a dormitory located in the southern quadrant of buildings on the campus. Miss Hilscher was found underneath a loft bed at the far side of the room from the door. Upon arrival, police units could not identify from photos which of the two girls who lived there had been shot. Ryan Clark lived next door in room 4042, but was shot in room 4040 when he apparently went to investigate. Mr. Clark was shot in his underwear as he came right to Hilscher's room. Emily Hilscher died later at the hospital, while Ryan Clark was declared a fatality upon arrival (DOA). Hilscher was a freshman Animal and Poultry Sciences major, and Clark was a fourth year senior with triple majors in Biology, English and Psychology.

Blacksburg quickly received a call from the Virginia Tech Police Department for assistance on a double shooting at Ambler-Johnston Hall. Though the original request was for forensic support on the crime scene, it was quickly upgraded to investigative assistance and manpower to secure a very large perimeter. VTPD did not have a substantial amount of experience with processing fatal crime scenes, and certainly not homicides, and did not hesitate to call in support from BPD. The following BPD command staff personnel responded and assumed the following roles:

1. Chief Crannis - Assisted Chief Flinchum in deployment of BPD assets;
2. Captain Goodman - Coordinated Ambler-Johnston operations;
3. Lt. Bradbery - Supervised crime scene forensic operations;
4. Lt. Glass – Was the Investigations Liaison and Tactical Team Commander;
5. Lt. Cummings – IC of Ambler-Johnston Perimeter Control;
6. Lt. Davis – IC of Ambler-Johnson Building Access Control; and,
7. Sgt. Wilson - CID Supervisor and Tactical Team Leader.

Initial investigation showed two subjects had been wounded by what appeared to be gunshots. Virginia Tech Police Department had started a preliminary criminal investigation and it was reported that one victim was a confirmed fatality and the second was in extremely critical condition and en route to Roanoke Memorial Hospital Trauma Center. The GPR reported that Hilscher was first taken to Montgomery Regional Hospital, where she was initially treated, and then transferred to Carilion Roanoke Memorial Hospital, a Level I trauma center, where she died. Clark was treated en route to Montgomery Regional Hospital, but could not be resuscitated, and was DOA.[161]

[161] GPR, 78.

BPD investigators were quickly teamed up with Virginia Tech personnel to locate witnesses and begin interviews. It was reported, and confirmed, that both victims were shot in the same room (4040) and that one was an occupant of the room and the other was the resident advisor (RA) for that floor. It was also noted that no weapon was located in the room, but there was a set of bloody footprints which appeared to be exiting the crime scene. First arriving officer, VTPD Patrolman Darrell Sheppard, reported that the footprints were present on his arrival and that the crime scene had been documented from the outset. He had ensured the crime scene had not been disturbed beyond rescue personnel rendering life-saving first aid to the victims prior to transport. Initial indications were that the shooter had exited the crime scene and was "at large." From the wounds and location of the victims in the room, police concluded that one had been shot "execution style" (Hilscher), and the other "ambush style" (Clark). Early on, the relationship between the victims was undetermined beyond living in close proximity and having at least an RA–student relationship. The victims were identified as Emily Hilscher, a first year student, and Ryan Clark, a graduating senior, within a very short period of time.

After VTPD called out BPD, it responded with an evidence technician, the chief of police, Kimberly Crannis, Capt. Goodman as the Incident Commander, ten extra officers for perimeter security, two SROs, two administration lieutenants, and five detectives. Also, at this time, BPD activated its ERT. VT had already activated its tac team, and it was on scene when BPD forces arrived. BPD helped establish a perimeter around WAJ and to secure Washington Street to the south, which is the closest thoroughfare to the building, some 50 yards away from the southeast corner of WAJ. The initial command post was established in the fourth floor WAJ lounge.

There was seamless cooperation between the agencies as investigators, forensic staff members, supervisors and command staff were quickly paired to form investigative teams. This process was also utilized during the Morva manhunt in August 2006 (i.e., investigators from each jurisdiction paired), and had proven to be extremely beneficial, as it was on 16 April 2007. Both Blacksburg and VT PD units were heavily concentrated on the campus, and MCSO deputies were directed into Blackburg to assist with patrol and calls for service. This early coordinated effort would prove critical to aid in locating witnesses and persons of interest. Due to the level of violence that had already occurred, and the probable encounter with an armed suspect, both Blacksburg and VT PD's Emergency Response Teams were activated and staged for deployment. This practice of combining the two teams, had been utilized on many previous occasions and allowed for the deployment of highly trained teams to the higher risk callouts.

BPD's Sergeant Wilson and Capt. Goodman provided a list of the overall BPD manpower resources requested by VTPD Chief Flinchum to augment that agency's investigation and search for a suspect:

1. Chief K. Crannis - From Ambler Johnston/Command Group
2. Captain D. Goodman - From Ambler Johnston/Command Group
3. Lt. J. Glass - From Prices Fork Road/Traffic Stop

4. Lt. B. Bradbery - From Prices Fork Road/Traffic Stop
5. Sgt. A. Wilson - From Ambler Johnston/Investigations
6. Sgt. S. Taylor - From Blacksburg P.D./Patrol Staging
7. Ofc. S. Craig - From Prices Fork Road/Traffic Stop
8. Ofc. B. Roe - From Prices Fork Road/Traffic Stop
9. Ofc. J. Robinson - From Blacksburg P.D./ERT Staging
10. Ofc. J. Self - From Ambler Johnston/Perimeter
11. Ofc. Evans - From Ambler Johnston Hall/Perimeter
12. Ofc. B. Cross - From Blacksburg P.D./ERT Staging
13. Ofc. S. Hayes - From Blacksburg P.D./ERT Staging
14. Ofc. T. Rutledge - From Blacksburg P.D./ERT Staging
15. Ofc. N. Odell - From Blacksburg P.D./ERT Staging
16. Ofc. S. Combs - From Blacksburg P.D./ERT Staging
17. Ofc. B. Machingo - From Blacksburg P.D./ERT Staging
18. Ofc. F. Carlson - From Ambler Johnston/Perimeter
19. Ofc. G. Green - From Ambler Johnston/Perimeter
20. Ofc. M. Czernicki - From Ambler Johnston/Perimeter
21. Ofc. E. Purdy - From Ambler Johnston/Perimeter
22. Ofc. C. Horne - From Ambler Johnston/Perimeter
23. Ofc. J. CiChocki - From Ambler Johnston/Perimeter
24. Ofc. E. Harris - From Ambler Johnston/Perimeter
25. Ofc. S. Workman - From Ambler Johnston/Perimeter
26. Ofc. G. Thomas - From Blacksburg P.D./Patrol Staging
27. Ofc. M. Mitchell - From Blacksburg P.D./Patrol Staging
28. Det. Q. Self - From Prices Fork Road/Traffic Stop

This represented more than half of the entire Blacksburg Police Department, which, combined with all but one of the officers from VTPD, constituted a substantial force, and most likely exponentially greater numbers of LE responding to a double homicide than would be seen in major metropolitan area police departments possessed of far greater resources.

As numbers of requested and responding officers increased, Command and Control was essential as the fluidity of the situation required coordinated movements of officers and the ability to secure an enormous area. Integration of commanders, dating back to football game logistics the two departments had developed over the years, allowed for the deployment of cross-jurisdictional teams and management of a dynamic crime event.

With the arrival of Miss Hilscher's roommate, Heather Haugh, it was discovered that Miss Hilscher had arrived back in her dorm room shortly before the incident and had spent the weekend with her boyfriend, Karl Thornhill, at his home, outside of Blackburg. She also confirmed that the relationship with Ryan Clark was strictly platonic and he appeared to have responded to render assistance. Further follow-up was done on the relationship between Miss Hilscher and Mr. Thornhill, and although their relationship was described as "loving," nobody could attest to the activity of this specific weekend

and the final moments of the morning.[162] Upon VTPD arriving at the scene at WAJ, they found both Hilscher and Clark severely wounded. At first LE considered the possibility of the double murder having actually been a murder-suicide, until the point at which Clark had been moved and no weapon found.

Further information was provided suggesting that Thornhill had weapons and lived inside the town limits. Heather Haugh also informed LE that Karl Thornhill frequented a shooting range, and he had taken both the girlfriend and the roommate to the range with him. At this point, locating the boyfriend became an immediate priority. The evidence gleaned up to that point was consistent with domestic murder. Both Virginia Tech and Blacksburg Police Emergency Response Teams were activated and staged at the Blacksburg Police Department for deployment. With address, vehicle and physical information confirmed, by 0730 police were following up information on Miss Hilscher's boyfriend, Karl Thornhill, and a BOLO was issued for him as a "person of interest."

B. SECOND SHOOTING AT NORRIS HALL

1. Responding to the Call.

While, both, processing the first shooting scene, and interviewing Karl Thornhill who had been stopped by an MCSO deputy, the call came over the radio of: "Shots fired, Norris Hall." Capt. Goodman was still at West Ambler-Johnston (WAJ) and said it took approximately 3 to 4 minutes from the radio alert for him to arrive at Norris Hall. He entered from the northeast by driving up Old Turner Street (on the north side of Norris and Holden Halls), coming up to the building through the entrance under the breezeway between the two buildings. Elements of the BPD tac team arrived in one or two minutes from the call. Sgt. Wilson insisted he was there within two minutes of receiving the radio call, riding with VTPD Officer Lucas whose car was quickly accessible outside WAJ. The Governor's report states that the police response was "prompt and effective" due to the large number of officers that had responded to the WAJ shooting.

Norris Hall was an obscure building and not readily identifiable to many responding officers. It appeared on the map to be incorporated into the Drillfield series of buildings, but actually the main entrance was on the Old Turner Street side, on the opposite side from the Drillfield.[163] Officers from VTPD and BPD responded from WAJ and BPD HQ. Multiple routes were utilized to reach Norris Hall with officers arriving on different sides of the building. Most BPD officers interviewed advised that they relied on following Virginia Tech units to arrive in the proximity of Norris Hall. Many ended up following VTPD units into outlying parking lots and had to navigate to the building following the sounds of gunshots.

---

[162] The exact sequence and chronology of this information being provided police is not certain.

[163] Though the front of the building naturally appears to be the end of the north-south wing ending at the doors facing Drillfield Driver, it is actually considered to be on the other, northern, end fronting Old Turner Street.

Both the Blacksburg and VT tactical teams reached the building within 1 to 2 minutes of the call, according to BPD Sgt. Anthony Wilson, though given the distances involved, close to three minutes is more likely. Sgt. Wilson and Officer Lucas went southwest on Washington Street, north on West Campus Drive and then drove the wrong way on Drillfield Drive which is a one way road; reducing the distance he drove to 0.7 miles. *See Figure 5, Addendum A.* The most direct route was eight hundred yards (800) from the front doors of West Ambler-Johnston to the street in front of Norris Hall (Drillfield side).

The first units arrived on the Drillfield side of Norris Hall (Wilson, VTPD Lucas, Glass, Roe, Craig). Subsequent arriving units arrived at the Cowgill Hall service drive (VT Sgt. Gallemore, Evans, VT Cook, VT Sheppard, and J. Self). The bulk of additional units, including the VT ERT, arrived at the main entrance (Old Turner Street) with a few utilizing sidewalks to the Drillfield side and a few others arrived in the Davidson/Hahn Hall area and moved in on foot.

2. Breaching Norris Hall.

First officers on scene were confronted with sounds of gunfire echoing throughout the area. The source appeared to be the second floor of Norris Hall and all indications were that the shooting was confined to the inside of the building, which eliminated concerns of a sniper, though some officers may have thought they were under fire due to the sound of the gunfire and breaking glass. The first door encountered, and attempted, was the Drillfield side first floor entrance. This door would only open a short space and it was apparent that a padlocked chain was preventing the door from opening fully.

Cho had secured the external doors with chains and locks on the inside to prevent escape of the students and entry by law enforcement. Upon arrival Captain Goodman indicated he had suspected that the contractors performing construction had locked the doors. He then realized this was not the case. The first team (Team One led by Sgt. Wilson) attempted to enter the public entrance doors on the south end, but they were chained.

Team One officers immediately moved (by way of the Burruss Hall sidewalk) to the next entrance, where Team Three was forming up under the command of Lt. Cook. Officer Craig directed VTPD Officer Lucas to fire his patrol shotgun into the chain while one of the officers held the door partially open. Two .00 buck shots were fired, but failed to breach the chain. Eleven feet (from door frame to door frame) to the left, was another set of doors that opened into the first floor machine shop. The doors where seventeen feet apart from breach point to breach point. These large wooden doors were secured with a deadbolt lock. Officer Lucas fired a single slug into the top of the deadbolt, which gained the teams access to the building. A person was approaching the door from inside the machine shop to open it when it was breached, creating a potential hazard. These were the only shots fired by responding officers until clearing the third floor.

No one in the machine shop that the police ultimately breached, had heard anything that had alerted them to the presence of a gunman or an attack. They had, however, heard the

police outside and were about to open the door for them when the lock was blown into the room. Once inside Norris Hall, the tac teams moved quickly through a portion of the first floor before concluding that gunfire was coming from the second floor. Virginia State Police spokeswoman, Corinne Geller, explained that: "You can't just rush into a building. You have to have a game plan. They didn't know what they were up against, whether it was more than one gunman, part of an ambush, if there were hostages. They literally had to get into position."[164] Still, it took the teams merely 28 seconds from entry to move through the shop, race toward the staircase at the west corner of the building - the same staircase that is just inside the doors they had just been attempting to breach - and assault up to the second floor, forcing Cho to stop his rampage by taking his own life

Two different, hastily assembled entry teams went in, including some patrol officers. Team One (BPD Wilson, Craig, Roe, Evans, J. Self and VTPD Lucas) followed the directions of the maintenance staff to the Burruss side stairwell and began their ascent. Team Three (VTPD Cook, Wooddell, Weaver, Hardy, Gallemore, Smith and BPD Robinson) made its way down the first floor hallway to the Drillfield side stairwell and began its ascent. There was, however, only this one point of entry on the west side. The decision was made not to use additional points of entry, as they were having difficulty fixing the position of the shooter and they were concerned about friendly fire incidents. Team Two, including both the BPD and VTPD chiefs of police,[165] had bolt cutters brought up to the east entrance inside the archway, and cut the chains. This team entered the building, and moved tactically up the hallway utilizing a diamond formation, as no shots were being fired at this point. With them in position facing west, no one could escape or move up the hall to attack the LE entry teams. *See Figures 3, 6 and 8, Addendum A.* Ultimately VTPD K-9 Officer Weaver would shotgun-breach the chain to open the Drillfield Drive doors from the inside, these being the main doors fronting, at the far southern end of that wing of the building. This would become the primary evacuation point for the most severely wounded. VTPD Officers Weaver and Wooddell would evacuate students to the first floor and out the breached exit doors.

VTPD Allen, Lau and Reese entered and were quickly joined by Team Three on the second and third floors. BPD Hayes and Cross entered and were directed to link up with Team One. They moved up the Holden (east) stairwell and ultimately arrived on the third floor where they removed barricaded subjects from the Dean's Office.

The entry teams were a mix of BPD and VTPD. Some of the patrol officers entering the building were armed with rifles. During the LE response, the teams inside were truly integrated, with VTPD and BPD, including ERT, patrol, and command staff. It was a true joint, integrated operation involving all levels of LE responders, making it all the more important for all of these positions to train together in responding to a critical incident.

---

[164] This statement appears to have restarted significant criticism of the police response as it allowed others to infer the officers took the time to meet and discuss a plan for entry, when in fact they did rush into the building with no time lost.

[165] Capt. Goodman began with this team at the entrance, but then proceeded to the south Drillfield side doors to help coordinate the evacuation of wounded.

When the two teams entered the second floor, everything had gone completely quiet, and both survivors and Sgt. Wilson stated that not a single victim – no matter how badly wounded or in pain – was making any sound at all. All victims, even if being shot over again, made no noise as they were concerned doing so would have indicated to Cho that they were alive, and would have gotten them shot even more. All those alive were pretending to be dead. With the building so quiet, Cho would have clearly heard Team One assaulting up the staircase, and this appears to be substantiated by survivor accounts. One survivor reported that at this time Cho walked to the door of room 211, looked out into the hallway,[166] then walked back into the center of the room toward the front (approximately 10 ft. from the front blackboard), and shot himself in the head. Cho had turned to face the windows on the far side of the room (west side), and placed the handgun toward the front left side of his head, blowing brain matter out the rear right quadrant of his head. Though Cho was right-handed, he shot himself in the head using his left hand. When Team One located Cho in room 211, which was the first room they entered, the call was immediately put out over their communications by Lt. Cook, "Shooter Down, Shooter Down!" This occurred at 1008.

It is certain that Cho's observations of LE's rapid response threw him off balance, and denied him the further prosecution of his assault plan. Evidence of this can be found in the additional 203 rounds found on him and in his backpack that he clearly intended to use. In addition, there were another 70-80 people on the third floor of Norris Hall, with numerous others on the first floor.

Cho was well aware that law enforcement had arrived. He was reported by survivors in room 211 to have heard the sirens, and to have looked out the window where he would have seen the police advancing on the building. He heard the shotgun rounds breaching the doors, which were almost directly below the windows of room 211, and just to the northwest approximately 25 feet. The sounds of the breaching rounds were even apparent on the 911 recording of Emily Haas, who had remained on the phone with a dispatcher even as Cho was attacking room 211 a second time.

Capt. Goodman stated that all of the officers that arrived at Norris Hall during the shootings maneuvered aggressively and either attempted to enter the building or took forward positions. Not a single officer withdrew or attempted to move beyond the danger zone. Because of their rapid entry they were able to save many lives, including a female student, Hillary Strollo, whose liver had been lacerated by a round.

C. POST ATTACK OPERATIONS

As soon as it was determined that at least one shooter – and the only one believed to be in Norris Hall – had been neutralized as a threat, all agencies immediately began

[166] This may not be accurate as the bodies of Prof. Couture-Nowak and student Henry Lee were slumped against the door from the inside, unless he positioned them after looking out and closing the door to further retard law enforcement entry; though there is no eyewitness account establishing this.

transitioning into casualty care and evacuation, and campus security phases. Command staff set up tactical command in a building immediately upon the commencement of the rescue effort at Norris Hall. At the same time, a 42-man outer perimeter was established,[167] and by 1730 five surrounding-area SWAT teams with bomb dogs had completed clearing all buildings in that entire quadrant of the campus - approximately 20 buildings in all. Ultimately, VSP 6th Division Sgt. Jason Haga assumed command at Norris Hall. On 17 April VSP First Sergeant Haygood would assume command from him. Also on the 17th, VSP Division 3 SWAT Team, commanded by Sgt. Robert Hafley arrived and served as the VSP "day group" team. Despite the arrival and presence of the VSP, all of the responding departments created and conducted a joint operation center, which was manned by SWAT commanders from VTPD, BPD, MCSO, VSP and Christiansburg PD.

1. First Movement in Norris Hall.

Team One (Wilson, Craig, Roe, Lucas, Evans and Self) ascends by way of the Burruss side (western) stairwell in an effort to move to the sound of gunfire until reaching the second floor landing where the last shots are heard. A controlled entry into the suddenly silent second floor showed a downed victim (Granata) approximately halfway down the hallway, and the floor littered with shell casings. The only sounds heard were those of the downed victim who was heavily respiring. Team One made a rescue attempt on Professor Granata and moved him to the stairwell. Team Three made the same limited penetration at the Drillfield end of the hallway, and communicated with Team One through radio and hand signals. Team Three would initially relinquish the second floor to Team One (transmitted by radio and Nextel), by moving up to the third floor. A police rescue team would complete a rescue mission on Minal Panchal (from Room 204) after the original clearing of the second floor. Miss Panchal was ultimately moved to the Burress stairwell with Professor Granata, where both were dead.

Members of Team Three (Robinson, Weaver, Wooddell, Gallimore, Reese, Smith, Hardy and Cook) moved down the Drillfield stairwell and VTPD Officer Weaver breached the chained door with a patrol shotgun, creating an escape route for the first wounded. Police accessing room provide the first suspect descriptions: Asian male, khaki pants, black vest. Team One retrieves the downed subject in the hallway and moves him to the secured Burruss stairwell. Team Two (Crannis, Flinchum, Craighead, Shanks) has made entry and moves west down the second floor hallway securing rooms as they advance. Parts of Team Three begin securing the third floor, while another element links up with Team One searching and securing the second floor. While clearing, VT dispatch radios that a caller is advising the shooter is in Room 211.

[167] Many of the officers from various agencies standing post on the security perimeters would be the subject of news photos as long as two hours later, which were then reported as proof that police were doing nothing while children continued to be killed.

2. Directed to Room 211.

As all three teams are making tactical movements to rescue victims or clear spaces, Virginia Tech communications advises that they have a caller on the line that states that she is in room 211 and that the "shooter is also in the room." All three teams descend on the second floor and members of Team Three make a dynamic entry into room 211 as other teams flow past and make entry into other classrooms. VTPD Lt. Cook calls the shooter "down and secured" and advises there are multiple casualties at his location. VTPD Team 3 ERT members who entered room 211 were: Lt. Curtis Cook, Ofc. Geof Allen, Sgt. Tom Gallemore, Det. Daniel Hardy, and Sgt. Sean Smith. As well, VTPD officers who cleared the second floor with BPD were Lt. Scott Lau and Sgt. Jaret Reece.

VT has an all-volunteer student rescue squad. All of them who responded to Norris Hall were emotionally overcome by the carnage they witnessed, and most became physically sick. Victims were transported to three area hospitals: Montgomery County Regional Hospital (4 miles away), New River Valley Medical Center (12 miles away) and Roanoke Memorial Trauma Center (30 miles away) where the majority of the most critical victims were taken. Both the BPD and VTPD tactical medics are volunteers, and are full time students at VT. Neither are trained or sworn police officers and do not carry firearms.

3. Second Floor Rescue.

Teams locate wounded victims in rooms 204, 206, 207 and 211. The rooms are silent with little or no movement from the victims. First appearance is that all are wounded fatally. On closer examination, viable victims are located throughout the rooms but must be coaxed by officers into conversation or movement. Some are discovered concealed under deceased classmates "playing dead" or in shock. Several officers make their way into Room 205 and are met by a classroom full of students. Students have successfully held the shooter out, and are removed to a secure area. Perimeter and arriving officers are directed to form "rescue teams" and report to the second floor to remove the victims. Ambulances (no helicopters are available due to weather conditions), were staged at Old Turner and Stanger Streets as well as in the mall area of the campus.

Officers were cautioned to continue clearing the building and protect the rescue effort as the possibility of additional shooters had not been ruled out, nor had they ruled out the potential presence of secondary explosive devices. The GPR noted that the police had their priorities in order in being extremely cautious.[168] Security teams were formed and continued to breach doors and secure the multiple rooms and spaces throughout the three floors of Norris Hall and control access to the entire Norris/Holden/Burruss area. From the arrival of the first wounded (to the Drillfield side by entry Team Three), a triage point was established and transportation to the various rescue assets was initially performed by BPD LT. Bradbery in an unmarked police car.

[168] GPR, 98.

4. Medical Attention of the Wounded at Norris Hall.

At 0942, as the first 911 call was being processed, the Montgomery County Communications Center paged out an "all call" alert advising all units to respond to the scene at Norris Hall.[169] There were still units at WAJ, and all units responded in a timely manner. The Virginia Tech Rescue Squad (VTRS) and Blacksburg Volunteer Rescue Squad (BVRS) were the primary agencies that were responsible for incident command, triage, treatment, and transportation of the victms. The VTRS is located on the VT campus and is the oldest of its kind nationwide. The GPR noted that the VTRS is a student-run organization and has 38 members.[170]

Per GPR, at 0952 (the time Cho shot himself and Team One had ascended to the top of the western stairwell) tac medics from VTRS and BVRS entered Norris Hall on the heels of the entry teams. Medics initially triaged Panchal and Granata at the western stairwell where they had been dragged by police. As wounded were being evacuated they were loaded into police SUVs and transported to local EMS treatment areas. The medics were identifying and tallying total numbers of wounded and dead, and moving the most ambulatory victims to a safe area where further triage and treatment could be administered. Per GPR, the tactical medics employed the START triage system (Simple Triage And Rapid Treatment) to access victims quickly.[171] Victims were evaluated on the severity of their injuries, likelihood of survival, and treatment priorities then assessed. This was done with a color code system in which red was "immediate need," yellow was "delayed," green was "minor," and black was "deceased or about to expire despite medical treatment." The victims were evacuated based on this same system of priority.

The patients who were severely wounded, with red tags, were taken to a critical treatment unit set up on Old Turner Street. The patients with yellow tags, less critical, were taken to delayed treatment staging area at Stranger and Barger Streets. The victims with green tags, minor injuries, were moved to a minor treatment area set up on the Drillfield.[172] Medics (BPD) Privett and (VTPD) Dominiczak operated in heroic fashion throughout this ordeal and their intervention resulted in the survival of several of the victims. Only after a preliminary clearance of the building was completed were formal rescue units moved to the forward triage point (Drillfield side). All viable victims were removed (17 patients) and arrived at area hospitals.

Though initial reports indicated that fully 28 or 29 students were wounded or injured,[173] this number has been downgraded to 25 in most reports. The GPR states that seventeen were wounded by gunshots, six wounded injured jumping from the second floor, and four injured by other causes,[174] for a total of 27 wounded or injured.

---

[169] GPR, 102.
[170] GPR, 101.
[171] GPR, 104.
[172] GPR, 107.
[173] Tim Thornton,"Another Victim Out of Hospital," *The Roanoke Times*, April 24, 2007, 4; and , Kevin Anderson and CT Staff, "Week of Strength Follows day of Horror on Campus," *Collegiate Times*, April 23, 2007, 1, reports fully 29 wounded.
[174] GPR, 98.

The wounded and injured were taken to three area hospitals. The first victims were taken to Montgomery Regional General Hospital (MRH), 4.2 miles from Norris Hall. MRH received the largest number of wounded, at 17.[175] Montgomery Regional is the second largest hospital in the area; however, many of the seriously injured victims were stabilized and taken to other hospitals.[176] Carilion Roanoke Memorial Hospital, in Roanoke, some 36 miles away and a 43 minute drive, took the most severe cases, ultimately admitting numerous students for treatment. It is the region's Level 1 trauma center. A handful of patients were sent to New River Valley Medical Center in Radford, Virginia 12 miles away. A fourth hospital, Lewis-Gale Medical Center in Salem, took some students.

The Governor's report concluded that the emergency medical care was very effective and timely; both on-site and at the hospitals. It did, however, report that the Virginia Tech emergency operations center could have increased communication of accurate information to the hospitals. It further reported that the Office of the Chief Medical Examiner properly discharged the technical aspect of his responsibility, but had poor communication with the victims' families. While noteworthy, these are both non-law enforcement and non-tactical aspects of the post-operation phase of the VT shootings and beyond the purview of this Report.

The majority of students had been treated and released from the hospitals by 24 April. There were, however, exceptions. Among those were the following:

Sean McQuade, a 21-year old Mathematics major from Mullica Hill, New Jersey, was still hospitalized in serious condition at Carilion Roanoke Memorial Hospital as of 24 April. McQuade had been shot five times.[177]

Kevin Sterne, 22, of Cumberland, Md., was scheduled to graduate in May with degrees in Electrical Engineering and Media Communications.[178] Shot twice in the right leg in room 207, BPD Lt. Glass and Officer Combs, and VTPD Reese had attempted to fashion a tourniquet from an electrical cord. They would then move him to the hallway where a tac medic applied a life-saving "Israeli" combat tourniquet that stopped the blood loss. *The Roanoke Times*, and other media sources, would erroneously report that Sterne applied the electric cord to his own leg, saving his own life.[179] He is the student depicted in the famous photo of four law enforcement officers, including Virginia State Police Sergeant Matthew Brannock,[180] carrying him from the building by his arms and legs. On 24 April, he was the only student who remained in Montgomery Regional Hospital, and was in stable condition at that time.

---

[175] Tim Thornton, "Another Victim Out of Hospital",*The Roanoke Times*, April 24, 2007, 4.
[176] Lueders, 30.
[177] Thornton, 4.
[178] Ibid.
[179] Ibid, at 7.
[180] *The Roanoke Times*, April 23, 2007, 7.

As the wounded began to be treated by the tac medics and other arriving officers, the front doors at the southern Drillfield end were breached with another shotgun from the inside. Captain Goodman ordered some of the vehicles being used for evacuation of wounded driven up the lawn to the front doors to speed that process, but indicated that by the time he moved to that point a police vehicle was already present by the doors.

Evacuation of the wounded was difficult as it was too windy for helicopters to be used. "We had to pull ambulances from all over," said Captain Goodman. At one point, a passenger bus reportedly transported several injured students directly to the hospital in Christiansburg, though Archangel's investigation could not verify this beyond one student with a compound fracture of his leg having simply gotten on a regularly scheduled bus when he saw the word "Hospital" on the bus marquis as one of its regular stops. This bus did make two other stops before proceeding to the hospital. The hospital is exactly 4.2 miles from Norris Hall. Capt. Goodman from BPD immediately arranged for the convoy of ambulances and wounded evacuation vehicles to enter the pickup zone, driving southwest up Drillfield Drive, stopping at the front walkway leading up to Norris Hall, being loaded with wounded, and continuing to exit southwest down Drillfield Drive to West Campus Drive. Norris Hall is approximately 70 yards from Drillfield Drive at its closest point, and approximately 40 yards from the breezeway, where it is believed some of the wounded were extracted from the building. This was a very good, efficient system and allowed for the rapid movement of wounded evac vehicles to load up wounded and move out of the shooting site and off campus toward the hospitals quickly. At one point, with vehicles considered to be too far away to carry some of the wounded, Capt. Goodman ordered the vehicles to drive up the hill, right up to the building. Captain Goodman recollects that 10 victims were transported to the hospital in PD vehicles.

Of those shot, the majority had two to three bullet wounds, all at close range. All of the entry wounds on the students were from direct fire, virtually none were from ricochets. No one died from any ricochets. A number of the students were "stitched" up their bodies with bullets. For example, one round in the low chest, a second round in the upper chest or throat, with a third round in the face. One coed was shot three times with one round entering just below her mouth, a second round entering through the bridge of her nose, and the third through her forehead.

The majority of students who died were shot in the head. Sgt. Wilson and others stated that Cho had used both of his firearms and that there were a great number of both 9mm and .22 caliber shell casings everywhere. In the rooms that were assaulted on the second floor, there was evidence of missed shots in the walls, though not a great number. There was also evidence of rounds in the walls of the second floor corridor. Officers reported their belief that the evidence of shots in walls of the corridor were consistent with rabbit rounds (rounds skipping along walls). A number of students never got out of their chairs. One girl was sitting with her head resting on her hand. Some of the students that were wounded, but survived, had defensive wounds, from putting their arms up to protect themselves, to rolling or diving to the floor. Many pulled dead students on top of them to hide and simulate death themselves. Most of the students who were killed had failed to react at all. Sergeant Wilson and others detailed their experiences of moving carefully

through the classrooms, stepping among the "carnage" of blood, tissue, brains and bodies, believing everyone was dead, only to feel students reaching out and grabbing their ankles and feet, pleading for help.

VSP SWAT Team Leader, Sgt. Hafley, reported to Archangel that 70 students had been evacuated from the third floor alone, by the first arriving police departments. BPD Cross and Hayes removed students, faculty and staff from the third to the second floor. Team Two could not shotgun breach the second floor doors due to the large number of thid floor people who were quickly massed just inside them (Holden/breezeway entrance). This is indicative of just how quickly Teams One and Three had entered the building, moved through the second and third floors, and even moved those hiding on the third floor down onto the second floor, as Team Two had not as yet gained entry through the use of the boltcutters.

All of the third floor people evactuated were uninjured. Sgt. Wilson stated that all the uninjured and unwounded were evacuated on foot northwest approximately two blocks to Perry Street where they were picked up and transported by buses. Originally they were told to move west 20 yards to Burruss Hall, but many fled in all directions at first. The uninjured were moved by bus according to standard off-campus routing . The uninjured were evacuated to Burruss Hall to the west. Also, the PDs used the Blacksburg Transit System buses to move officers to the perimeter and their representatives in the command post.

In the race to determine the number of shooters, their location and type of weapons, Capt. Goodman was asking students for this information as they were exiting the building under their own power. In some cases the students would answer all of his questions, and only later tell him that they, too, had been shot. Though Capt. Goodman did this out of the press of the circumstances, this was both appropriate and necessary as a protocol. Though victims may be wounded, for those who are sufficiently mentally and physically capable of providing necessary intel in an ongoing threatening and hostile situation, they must be exploited for all available information with little consideration at that moment for their injuries. To attend to the injuries first – particularly in an ongoing and still evolving tactical situation – may result in the complete loss of that necessary information and injuries and death to others. BPD and VTPD did a thorough search of Norris Hall, including checking it for secondary explosive devices.

5. LE Operations in the Aftermath.

Approximately 400 officers from VSP responded to the VT shooting at Norris Hall. They had not previously been called in to assist with the shootings at WAJ. From the shooting at Norris Hall on Monday, 16 April, until Wednesday evening, 19 April, they were put on perimeter security duty. On Wednesday evening, the VSP tac team was redeployed to provide tactical support to VT and BPDs' tactical operations center. A command post was initially set up in McBryde Hall, which is directly to the northeast of Holden Hall. As all of the buildings were being searched in that quadrant of the campus,

Christiansburg PD was also put on alert and was standing by. The media was kept outside a designated perimeter.

Upon Norris Hall transitioning from an active/tactical shooting situation to a recovery phase, still more BPD resources were provided to, again, bolster not only the entire VT police department, but other arriving agencies as well. The BPD officers were assigned and staged as follows:

1. Captain S. Bishop - Blacksburg P.D./Command Staff
2. Lt. K. Gay - Blacksburg P.D./Patrol Supervisor
3. Lt. M. Hauschildt – Montgomery Regional Hospital (MRH)/Security
4. Lt. G. Frazier – MRH & The Inn at VT/Security
5. Lt. J. Davis - Ambler Johnston/Scene Security
6. Sgt. K. Cummings - Ambler Johnston/Scene Security
7. Sgt. D. Wilson - Security
8. Sgt. J. Bowyer - Patrol Supervisor
9. Sgt. C. Jones - Norris Hall/Scene Security
10. Ofc. V. Speese - Ambler Johnston/Evidence Technician
11. Ofc. J. Cease - MRH/Security
12. Ofc. T. Sarver - Norris Hall/Scene Security
13. Ofc. C. Eades - MRH, The Inn/Security
14. Ofc. M. Haynie - Blacksburg/Patrol
15. Ofc. J. Goad - Blacksburg/Patrol
16. Ofc. J. Blackburn - Blacksburg/Patrol
17. Ofc. M. Mickey - Blacksburg/Patrol
18. Ofc. C. Cross--- MRH, The Inn/Security
19. Ofc. I. Buckley--- MRH, The Inn/Security
20. Ofc. T. Brewster--- Mcbryde Hall/Staging Officer
21. Ofc. B. Self--- Norris Hall/Scene Security
22. Det. G. Richardson--- Norris Hall/Investigations

The following day, Tuesday, 17 April, there was a bomb threat to the County Government Building in BB. After the shootings BPD, VTPD and VSP SWAT officers were paired up in two man units with regular patrol officers for all violent calls. On Tuesday, 24 April, one week later, other bomb threats caused the teams at the TOC to respond.

Capt. Goodman and Sgt. Wilson informed Archangel that immediately upon the cessation of the tactical operation, as part of the recovery phase of their critical incident protocols, counselors were brought in to speak with all of the responding officers. Participation in this was mandatory. A great number of counselors were brought in to assist with the students and professors, including the use of therapy dogs. Capt. Goodman expressed the opinion that the rapid involvement of these counselors was very important, and had been useful for the LE officers.

BPD, VTPD, MCSO, Christianshburg PD and VSP jointly set up a tactical CP (Tactical Operations Center or TOC) on the fourth floor of the stadium, and handled all violent calls in the county for at least the next two weeks. The SWAT teams from all of these departments split day and night shifts in the weeks to come, though MCSO handled all night shift calls in Montgomery County from the TOC. Capt. Goodman notified the local FBI office in Roanoke (approximately 30 miles away) after the second shooting and agents were on scene within 30 minutes. Capt. Goodman reported that the relationship between the FBI local office and BPD was excellent, and that they worked very well together and had handled a number of matters jointly.

That night, 16 April, at 1930 ATF, FBI, and state police knocked on the door of Cho's suite. Karan Grewal and two of his suitemates were taken out and handcuffed. Police remained cautious and entered the suite with guns drawn. Karan Grewal remembers that he and his roommates were separated and questioned. Grewal was asked about Cho. He was questioned as to what he looked like, and was informed that he was the suspect in the murders that day. Karan explained that he did not know Cho that well, but he was shocked to hear that his suitemate committed the murders. He did not think that Cho was capable of that. He explained Cho was not an aggressive person.[181]

[181] Lazenby, 96, 97.

VII. HINDSIGHT

In its investigation and assessment of the VT shootings, the Governor's Panel focused on many societal, statutory and psychological issues that were far outside the purpose of this Report. Among its focus points were the warning/alert system employed by VT, and the university's emergency response planning. In addition to its assessment of the sufficiency of the systems then in place, the Panel critiqued the decisions made by the university Policy Group convened in the morning of 16 April, the decisions and recommendation of the VTPD, and in particular, Chief Flinchum.

The timing of emails that were delivered, information actually conveyed to the VT community, and the decision to not lock down the campus after the first shootings were all points of criticism by the Panel. Due to the fact that certain aspects of the warning/alert system and the decision to not lock down the campus are relevant to the overall tactical response of law enforcement, some aspects of them are deserving of discussion.

A. WARNING / ALERT SYSTEM

The first floor of Norris Hall was comprised of administrative offices, a machine shop, and resource labs. Certain of these were occupied at the time of the shooting, including the machine shop. A number of the classrooms in this building were considered extra or surplus. Staff offices usually have locks, but the classrooms in Norris Hall had no locks.[182] Some universities have locks on the classroom doors, but they usually lock with a key from the outside and can't be locked from the inside, as they are intended to keep students and strangers out when not in use.[183]

In order for VT to lock the doors in all the buildings, they must call people in the Buildings Department, and have someone go to each building and lock the doors, with the exception of the dorms that automatically lock from 2000 to 1000.[184] There are no guards at campus buildings or cameras at the entrances or hallways, but some buildings do have a loud speaker system that can be accessed from a Panel in the building.[185] This loudspeaker system was intended for firemen - not for police - and cannot be accessed for a campus-wide broadcast.[186] The GPR stated: "This level of security is quite typical of many campuses across the nation in rural areas with low crime rates."[187] Virginia Tech was in the process of upgrading its campus-wide alerting in spring 2007.[188]

The GPR stated that VTPD erred by prematurely identifying a sole suspect in the double homicide at WAJ, and for not requesting that the Policy Group issue a campus-wide

[182] GPR, 13.
[183] Ibid.
[184] Ibid.
[185] Ibid.
[186] Ibid.
[187] Ibid.
[188] GPR, 14.

notification that there was a double homicide at WAJ and to remain alert and cautious. However, the VTPD merely reports to the Policy Group; the Policy Group is there to make its own decisions concerning notifications on campus. The report also states that the Policy Group failed to issue an all-campus notification for almost 2 hours. The GPR later reports, "Virginia Tech had the capability on April 16 to send messages to the student body, faculty, and other staff via a broadcast email system. The associate vice president for University Relations had the authority and capability to send a message from anywhere that was connected to the web."

While the GPR stated that the VTPD erred by not sending the message, the report later stated, "While the Virginia Tech campus police had the authority to send a message, they did not have the technical means to do so."[189] The timing and content of the messages sent on 16 April remains to be one of the major controversies surrounding this incident.[190] The GPR reports that sending a message on 16 April was "cumbersome, untimely, and problematic" as the police had to wait for the deliberation of the Policy Group to convene and decide whether a message was to be sent and its content.[191] This email system has 36,000 registered email addresses and the distribution rate is 10,000 per minute.[192] The university also has a web site where users can post emergency information and on 16 April the VT website was experiencing 148,000 visits per hour.[193]

The university also has contacts with every local radio and TV station.[194] "The Virginia Tech associate vice president for University Relations has a code by which he can send emergency messages to the stations that could be played immediately. This process could take 20 minutes or so because each station has its own code to validate the sender." This system is usually used for weather alerts and the campus community is supposedly trained to stay tuned for further details.[195]

The GPR estimated 96 percent of students carry cell phones and suggested that this would be a faster way of sending messages. The report further stated the university was still in the process of installing a text message system and had no way to send text messages on 16 April. The university also has a phone-mail system but students and faculty must register their numbers with this system. In addition, this system requires 11 separate actions to send a broadcast, according to the associate vice president for University Relations.[196]

A university switchboard with four operators is functional during normal business hours and can handle 100 calls.[197] The university was in the process of installing six outdoor

---

[189] GPR, 16.
[190] Ibid.
[191] GPR, 17.
[192] GPR, 14.
[193] Ibid.
[194] Ibid.
[195] Ibid.
[196] GPR, 15.
[197] Ibid.

loudspeakers to extend their messaging system.[198] Some would be mounted on buildings and some on poles. Four had been installed on April 16 but did not play a significant role in this incident.[199]

As a last resort, the warning system will use resident advisors in dorms, floor wardens in some older classrooms, and office buildings to personally spread warnings.[200] In Norris Hall, the chairman of the Engineering and Mechanics Department, whose office was on the second floor, said he had been issued a bullhorn to make announcements and was instructed to go to classroom and office doors to notify people if the emergency system failed.[201] In the book *April 16th: Virginia Tech Remembers*, Ishwar Puri, the chair of the Engineering and Mechanics Department, described how they were supposed to run up and down the hallways with an air horn and yell "fire" or "evacuate."[202] This system guaranteed the university a low tech solution as technology was not always dependable. However, in instituting it as an alert option, it is clear no one recognized the reality that in a tactical situation, in which someone is shooting innocent victims in the Columbine model of attack, that either no one will attempt to accomplish that task, or will be quickly killed themselves.

In the spring of 2007 the university was in the process of installing a unified multimedia messaging system that was to be completed before the next semester.[203] It was to allow for messaging to be issued through computers, cell phones, PDAs, and telephones. The message could be sent by anyone registered with the authority to do so.[204] Students would have to be registered in the system to receive messages, rather then making it a mandatory requirement. Parents could also be included on this list. The GPR reported: "All students and staff were encouraged, but not required, to register with the new system. Each user can set the priority order in which their devices are called." For a community of 36,000, this system would cost $33,000.00.[205] Virginia Tech was planning to use this system for emergencies only; however, some universities use this for routine messages,[206] increasing the likelihood that over time its messages would become ignored by most recipients. As well, the GPR reported that some universities have had problems with this system.[207]

Still, the efficacy in the university having alerted everyone in the VT community immediately upon the first two deaths in WAJ must be examined from a realistic perspective. All too often in the aftermath of a critical incident, those in relevant roles – and those in investigative roles who enjoy the benefits of hindsight – engage in wanton

---

[198] Ibid.
[199] Ibid.
[200] Ibid.
[201] Ibid.
[202] Lazenby, 21.
[203] GPR, 15.
[204] Ibid.
[205] GPR, 16.
[206] Ibid.
[207] GPR, 18.

blamism. Assuming, *arguendo*, that the VT Policy Group had sent out an email to everyone in the university immediately upon convening and being notified of the killings at WAJ, the reaction would not likely have resulted in any significant difference in the tactical situation the police confronted, their initial investigation, or Cho's ultimate attack on Norris Hall.

By the time the Policy Group convened at 0825, the majority of students were already in class. As learned from Cho's experiences, use of cell phones, text and instant messages in classes is a clear disruption and tolerated by few teachers. It would have taken some time for the Policy Group to be sufficiently informed of the incident, discuss and agree on what message and by what medium to transmit the alert, and what actions were to be taken in response to the situation. This would not have been able to be handled in the 30 minutes between the Group convening and the second class period – during which Cho would begin his attack on Norris Hall - beginning at 0905. Even if some hastily drafted message had gone out, it would have either gone unnoticed by the vast majority of students moving quickly between classes, or would have simply been ignored.

As well, past experiences with the university student population has taught law enforcement that the very reaction they hope for – and sometimes implore – from the students in emergency situations not only goes ignored, but the youngs adults comprising the university student-base will do just the opposite. This was the experience all LE agencies responding to the Morva manhunt the previous August had learned when alerting all students to stay in their dorm rooms, and for anyone off campus to remain off campus. Few heeded this warning, and many were intentionally outside in a show of juvenile bravado.

The final point to consider is just what an earlier message would have said that could possibly have made a difference. Non-tactical professionals, including those of political and academic orientations, parents and the news media, seem to believe that there exists a one-size-fits-all tactic that can be employed that will serve as a panacea in any and all threatening situations in schools. This is not only unrealistic, but naïve. The remedy that appears to garner the greatest support for harboring the illusion that if one particular step had been taken (or is taken in the future) everyone will be safe is the lockdown.

While lockdowns are an important first step in responding to active shooter situations in primary schools (elementary, middle and high schools), they are merely that: a *first* step. Even then, lockdowns are not a complete answer. At VT the ability to lockdown an entire campus was non-existent. With 2,600 acres of open ground fronting numerous roads that can be accessed anywhere and everywhere, 16 unguarded road entrances, 150 buildings and more than 30,000 people on campus, lockdowns are unrealistic. To effectively lockdown the campus, law enforcement would have to stage a tight perimeter around the entire university. At over 4 square miles, and with officers maintaining a 10 yard spread between them, this would require 1,105 police officers just to maintain that outer perimeter.

Even with virtually all of the BPD and VTPD forces deployed in response to the initial killings, the total force did not constitute even ten percent (10%) of the number necessary. In addition, all of the forces necessary to secure a tighter perimeter around WAJ, engage in roving patrols on campus looking for the suspect's vehicle on the 19.6 miles of road on campus and in the 14,369 parking spaces would be added to that number. Topping this inconceivable level of LE manpower resources would be tactical teams, other police to continue routine law enforcement operations, command staff, more investigators to conduct interviews, etc.

And what if the campus had been locked down? Knowledge of emergency responsive procedures by student-shooters gives them perfect intelligence on how their target will react. If locked down inside any building, it would have made it all the easier for Cho to trap his quarry. Moreover, if Cho had accomplices, the bodycount would have been far greater under lockdown conditions in a single building. Or a series of simultaneous attacks would have occurred at buildings across campus, with the attackers inside their respective targets, rendering it impossible for law enforcement to respond sufficiently, and certainly not quickly, to any of them.

The reality is that with perfect hindsight in assessing the situation VT and the two police departments were faced on 16 April 2007, everyone on campus would have been much safer if an alert had been disseminated instructing them to leave buildings, and flee out into the common areas of that enormous campus and remaining there until any potential threat had either been eliminated or determined to not exist.

B. EMERGENCY RESPONSE PLAN

While shootings at universities are rare, out of 4,000 institutions America sees an average of about 16 a year. Thus, emergency planning is an important part of any institution. Virginia Tech's Emergency Response Plan addressed many emergencies, but did not have specific SOPs for shootings. On 16 April 2007, the then-current version of its emergency response plan had been in effect for 2 years.[208] The emergencies were categorized by levels 0, I, II, and III.[209] The plan called for an official to be designated as the Emergency Response Coordinator (ERC), to direct the response and for an Emergency Operations Center (EOC) to be established.[210]

On 16 April there were multiple ERCs and EOCs but not one central EOC.[211] Moreover, the critical ones were implemented by responding law enforcement and medics, highlighting the fact that one of the critical weaknesses for elaborate committee-type response planning is that any actions the committee takes will be limited to the recovery or aftermath phases of a true emergency. In the case of shootings, the threat will typically begin and end long before a policy and decision-making group can even be

[208] GPR, 16.
[209] GPR, 17.
[210] Ibid.
[211] Ibid.

convened. In the interim, when lives are in immediate danger, it will be police who will take the most important steps.

The GPR did, at least, acknowledge that locking down the campus of Virginia Tech would have been virtually impossible due to the size of the police force, the absence of security, the fact that the doors of most buildings did not have electronic controls, and the number of unguarded roadways into the campus.

Two key decision groups were identified in VT's plan: the Policy Group and the Emergency Response Resources Group (ERRG).[212] The Policy Group was comprised of nine vice presidents and support staff, chaired by the university president. The Policy Group handled the procedures to support emergency operations and to determine recovery priorities. The Policy Group was above the emergency coordinator for incidents, and usually asked campus police to have a representative at its meetings.[213]

The ERRG included a vice president designated to be in charge of the incident, police officials, and others depending on the nature of the event. This group ensured the resources needed to support the Policy Group and the emergency.[214]

The VT Emergency Response Plan did not address the prevention of events.[215] For example, on two other campuses in Virginia the chief operating officer received daily reports on all incidents, to which law enforcement responded, and shared them with offices that were responsible for the safety and health of the campus.[216] This system, however, would not have prevented the attacks on 16 April. The GPR stated that the VT plan was deficient in several respects, including its failure to place police high enough on the decision-making hierarchy, and did not include a threat assessment team. This does not seem to have prevented Virginia Tech, itself, from placing much of the blame for its actions on the VTPD and Chief Flinchum in particular. The GPR also reported that the VTPD's primary purpose in the Emergency Response Plan was not law enforcement.[217]

The limitations experienced by VTPD in the response to the first shootings at WAJ do not appear to be isolated problems in academia across the state, and very likely across the nation. The GPR stated that several leaders of campus police chiefs in Virginia commented that they do not feel that they always had adequate input in security planning and threat assessment.

One of the other criticisms laid at the feet of university officials, was that the university did not implement a telephone number that families could phone to check on their children.[218] The influx of calls soon overwhelmed the service capability of the area, and many worried parents got in their cars and drove to the campus. Parents, of course, found

---

[212] Ibid.
[213] Ibid.
[214] Ibid.
[215] Ibid.
[216] GPR, 17.
[217] GPR, 19.
[218] Lazenby, 75.

campus roads blocked off by that point, so many made their way to the local hospitals which caused security issues there. Blacksburg PD Chaplain, Tommy McDearis, described the hospital as "controlled chaos."[219]

In summary, in assessing and critiquing the decisions of law enforcement, and the university itself, in response to the events of 16 April 2007, everyone must be realistic in assessing the propriety of those decisions in terms of: the information possessed at each moment in time; the experiential basis of police, the university and America upon which situations must be gauged in response to any incident; and whether any particular decision, procedure or tactic would really have prevented the second attack by Cho at Norris Hall.

[219] Ibid, at 77.

VIII. EXPERT TACTICAL OPINION OF LAW ENFORCEMENT RESPONSE TO SHOOTINGS

The following opinion as to the sufficiency, tactical proficiency of, and decisions made by, the two involved police departments has been provided by Command Sergeant Major Mel Wick (ret.). CSM Wick spent more than 30 years in Army Special Forces and Special Operations, including 16 years with Delta, or what is commonly known to the American public as the Delta Force (officially 1st Special Forces Operational Detachment – Delta or 1SFOD-D). He was one of the original cadre members selected by the Delta founder, Col. Charles Beckwith, to create that unit from scratch. He is without question one of America's leading experts in small unit tactics, tactical/combat operations and hostage rescue. CSM Wick was not involved in the actual investigation into the shootings at VT, nor the law enforcement response thereto. His expert opinion is based on the information contained in this Report up to this point. CSM Wick's complete bio can be found at Addendum B.

Conducting a detailed and brutally honest after action review/debriefing after every training event or live operation is a routine part of law enforcement – especially for ERT/SWAT teams. The men and women involved in high risk operations with lives at stake (theirs and the victims) understand the consequences of making mistakes and are normally harder on themselves and their teammates than any outsider could ever be.

In an emotionally charged high profile action like the Virginia Tech University shootings; the media, political leaders, and other so called "experts" have a tendency to try to find someone to "BLAME" instead of doing an in depth analysis and capturing lessons learned to incorporate in future operations and to improve future training. At the political and policy level it is easier to point the finger and say "it is his fault" than to address the training, equipment, communications, and jurisdictional infighting issues that often hamper effective and efficient law enforcement efforts in this country.

Unfortunately this is real life – not a TV show or the movies where the first officer on the scene finds a clue and suddenly understands the whole plot and can anticipate every move the criminal is about to make - In the real world the officers have to **follow established procedures**, rely on experience, follow their instincts, and use common sense. The Archangel Team report lays out in great detail the time line and actions of the agencies and departments involved. I am not going to rehash their report – I will only comment on the tactical aspects of the Norris Hall activities.

Whether you call it Tactical Intervention, Active Shooter Response, or use some other terminology, when you have opposing forces facing each other with weapons and the intent to kill it has all the elements of combat. When you boil it down to the basics, the critical elements of room combat are:

1. Gain Entry;
2. Eliminate the Threat;

3. Search;
4. Control the Hostages; and,
5. Evacuate.

Arriving from different locations and directions the police from various jurisdictions rapidly organized into teams and within approximately 4-5 minutes from first notification the teams were attempting to gain entry into Norris Hall using multiple entry/breaching points. When they found the primary breaching points blocked they immediately moved to alternate points and gained entry. From a tactical perspective they followed the principles of multiple breaching points and after one attempt at the primary point if entry is unsuccessful move to the alternate entry point.

Once they gained entry they moved rapidly to the area where the threat (shooting) was. Again they used sound tactics of multiple approach routes and entry points. Once they arrived on the second floor the shooting had stopped, the tactical situation had changed and they rapidly analyzed the situation, formulated a plan and began to execute it. Not knowing how many or where the shooters were it would have been reckless to rush about from room to room – instead they started a methodical but rapid process clearing the rooms. Once they received information on the location of the shooter they reacted immediately to that location. Once the second floor was secured they began the treatment and evacuation of the wounded. While maintaining security for the treatment and evacuation process they continued to search the rest of the building to ensure no other threats were present. From a tactical perspective it is hard to find fault with their actions inside Norris Hall.

It is worthy to note here that the "teams" that entered Norris Hall were not pure standing teams that routinely trained and operated together in tactical situations. It was a combination of VTPD and BPD, including ERT, SWAT, patrol, and command staff. From a tactical perspective this type of mix of personnel significantly increases the risk to all involved. VTPD Chief Flinchum and BPD Chief Kim Crannis maintained an active ongoing program of integrated training and mutual support during tactical operations so the integrated teams in Norris Hall had a common frame of reference and previous experience together which was a significant factor in the timely response and sound tactical procedures used in Norris Hall.

From a strictly tactical perspective it might not have been the best decision to rescue Prof. Granata from the hallway, but I would never question that decision – that is what cops do – they risk their lives to protect others. The officers involved should be commended for their bravery.

At the team and individual level, for the officers in Norris Hall, I am sure there are some important tactical lessons learned when they conducted their detailed and brutally honest after action review. Things like additional breaching tools to carry in their vehicles; tactical movement in stairways and hallways; individual equipment carried; stealthy movement vs. shouting "police;" when to put on body armor and leave it on until the action is over; communications between different units; and many others. Although

critically important, this level of tactical detail has no impact on the overall assessment and outcome of the actions by the police forces involved that day.

From the initial response to the shooting at Ambler-Johnston Hall to the evacuation of the last body from Norris Hall, VTPD Chief Flinchum and BPD Chief Kim Crannis were faced with a complex, dynamic, emotionally charged incident. Keeping in mind what information they knew at the beginning and the timeline and sequence of events as it unfolded (not looking at what was known weeks after the fact and faulting them for not reacting to what was unknown at the time) they handled it in a very professional manner. Their long standing approach of cooperation instead of competition, mutual training and support instead of jurisdictional bickering, was a significant factor in the resolution of the incident without additional loss of life. The leadership and officers involved demonstrated a high level of training, dedication, and professionalism. No significant tactical principles were violated and none of the officers involved moved away from the sound of gunfire. It was a tragic situation that would have had a much worse outcome without the dedication and efforts of the VTPD and BPD police officers.

IX. FEDERAL LEGAL STANDARDS FOR LAW ENFORCEMENT IN THE U.S. IN SIMILAR SITUATIONS

A. INTRODUCTION

This article is not to be construed as legal advice and each reader should consult with an attorney in their jurisdiction for legal advice on any specific issue.[220]

Furthermore, this article is limited solely to a discussion of a potential federal civil rights claim of failure to train and of a federal substantive due process claim under 42 U.S.C. §1983 against law enforcement and an overview of federal legal standards for law enforcement in the United States in similar active shooter situations.[221] This article does not address or involve any discussion of potential state law claims (whether in tort or otherwise) nor any other type of potential federal claim against law enforcement officers. Federal claims against law enforcement can take many different forms, ranging from claims of excessive use of force by an officer[222] to claims against a municipality for failing to train (or inadequately training) its officers[223] to establishing police policies which are inconsistent with the law.[224] This article also does not address any school or university liability issues.

Since law enforcement faces a myriad of scenarios, the result is that a federal claim against law enforcement can also take on different forms. Accordingly, a brief overview of some points of clarification will be made, followed by a brief synopsis of some concepts concerning federal civil claims against law enforcement.

---

[220] This article is presented with the express understanding that no legal or other service is rendered thereby. Furthermore, the cases, materials, comments, interpretations, and analysis are limited in applicability solely to the facts and circumstances of the particular situation and/or jurisdiction and should not be interpreted as legal advice - the same being expressly denied. Increasing litigation, differences in the substantive law and case decisions in the different states and federal jurisdictions, (coupled with the rapidly developing technological and substantive changes in legal decision-making and reporting), impact upon current issues and therefore information contained in this article may become outdated. Therefore, the author strongly urges that legal counsel, and such other professionals as may be necessary, be retained to research, consult and update the original sources, as well as to specifically identify any and all legal precedents and issues which are applicable or otherwise relevant to any given fact situation in any particular jurisdiction.

Furthermore, the author writes and speaks as an individual and not as an employee of Milwaukee Area Technical College.

[221] Accordingly, such incidents as barricaded subjects, excessive use of force, snipers, accidental shooting of a hostage are not involved in this article.

[222] See, for example, *Graham v. Connor* 490 US 386, 109 S Ct 1865, 104 L Ed 2d 443 (1989).

[223] See, for example, *Zuchel v. City & County of Denver, Colo.* 997 F 2d 730 (10th Cir. 1993).

[224] See, for example, *O'Brien v. City of Grand Rapids* 23 F 3d 990 (6th Cir. 1994).

B. SOME POINTS OF CLARIFICATION

First of all, probably the most frequently used federal civil claim is called a "1983" action.[225] There are other bases for claims against law enforcement which will not be discussed as noted above.[226]

Secondly, the author frequently hears the phrase "vicarious liability" in discussions about law enforcement liability. This concept called "vicarious liability"[227] is also referred to from time to time as "respondeat superior."[228]

However, embracing the concept of "vicarious liability" causes confusion, if not outright misunderstanding, when comprehending the federal basis for claims against police. The reason this causes confusion and misunderstanding is that the concept of "vicarious liability" is not a basis of liability for law enforcement on the federal level. It has nothing to do, federally, with attaching liability.

As stated by the United States Supreme Court in *City of Canton Ohio v. Geraldine Harris* 448 U.S. 378, 109 S.Ct. 1197, 103 L.ED. 2d 412 (1989):

> "In *Monell v. New York City Department of Social Services*, 436 U.S. 658 (1978), we decided that a municipality can be found liable under §1983 only where the municipality itself causes the constitutional violation at issue. *Respondeat*

---

[225] "42 U.S.C. §1983
Sec. 1983. – Civil action for deprivation of rights.
"Every person who, under color of any statute, ordinance, regulation, custom, or usage of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable. For the purposes of this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia."

[226] For example, 42 U.S.C. §1985 may also under certain circumstances be the basis for a claim against law enforcement officers. Also, there is what is known as a "Bivens" action which is usually brought against federal law enforcement officials. See, *Bivens v.Six Unknown Named Agents of Federal Bureau of Narcotics* 403 US 388, 91 S Ct 1999, 29 L Ed 2d 619 (1971).

[227] "Vicarious liability" is defined in Black's Law Dictionary as: "Liability that a supervisory party (such as an employer) bears for the actionable conduct of a subordinate or associate (such as an employee) because of the relationship between the two parties. See RESPONDEAT SUPERIOR." Black's Law Dictionary, 7th Edition, Bryan A. Garner, Editor in Chief, West Group, St. Paul Minn. 1999 at page 927.

[228] "Respondeat superior" is defined in Black's Law Dictionary as: "The doctrine holding an employer or principal liable for the employee's or agent's wrongful acts committed within the scope of employment." Black's Law Dictionary, 7th Edition, Bryan A. Garner, Editor in Chief, West Group, St. Paul Minn. 1999 at page 1313.

superior or vicarious liability will not attach under §1983." *City of Canton Ohio v. Geraldine Harris* 448 U.S. at page 385.

Thirdly, since there is no "vicarious liability" on the federal level, claims and defenses must be analyzed based upon the focal point of the litigation. Generally, there are potentially three focal points of this type of litigation: The municipality; the supervisor; the line officer. The claims against each of these are based on different concepts.

A 1983 claim against a municipality is based upon a "policy, custom or usage."[229] A claim against a supervisor is based upon that supervisor having participated in the alleged wrongful act, or ordered a subordinate to do the alleged wrongful act, or acquiesced in the wrongful actions of the subordinate.[230] A claim against a line officer is normally based upon the officer actually doing the alleged wrongful act.[231]

C. THE CONCEPT OF "QUALIFIED IMMUNITY"

In addition to some of the above points of clarification, even if a potential plaintiff sets out allegations sufficient to meet the legal requirements for a cause of action under §1983, the plaintiff is also confronted with the concept of "qualified immunity." Qualified immunity is available to individual officers but it is not available for a municipality.[232] Qualified immunity is determined by the court – not by a jury.

The United States Supreme Court has explained the concept of qualified immunity as follows:

> "Qualified immunity is 'an entitlement not to stand trial or face the other burdens of litigation.' … The privilege is '*an immunity from suit* rather than a mere defense to liability; and like an absolute immunity, it is effectively lost if a case is erroneously permitted to go to trial.' … As a result, 'we repeatedly have stressed the importance of resolving immunity questions at the earliest possible stage in litigation.' … " Saucier v. Katz 533 U.S. 194, 200-201, 121 S. Ct. 2151, 150 L. Ed. 2d 272 (2001). (Citations omitted; italics in the original.)[233]

---

[229] See *Monell v. New York City Department of Social Services*, 436 US 658, 98 S Ct 2018, 56 L Ed 2d 611 (1978).

[230] See, for example, *Bisbal-Ramos v. City of Mayaguez*, 467 F 3d 16 (1st Cir. 2006); *Randall v. Prince George's County, Md.* 302 F 3d 188 (4th Cir. 2002); *Atteberry v. Nocona General Hospital* 430 F 3d 245 (5th Cir. 2005).

[231] See, for example, *Zuchel v. Spinharney* 890 F 2d 273 (10th Cir. 1989).

[232] See, for example, *Owen v. City of Independence, MO* 445 US 622, 100 S Ct 1398, 63 L Ed 2d 673 (1980).

[233] *Informational note*: On March 24, 2008 the Supreme Court granted an appeal from the 10th Circuit and, when doing so, the Supreme Court expressly stated: "… the parties are directed to brief and argue the following question: 'Whether the Court's decision in *Saucier v. Katz* should be overruled?' " The case on appeal from the 10th Circuit is: *Callahan v. Millard County* 494 F 3d 891 (10th Cir. 2007). It is docketed in the Supreme Court as: *Pearson v. Callahan*; No-07-751.

The protocol to be followed by a judge in determining whether or not an officer is entitled to qualified immunity (and therefore dismissal of the lawsuit) was also set forth in Saucier v. Katz 533 U.S. 194, 121 S. Ct. 2151, 150 L. Ed. 2d 272 (2001). Basically, the judge is to address two questions and in the following sequence:[234]

1. "Taken in the light most favorable to the party asserting the injury, do the facts alleged show the officer's conduct violated a constitutional right? This must be the initial inquiry."[235]

In essence, if the answer to this first question is "no" – the officer did not violate a constitutional right – then "there is no necessity for further inquiries concerning qualified immunity."[236] The result is the officer is entitled to qualified immunity and the case is to be dismissed as to that officer.

On the other hand, if the answer to the first question is "yes" – the officer did violate a constitutional right – then the judge is to address the second question.

2. "… the next sequential step is to ask whether the right was clearly established."[237]

If the right was not clearly established, then and in that event the officer is still entitled to qualified immunity and the case should be dismissed as to that officer.

If the right was clearly established, then and in that event the officer is not entitled to qualified immunity and the case should go to trial. Just because an officer is not entitled to qualified immunity does not mean that that officer loses the case – it means that the plaintiff is entitled to move forward with the lawsuit and proceed to trial.

---

[234] *Informational note*: On March 24, 2008 the Supreme Court granted an appeal from the 10th Circuit and, when doing so, the Supreme Court expressly stated: "… the parties are directed to brief and argue the following question: 'Whether the Court's decision in *Saucier v. Katz* should be overruled?' " The case on appeal from the 10th Circuit is: *Callahan v. Millard County* 494 F 3d 891 (10th Cir. 2007). It is docketed in the Supreme Court as: *Pearson v. Callahan*; No-07-751. It appears that, concerning the viability of *Saucier*, the issue is whether the required chronological order of the two questions should be overruled; which would allow courts to address either question first. Right now, under *Saucier*, the courts are required to address the first question before even going to the second question. This case involved the "consent once removed" doctrine. In short, an informant entered a dealer's house at the "invitation" of the drug dealer; when the buy was made the informant gave the prearranged signal; the officers entered without a warrant. The 10th Circuit ruled warrantless entry based upon informant violated 4th Amendment. It is suggested that this case be monitored since at least two potential issues are involved: Does the consent once removed doctrine apply to an informant? What will happen to the "qualified immunity" protocol established by *Saucier*?

[235] Saucier v. Katz 533 U.S. 194, 201, 121 S. Ct. 2151, 150 L. Ed. 2d 272 (2001).

[236] Saucier v. Katz 533 U.S. 194, 201, 121 S. Ct. 2151, 150 L. Ed. 2d 272 (2001).

[237] Saucier v. Katz 533 U.S. 194, 201, 121 S. Ct. 2151, 150 L. Ed. 2d 272 (2001).

D. THE CONCEPT OF "CLEARLY ESTABLISHED"

Also germane to the issues of law enforcement liability is the concept of "clearly established" – which, as discussed above, is one of the questions the court must answer for purposes of deciding whether or not an officer is entitled to dismissal of the case based upon qualified immunity. Therefore, it is important to recognize how the courts view this particular issue.

Donovan v. City of Milwaukee 17 F. 3d 944 (7th Cir. 1994) involved a §1983 federal civil rights lawsuit against the City of Milwaukee and certain of its police officers. The officers had been involved in a high speed chase of a motorcycle which ended when one of the officers, (according to plaintiff's claims), intentionally backed his squad car into the path of the motorcycle resulting in a collision and the death of the cyclist. The trial court dismissed the lawsuit on the grounds of qualified immunity. The estate appealed to the 7th Circuit Court of Appeals. In affirming the trial court's dismissal, the 7th Circuit addressed, among others, the issue of qualified immunity. In doing so, the 7th Circuit explained the concept of what the courts look for when determining whether or not the right which was allegedly violated was clearly established, stating:

> "In ascertaining whether a particular right has been 'clearly established' within the meaning of [*Harlow v. Fitzgerald* 457 U.S. 800 (1982)], this court has not required binding precedent from the Supreme Court or the Seventh Circuit. … In the absence of controlling authority on point, 'we seek to determine whether there was such a clear trend in the caselaw that we can say with fair assurance that the recognition of the right by a controlling precedent was merely a question of time.' … In identifying the relevant trends, plaintiffs need not direct the court to cases 'on all fours' with the case at bar; however, 'case law in a closely analogous area is crucial to permit us to conclude that reasonably diligent government officials would have known of the case law, related it to the situation at hand, and molded their conduct accordingly.' …" *Donovan v. City of Milwaukee* 17 F. 3d at page 952.

Therefore, it is extremely important that even the trends in the case law be identified by law enforcement officials since the courts will actually look not only to binding precedent - but also to the trends in the case law to conclude that a right was clearly established.[238]

E. THE TENDENCY FOR 20/20 HINDSIGHT

[238] See also, for example, *Anderson v. Creighton* 483 US 635, 107 S Ct 3034, 97 L Ed 2d 523 (1987).

When terrible and tragic events happen, they seem to intensify the tendency to express outrage about those events through the lens of hindsight. Such incidents invite a proclivity to review the incident itself, and the actions of law enforcement officers, with facts and circumstances only discoverable after the incident is over. Such information also tends to be blended into potential criticism or critique of officers' actions with the information which was not available at the moment of the officer's conduct. Such 20/20 hindsight perspective does a disservice to those involved, tends to cloud the issues, and implies that officers should know the future before it happens. The United States Supreme Court and other federal courts have clearly indicated that this 20/20 hindsight is simply an unacceptable means by which to judge law enforcement officers' actions. Those courts have also set legal standards for judging officers' actions.

In *Graham v. Connor*, 490 U.S. 386, 109 S. Ct. 1865, 104 L. Ed. 2d 443 (1989) the United States Supreme Court set out the standard to be used by courts to determine whether or not a law enforcement officer has used excessive force under the 4th Amendment in effectuating the seizure of a "free citizen."

Although *Graham* was an excessive use of force claim, the reasoning of the Supreme Court and the premises upon which its ruling relied, are relevant in evaluations.

In *Graham* the Supreme Court identified some of the factors which are to be considered in an excessive force case, stating:

> "… [The] proper application [of the 4th Amendment's 'reasonableness' test] requires careful attention to the facts and circumstances of each particular case, including the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the officers or others, and whether he is actively resisting arrest or attempting to evade arrest by flight. … (… [T]he question is 'whether the totality of the circumstances justifie[s] a particular sort of … seizure'.)" *Graham*, 490 U.S. at page 396.
>
> "The 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, *rather than with the 20/20 vision of hindsight*. …." *Graham* 490 U.S. at page 396. (Italics and underlining added.)
>
> "With respect to a claim of excessive force, the same standard of reasonableness *at the moment* applies: 'Not every push or shove, even if it may later seem unnecessary in the peace of judge's chambers,' … violates the Fourth Amendment. …" *Graham* 490 U.S. at page 396. (Italics and underlining added.)
>
> "The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments – in circumstances that are tense, uncertain, and rapidly evolving – about the amount of force that is necessary in a particular situation." *Graham* 490 U.S. at page 396, 397. (Citation omitted.)

In *Bell v. Irwin* 321 F. 3d 637, 640 (7th Cir. 2003) the 7th Circuit had this to say about the legal standard for judging officers' conduct:

> "Under the Constitution, the right question is how things appeared to objectively reasonable officers at the time of the events, *not* how they appear in the courtroom to a cross-section of the civilian community." (Citation omitted; italics in the original.)

Therefore the actions of particular law enforcements officers need to be judged from the legal standard of an "objectively reasonable officer at the time of the events."

Other courts have added their comments about not using 20/20 hindsight to judge officers' actions.[239]

F. THE NECESSITY FOR RATIONAL INFERENCES

Law enforcement officers in the United States are trained in legal and constitutional matters in accordance with what this author calls the "principles of democratic policing." In other words, there are legal and constitutional rules and requirements which law enforcement officers must follow to do things properly and legally.

One of these rules is that an officer must establish some level of objective justification for the officer's actions. This requires utilizing permissible "inferences." In essence, a permissible "inference" is a conclusion based logically from facts.[240] Officers are legitimately trained, and legally required, to justify their actions – not on speculation and hunches – but rather upon rational inferences from the facts available to those officers at the moment they act.

---

[239]See, for example, *Jiron v. City of Lakewood* 392 F. 3d 410 (10th Cir. 2004): "Perhaps the situation might have been more peacefully resolved had Officer Halpin waited for backup to arrive. We cannot answer that question, nor is this kind of retrospective inquiry relevant. We evaluate the officer's reasonableness from the on-scene perspective, not with the advantage of 20/20 hindsight."; *Saucier v. Katz* 533 U.S. 194, 121 S. Ct. 2151, 150 L. Ed. 2d 272 (2001): "Excessive force claims, like most other Fourth Amendment issues, are evaluated for objective reasonableness based upon the information the officers had when the conduct occurred."; *Plakas v. Drinski* 19 F. 3d 1143 (7th Cir. 1994): This case involved a lawsuit brought by the estate of a person who had been shot by the police. The trial court dismissed the lawsuit and the estate appealed. In affirming the dismissal, the 7th Circuit commented as follows concerning the concept of "hindsight" and "other alternatives:" "We do not return to the prior segments of the event and, in light of hindsight, reconsider whether the prior police decisions were correct. Reconsideration will nearly always reveal that something different could have been done if the officer knew the future before it occurred. This is what we mean when we say we refuse to second-guess the officer." *Plakas* 19 F. 3d at 1150.

[240] See, for example, the definition of "inference" - Black's Law Dictionary, 7th Edition, Bryan A. Garner, Editor in Chief, West Group, St. Paul Minn. 1999 at page 781; see also definition of "infer" – Merriam-Webster's Collegiate Dictionary, 11th Edition, Merriam-Webster, Springfield, Massachusetts, 2004, at page 639.

For example, law enforcement officers are constitutionally required to have "probable cause" before they can arrest someone. The facts establishing probable cause are "to be viewed from the standpoint of a reasonable police officer." *Maryland v. Pringle* 540 U.S. 366, 124 S. Ct. 795, 157 L. Ed. 2d 769 (2003). In *Pringle* the United States Supreme Court defined probable cause as follows:

> "On many occasions, we have reiterated that the probable-cause standard is a 'practical, nontechnical conception' that deals with 'the factual and practical considerations of everyday life on which reasonable and prudent men, not legal technicians act.' … '[P]robable cause is a fluid concept – turning on the assessment of probabilities in particular factual contexts – not readily, or even usefully, reduced to a neat set of legal rules.'"
>
> "The probable-cause standard is incapable of precise definition or qualification into percentages because it deals with probabilities and depends on the totality of the circumstances. … We have stated, however, that '[t]he substance of all the definitions of probable cause is a reasonable ground for belief of guilt' … and that the belief of guilt must be particularized with respect to the person to be searched or seized."
>
> "To determine whether an officer had probable cause to arrest an individual, we examine the events leading up to the arrest, and then decide 'whether these historical facts, viewed from the standpoint of an objectively reasonable police officer, amount to' probable cause …."

As another example, law enforcement officers also are constitutionally required to have "reasonable suspicion" before they can make a *Terry* stop of an individual. Officers must be prepared to point out "… specific and articulable facts which, taken together with rational inferences from those facts, …" justify their actions. *Terry v. Ohio* 392 U.S. 1, 88 S. Ct. 1868, 20 L. Ed. 2d 889 (1968). Officers cannot legally or reasonably rely on speculation or remote possibilities. Rather, the courts give due weight in determining reasonable suspicion not on an officer's " … inchoate and unparticularized suspicion or 'hunch,' but to the specific reasonable inferences which he is entitled to draw from the facts in light of his experience." *Terry v. Ohio* 392 U.S. 1, 88 S. Ct. 1868, 20 L. Ed. 2d 889 (1968).

G. FAILURE TO TRAIN CLAIMS

Failure to train, or inadequacy of a training program, is a claim leveled against the municipality and the legal standard which a plaintiff must meet is "deliberate indifference." *City of Canton Ohio v. Geraldine Harris* 489 U.S. 378, 109 S. Ct. 1197, 103 L.Ed. 2d 412 (1989). In *Harris* the Supreme Court ruled that in certain circumstances a municipality can be held liable for failing to train its officers, stating:

> "We hold today that the inadequacy of police training may serve as the basis for §1983 liability only where the failure to train amounts to deliberate indifference to the rights of persons with whom the police come into contact." (Footnote omitted.)
> "… '[M]unicipal liability under §1983 attaches where – and only where – a deliberate choice to follow a course of action is made from among various alternatives' by city policymakers. … Only where a failure to train reflects a 'deliberate' or 'conscious' choice by a municipality – a 'policy' as defined by our prior cases – can a city be liable for such a failure under §1983."
> …
> "Only where a municipality's failure to train its employees in a relevant respect evidences a 'deliberate indifference' to the rights of its inhabitants can such a shortcoming be properly thought of as a city 'policy or custom' that is actionable under §1983." *Harris* 489 US at pages 388-389.

The Supreme Court has indicated that the "deliberate indifference" standard is a difficult standard to meet.[241]

The Supreme Court pointed out additional focuses in evaluating a deliberate indifference in training claim:

1. "… focus … on the adequacy of the training program in relation to the tasks the particular officers must perform." …

and

2. "… the identified deficiency in a city's training program must be closely related to the ultimate injury."[242]

---

[241] In evaluating a training claim, the Supreme Court noted in *Harris* 489 US at pages 390-391:

"That a particular officer may be unsatisfactorily trained will not alone suffice to fasten liability on the city, for the officer's shortcomings may have resulted from factors other than a faulty training program. … It may be, for example, that an otherwise sound program has occasionally been negligently administered."

"Neither will it suffice to prove that an injury or accident could have been avoided if an officer had had better or more training, sufficient to equip him to avoid the particular injury-causing conduct. Such a claim could be made about almost any encounter resulting in injury, yet not condemn the adequacy of the program to enable officers to respond properly to the usual and recurring situations with which they must deal."

"And plainly, adequately trained officers occasionally make mistakes; the fact that they do says little about the training program or the legal basis for holding the city liable. Moreover, for liability to attach in this circumstance the identified deficiency in a city's training program must be closely related to the ultimate injury."

[242] *Harris* 489 US at pages 390-391.

Although the deliberate indifference standard is very difficult for a plaintiff to meet, there have been instances where municipalities have been liable for failing to train or for inadequately training its officers.[243]

H. DUTY TO PROTECT ARGUMENTS

As are most claims against law enforcement agencies and officers, "active shooter" litigation is fact specific. "Active shooter" litigation involves complicated and difficult issues. Often overshadowed is that officers who are caught in an active shooter situation are also victims of an active shooter. They put their lives on the line yet we do not even know their names or recognize their faces.

On the federal level, there have been attempts to hold officers accountable for the acts of an active shooter by claiming that the officers had a "duty to protect" under the due process clause of the 14th Amendment. However, the courts have basically rejected that argument holding that as a general rule law enforcement officers have no constitutional duty to protect people from harm caused by a private, third-person's actions. *DeShaney v. Winnebago County Department of Social Services* 489 US 189, 109 S Ct 998, 103 L Ed 2d 249 (1989).[244]

In *DeShaney*, the Supreme Court rejected plaintiffs' 14th Amendment Due Process "duty to protect" claim and affirmed the dismissal of the case. The Court explained:

> "But nothing in the language of the Due Process Clause itself requires the State to protect the life, liberty, and property of its citizens against invasion by private actors. The Clause is phrased as a limitation on the State's power to act, not as a guarantee of certain minimal levels of safety and security. It forbids the State itself to deprive individuals of life, liberty, or property without 'due process of law,' but its language cannot fairly be extended to impose an affirmative obligation on the State to ensure that those interests do not come to harm through other means." *DeShaney* 489 at 495.
>
> " … Its [the Due Process Clause] purpose was to protect the people from the State, not to ensure that the State protected them from each other. …." *DeShaney* 489 at 196.

---

[243] See, for example, *Zuchel v. City & County of Denver, Colo.* 997 F. 2d 730 (10th Cir. 1993).

[244] In the *DeShaney* case, a divorced father severely beat his 4-year old son causing severe and permanent brain damage. The boy and his natural mother sued the County and certain employees of the Department of Social Services (DSS) for failing to protect the boy from the father's abuse. The facts revealed that there had been previous complaints of child abuse to DSS and that DSS had at one time removed the child from the father's home but later returned him to the father after which the DSS still received complaints of child abuse. The boy and his mother claimed that the state (County) and its agents and its DSS agency had violated the boy's 14th Amendment rights by failing to protect the child from the violence of his father. *DeShaney* 489 US at 193.

> "… As a general matter, then, we conclude that a State's failure to protect an individual against private violence simply does not constitute a violation of the Due Process Clause." *DeShaney* 489 at 196, 197.

However, from certain language found in the *DeShaney* case, the federal courts have carved out two exceptions which are known as the "special relationship" doctrine and the "state created danger" doctrine.

These doctrines will be briefly discussed in the following sections.

I. THE SPECIAL RELATIONSHIP DOCTRINE

In *DeShaney* the Supreme Court did recognize that: "… in certain limited circumstances the Constitution imposes upon the State affirmative duties of care and protection with respect to particular individuals."[245]

One of these "limited circumstances" is the "special relationship" doctrine. In explaining this doctrine the Court stated:

> "In the substantive due process analysis, it is the State's affirmative act of restraining the individual's freedom to act on his own behalf – through incarceration, institutionalization, or *other similar restraint of personal liberty* – which is the 'deprivation of liberty' triggering the protections of the Due Process Clause, not its failure to act to protect his liberty interests against harms inflicted by other means."[246]

The Supreme Court noted that "… [t]he affirmative duty to protect arises not from the State's knowledge of the individual's predicament … but from the limitation it has imposed on his freedom to act on his own behalf."[247]

Therefore a special relationship would exist based upon the state's arresting, imprisoning, involuntarily institutionalizing, or otherwise placing a person in some type of custodial situation.[248] In such an event, the state places limitations upon such person's "freedom to act on his own behalf."[249]

---

[245] *DeShaney* 489 US at 198.

[246] *DeShaney* 489 US at 200. (Italics added.)

[247] *DeShaney* 489 US at 200.

[248] See, for example, *City of Revere v. Massachusetts General Hospital* 463 US 239, 103 S Ct 2979, 77 L Ed 2d 605 (1983); *Youngberg v. Romero* 457 US 307, 102 S Ct 2452, 73 L Ed 2d 28 (1982); *Waybright v. Frederick County, Maryland* 528 F 3d 199 (4th Cir. 2008);

[249] *DeShaney* 489 US at 200.

The troublesome issue which courts have struggled with is the language from the *DeShaney* Court - "other similar restraint of personal liberty" – and what constitutes such restraint.

J. STATE-CREATED DANGER DOCTRINE

The second exception to the general rule that there is no duty to protect is the "state-created danger" theory (from which has developed an ancillary theory referred to as the "state-enhanced danger" theory). For purposes of this article, this doctrine will be referred to as the "state created danger" theory.

This theory has developed in the federal courts from the following comments of the *DeShaney* Court:

> "While the State may have been aware of the dangers that Joshua faced in the free world, *it played no part in their creation, nor did it do anything to render him any more vulnerable to them.* That the State once took temporary custody of Joshua does not alter the analysis, for when it returned him to his father's custody, it placed him in no worse position than that in which he would have been had it not acted at all; the State does not become the permanent guarantor of an individual's safety by having once offered him shelter. Under these circumstances, the State had no constitutional duty to protect Joshua."[250] *DeShaney* 489 at 204. (Italics added.)

The "stated created danger" theory has been recognized by numerous federal courts.[251]

In *King v. East St. Louis School District 189,* 496 F 3d 812 (7th Cir. 2007), the 7th Circuit recognized three requirements for establishing a "state created danger" cause of action:

1. "… in order for the Due Process Clause to impose upon a state the duty to protect its citizens, the state, by its affirmative acts, must create or increase a danger faced by an individual."[252]

---

[250] *DeShaney* 489 US at 204. (Italics added.)

[251] See, for example, *Monfils v. Taylor* 165 F 3d 511 (7th Cir. 1998); *Pena v. DePrisco* 432 F 3d 98 (2nd Cir. 2005); *Lombardi v. Whitman* 485 F 3d 73 (2nd Cir. 2007); *Bright v. Westmoreland County* 443 F 3d 276 (3rd Cir. 2006); *Uhlrig v. Harder* 64 F 3d 567 (10th Cir. 1995).

[252] *King v. East St. Louis School District 189,* 496 F 3d 812 at pages 817, 818.

2. "… the failure on the part of the state to protect an individual from such a danger must be the proximate cause of the injury to the individual."[253]

3. "… because the right to protection against state-created dangers is derived from the substantive component of the Due Process Clause, the state's failure to protect the individual must shock the conscience."[254]

In doing so, the 7th Circuit recognized that although there are variations among the different federal circuits as to the number of elements needed to establish a claim of a state created danger claim[255], it

> "… did not believe that these variations reflect fundamental differences. Each of the various approaches limits liability under the state-created danger doctrine to conduct that violates an individual's substantive due process rights because it is arbitrary in the constitutional sense, i.e. shocks the conscience. We believe that the multi-part tests employed by the various circuits simply reflect an effort to guide the necessarily fact-bound inquiry into whether official conduct shocks the conscience. See *County of Sacramento v. Lewis* 523 US 833, 118 S Ct 1708, 140 L Ed 2d 1043 (1998) …."[256]

Regardless of the number of requirements for establishing a "state created danger" cause of action, it is necessary that all of those requirements be met.

Furthermore, the bottom line is that in the end the plaintiff must also meet "shock the conscience" standard.

In this regard, there are two basic time-line components: one is when there is an emergency and there is the need to act … and the other is when there is time for reflection or as it is sometimes referred to as an opportunity to deliberate.[257]

When dealing with an emergency situation, there is considerable deference which the courts give to law enforcement in dealing with that emergency.

When dealing with a situation in which there is time to reflect and deliberate – the courts have a tendency to impose a more strict standard on law enforcement.

---

[253] *King v. East St. Louis School District 189,* 496 F 3d 812 at pages 817, 818.

[254] *King v. East St. Louis School District 189,* 496 F 3d 812 at pages 817, 818.

[255] Such as a 4-part test; a 3-part test; a 5-part test; and a 6-part test: See *King v. East St. Louis School District 189,* 496 F 3d 812 at page 818, footnote 3 and cases cited therein.

[256] *King v. East St. Louis School District 189,* 496 F 3d 812 at page 818, footnote 3.

[257] *County of Sacramento v. Lewis* 523 US 833, 853, 118 S Ct 1708, 140 L Ed 2d 1043 (1998)

This concept of "emergency response" verses "time for deliberation" stems from the United States Supreme Court's decision in *County of Sacramento v. Lewis* 523 US 833, 118 S Ct 1708, 140 L Ed 2d 1043 (1998). In *Lewis* the Supreme Court distinguished between:

> "… decisions necessarily made in haste, under pressure, and frequently without the luxury of a second chance … [P]olice officers are often forced to make split-second judgments – in circumstances which are tense, uncertain, and rapidly evolving …"
>
> and those situations where officials have the
>
> "…luxury… to make unhurried judgments, upon the chance for repeated reflection, largely uncomplicated by the pulls of competing obligations. When such extended opportunities to do better are teamed with protracted failure even to care, indifference is truly shocking. But when unforeseen circumstances demand an officer's instant judgment, even precipitate recklessness fails to inch close enough to harmful purpose to spark the shock that implicates 'the large concerns of the governors and the governed.' "[258]

Therefore, when evaluating the actions, for example of law enforcement officers, under the concept of shock the conscience, it is important to look at a time line and determine whether or not the officers acted in an emergency situation or whether they had time for "unhurried judgments" and "repeated reflection."

K. ACTIVE SHOOTER CASE EXAMPLE: COLUMBINE

The tragedy at Columbine High School on April 20, 1999, from a legal standpoint, gives some guidance on the lawsuits and claims which may follow this type of catastrophe. Several lawsuits were filed but were ultimately dismissed based on some of the different legal standards outlined above.[259]

However, in *Sanders v. Board of County Commissioners of County of Jefferson, Colorado* 192 F Supp 2d 1094 (D. Colo. 2001), the trial court refused to dismiss the claims against law enforcement command officers in that case. In denying the defendants' motion to dismiss the claims of Angela Sanders, the personal representative of teacher William Sanders killed in the attack, the trial court ruled that the plaintiff had sufficiently alleged "special relationship" and "stated-created/enhanced danger" theories of liability.

---

[258] *County of Sacramento v. Lewis* 523 US 833, 853, 118 S Ct 1708, 140 L Ed 2d 1043 (1998)

[259] See, for example, *Castaldo v. Stone* 192 F Supp 2d 1124 (D. Colo. 2001); *Ireland v. Jefferson County Sheriff's Department* 193 F. Supp. 2d 1201 (D. Colo. 2002); *Rohrbough v. Stone* 189 F. Supp. 2d 1088 (D. Colo. 2002); *Rohrbough v. Stone* 189 F. Supp. 2d 1144 (D. Colo. 2002); *Ruegsegger v. Jefferson County Board of Commissioners* 197 F. Supp. 2d 1247 (D. Colo. 2001); *Schnurr v. Board of County Commissioners of Jefferson County* 189 F. Supp. 2d 1105 (D. Colo. 2001); *Schnurr v. Board of County Commissioners of Jefferson County* not reported in F. Supp. 2d (D. Colo. 2001).

In *Sanders* the trial court denied the defendants' motions to dismiss finding that there were sufficient factual allegations to establish a due process violation under the "special relationship" doctrine. The court stated:

> "… [T]he affirmative duty to protect arises not from the State's knowledge of the individual's predicament, but from the limitation which it has imposed on his freedom to act on his own behalf."[260]
>
> "… if the state restrains an individual's liberty, the state may thereby enter into a 'special relationship' during such restraint to protect that individual from violent acts inflicted by others."[261]

The trial court concluded that there was a special relationship in this case:

> "Plaintiff's Complaint contains a wealth of factual allegations setting forth the Command Defendants' conduct resulting in the prolonged involuntary confinement of Dave Sanders and his companions to Science Room 3 …"[262]

The court determined that it could consider allegations of *false* promises of aid in conjunction with other facts alleged by the plaintiff in making its ruling.[263] The court concluded that:

---

[260] Sanders v. Board of County Commissioners of County of Jefferson, Colorado 192 F Supp 2d 1094, 1118 (D. Colo. 2001 (citing *DeShaney*).

[261] Sanders v. Board of County Commissioners of County of Jefferson, Colorado 192 F Supp 2d 1094, 1118 (D. Colo. 2001 (citing *DeShaney*).

[262] Sanders v. Board of County Commissioners of County of Jefferson, Colorado 192 F Supp 2d 1094, 1118 (D. Colo. 2001.

[263] Sanders v. Board of County Commissioners of County of Jefferson, Colorado 192 F Supp 2d 1094 (D. Colo. 2001. The plaintiff's allegations leading to the conclusion of involuntary confinement in Science Room 3 included the following:

"According to Plaintiff, from approximately 11:45 a.m. on, the Command Defendants, through dispatchers, were in telephone contact with the occupants of Science Room 3. … The Command Defendants directed dispatchers to: 1) assure the Science Room 3 callers that help was 'on the way' and would arrive 'in about ten minutes' (or words to that effect); 2) continue to provide such assurances until directed otherwise; and 3) order all Science Room 3 occupants not to leave Science Room 3 under any circumstances to seek aid or rescue for Mr. Sanders. … As a direct result of those assurances, for hours, the students and teachers in Science Room 3 forewent personal efforts to attempt to evacuate Dave Sanders to safety or obtain medical aid for him. … The Command Defendants knew until at least 3:00 p.m. such assurances were false because they had issued orders affirmatively prohibiting the assembled rescue personnel and SWAT/police officers from entering Columbine High School to rescue Dave Sanders. …"

"As hours passed and Mr. Sanders' condition deteriorated, the Science Room 3 students and teachers informed a police dispatcher by cell phone at about 2:00 p.m. that they were going to throw chairs through the exterior windows to get help for Mr. Sanders. … In response, the Command Defendants, through the dispatcher, threatened that breaking the Science Room 3 windows would draw the attackers attention to their location, despite their knowledge that Harris and Klebold had committed suicide at approximately 12:30 p.m. … Once again, the persons in Science Room 3 changed their plans based on the Command Defendants' orders."

> "… it was reasonable to infer that from approximately 12:30 p.m. to 4:00 p.m., the Command Defendants acted affirmatively to restrain the freedom of the occupants of Science Room 3, including Dave Sanders, to act on their own behalf. Thus, … the Command Defendants entered into a special relationship with Dave Sanders during that time giving rise to a constitutional duty to protect and provide care."[264]

The trial court noted that it had to distinguish "between emergency action and actions taken after opportunity for reflection …" and it had to "… give great deference to the decisions that necessarily occur in emergency situations."[265]

As with its analysis concerning the special relationship doctrine, the trial court in *Sanders* again focused on 2 different time periods:

The first time period was the time between 11:00 a.m. and 12:30 p.m. (when Harris and Klebold committed suicide – and the police became aware of that). The court concluded that this first period of time was in essence an emergency, similar to a riot in a prison, necessitating "split-second judgments - in circumstances that are tense, uncertain, and rapidly evolving." Therefore "… the competing interests of public and officer safety outweighed the rescue needs of the students and staff inside Columbine High School, including Dave Sanders."[266]

The second period of time was between 12:30 p.m. and 4:00 p.m. As to this time period the court concluded otherwise, stating:

> "In this case, the pertinent time frame falls between approximately 12:30 p.m. when the Command Defendants learned that Harris and Klebold were dead and 4:00 p.m. when a SWAT team finally reached Dave Sanders in Science Room 3. Pursuant to Plaintiff's allegations, during that time, the Command Defendants knew Dave Sanders' exact location and the nature of his wounds. Yet they took repeated affirmative actions to block access to or rescue of Dave Sanders by private citizens or other state actors not withstanding his readily-accessible

---

"In a third attempt to seek aid for Dave Sanders, a teacher left Science Room 3 between 2:30 and 3:00 p.m. but was physically forced back into the school building by a SWAT team member acting under orders of the Command Defendants. …" See *Sanders* 192 F Supp 2d at page 117.

The court also noted that the wounds suffered by Mr. Sanders were survivable wounds had medical aid been provided on a timely basis.

[264] *Sanders v. Board of County Commissioners of County of Jefferson, Colorado* 192 F Supp 2d 1094, 1119 (D. Colo. 2001

[265] *Sanders v. Board of County Commissioners of County of Jefferson, Colorado* 192 F Supp 2d 1094, 1114 (D. Colo. 2001

[266] *Sanders v. Board of County Commissioners of County of Jefferson, Colorado* 192 F Supp 2d 1094, 1114 (D. Colo. 2001

> location. Under the factual allegations of Plaintiff's complaint I cannot say precisely at what moment between 12:30 p.m. and 4:00 p.m., the circumstances facing the Command Defendants changed. I do conclude that at some point during the afternoon, the Command Defendants gained the time to reflect and deliberate on their decisions. At that point, the Command Defendants demonstrated a deliberate indifference towards Dave Sanders' plight shocking to the conscience of this federal court."[267]

Therefore, objective evaluation requires distinguishing between emergency situations and those situations in which there is adequate time for reflective deliberation. In the *Sanders* case, the trial court clearly distinguished between the first time period (when the officers were confronted with an emergency in locating and neutralizing the active shooter(s) and confirming that the same were neutralized) and the second time period (when the officers knew that the active shooters were deceased yet still continued on their clearing actions as though it were a hostage situation).

L. VIRGINIA TECH

With the above comments and concepts in mind, a review was made by this author.

Certain training records were provided to this author. Those records included: training requests, training information (such as instructors names, dates and location of training, and similar information), copies of power point presentations, attendance information, lesson plan cover sheets, outlines/lesson plans, and memoranda. In addition, the resume of one of the active shooter training instructors was also reviewed.

Moreover, this author had the opportunity to be present at Virginia Tech for certain aspects of the Archangel investigation and to meet with certain representatives of the Virginia Tech and Blacksburg Police Departments as well as with the team leaders of the response teams which actually responded to and entered Norris Hall. Those team leaders were Lieutenant Curtis L. Cook (Virginia Tech Police Department) and Sergeant Anthony Wilson (Blacksburg Police Department). In addition several telephonic interviews were also conducted by this author of Lieutenant Cook.

In addition, other material and documents were reviewed, such as the "Report of the Review Panel" presented to Governor Kaine, Commonwealth of Virginia. It should be noted that Lieutenant Cook was not interviewed by the Governor's Panel.

---

[267] *Sanders v. Board of County Commissioners of County of Jefferson, Colorado* 192 F Supp 2d 1094, 1115 (D. Colo. 2001

The training records and the discussions with the team leaders confirm that "active shooter"[268] training was undertaken by the Virginia Tech Police Department and the Blacksburg Police Department. In addition, these two departments also trained from time to time with the Christiansburg Police Department.

In addition, the training records provided confirm that the officers were trained in active shooter response and this type of training is recorded as early as 2001 - 6 years before the events of April 16, 2007. Furthermore, the Virginia Tech and Blacksburg Police Departments trained on 2 separate occasions within the 12 months preceding Cho's rampage. The training included classroom as well as scenario based training concerning active shooter response and is consistent with acceptable active shooter training. Furthermore, the available training records reflect that actual, practical scenario training was given, not just qualification with a firearm.

The Governor's "Report" makes no claim and makes no key finding concerning a lack of training or inadequacy in training. In fact, the Governor's "Report" commented quite to the contrary stating:

> "The VTPD [Virginia Tech Police Department] and BPD [Blacksburg Police Department] were *well trained* and had conducted practical exercises together. They had undergone active shooter training to prepare for the possibility of a multiple victim shooter." Governor's "Report" at page 18. (Italics added.)

Additionally, the Governor's "Report of the Review Panel" made other complementary comments about the Virginia Tech and Blacksburg Police Departments' training:

> "They [the Virginia Tech and Blacksburg Police Departments] frequently train together, and had trained for an active shooter situation in a campus building before the incident. As will be seen, this preparation was *critical*." Governor's "Report" at page 11. (Italics added.)
>
> "Training together, working cases together, and knowing each other on a first-name basis can be critical when an emergency occurs and a highly coordinated effort is needed." Governor's "Report" at pages 12, 13.
>
> "The police were following standard procedure to surround the building in case the shooter or shooters emerged firing or trying to escape." Governor's "Report" at page 95.[269]

---

[268] "Active shooter" training is also known from time to time as "Immediate Action – Rapid Deployment to Critical Incidents."

[269] This example of "following … standard police procedure" is also a reflection of the training which the Virginia Tech and Blacksburg Police officers received.

"The two police forces trusted each other, had trained together, and did not have to take time sorting out who would go from which organization in which car." Governor's "Report" at page 94.

Review has uncovered no objective evidence from which a deficiency in training could, in this author's opinion, be inferred - nor is there any evidence of causation as required by case law. In this author's opinion, there appears to be no objective, reasonable basis to conclude that there is any viable "failure to train" issue present concerning the Virginia Tech and Blacksburg Police Departments. Those two departments were adequately trained.

Furthermore, review has uncovered no objective evidence whatsoever from which, in this author's opinion, either a special relationship or a state created danger claim could be inferred. In this author's opinion, there appears to be no objective, reasonable basis to conclude that there is any viable "special relationship" or "state created danger" issue present concerning the Virginia Tech and Blacksburg Police Departments.

Moreover, it should also be noted that a review reveals that the police were actively investigating leads to the West Ambler-Johnston murders. As noted above, law enforcement officers must rely upon specific and articulable facts when conducting investigations.

According to the time line in the Governor's "Report" Cho shot Emily Hilscher at about 7:15 a.m.; approximately 5 minutes later (at 7:20 a.m.) a caller on an administrative line of the Virginia Tech Police Department advises that a student possibly has fallen from her loft bed in room 4040 at WAJ; VTPD officer arrives at 7:24 a.m. and discovers two shooting victims.[270] From 7:42 a.m. (discovery of two shootings victims) until about 9:41 a.m. (when a BPD dispatcher receives a call regarding the shooting in Norris Hall)[271] the investigation continued into the double murder at WAJ. This continuing investigation included the vehicle stop of the boyfriend and the gunpowder residue field testing of the boyfriend at the time period of 9:31 – 9:48 a.m.[272]

The police were also in the process of seeking a search warrant for the boyfriend's place of residence.

---

[270] Governor's "Report" at page 25

[271] Governor's "Report" at page 27.

The Governor's "Report" indicated that the panel "estimates that the shooting [in Norris Hall] began at this time [namely, 9:40 a.m.] based on the time it took for the students and faculty in the room next door to recognize that the sounds being heard were gunshots, and then make the call to 9-1-1." Governor's "Report" at page 27, footnote 1.

[272] Governor's "Report" at page 26

As the Governor's "Report" noted:

"The police had no evidence other than shell casings in the room, the footprints, and the victims. The VTPD police chief said that this murder might have taken a long time to solve, if ever, for lack of evidence and witnesses."[273]

Based upon the facts which the officers were developing at the time - [for example, and as more fully described in the Governor's "Report", the police were securing the crime scene, they were interviewing witnesses, they had information that Emily Hilscher had a boyfriend; that she had been visiting that boyfriend; he was the last known person to see her before the shooting; he owned a gun; he had been practicing with the gun at a target range; Emily Hilscher was found shot in her room; another male (not the boyfriend) was also found shot in her room] - it was a logical and professional inference to initially focus the investigation on the designated "person of interest" - namely the boyfriend of Emily Hilscher. This focus could also be used to eliminate the boyfriend as a suspect – which eventually happened – so that officers could focus elsewhere with their investigation.

However, Cho began shooting at "about 9:40 a.m."[274]

Within 3 minutes of VTPD receiving the shots fired 9-1-1 call, officers arrive at Norris Hall (9:45 a.m.)[275] and, as the Governor's "Report" noted: "By professional standards, this was an extra-ordinarily fast police response."[276]

At 9:51 a.m. Cho shoots himself in the head just as police reach the second floor.[277] That was the last shot heard by the police. At 10:08 a.m. Cho is found[278] and Lieutenant Cook is the officer who transmitted on radio "shooter down."

Reflecting upon the concept of "emergency response" verses "time for reflective deliberation" (as indicated in the United States Supreme Court's decision in *County of Sacramento v. Lewis* 523 US 833, 118 S Ct 1708, 140 L Ed 2d 1043 (1998), it would seem a reasonable conclusion that the officers and departments involved in the incident at Virginia Tech were being "forced to make split-second judgments – in circumstances

---

[273] Governor's "Report" at page 79

[274] The Governor's "Report" indicated that the panel "estimates that the shooting [in Norris Hall] began at this time [namely, 9:40 a.m.] based on the time it took for the students and faculty in the room next door to recognize that the sounds being heard were gunshots, and then make the call to 9-1-1." Governor's "Report" at page 27, footnote 1.

[275] Governor's "Report" at page 27

[276] Governor's "Report" at page 94

[277] Governor's "Report" at page 28

[278] Governor's "Report" at page 28

which [were] tense, uncertain and rapidly evolving." In this author's opinion, the officers' actions were commendable.

In fact, the Governor's "Report" also noted:

"The close relationship of the Virginia Tech Police Department and Blacksburg Police Department and their frequent joint training saved critical minutes. They had trained together for an active shooter incident in university buildings. There is little question their actions *saved lives*." Governor's "Report" at page 99. (Italics added.)

Accordingly, it is this author's opinion that the Virginia Tech and the Blacksburg Police Departments and their officers acted reasonably in their actions and response on April 16, 2007 and that there appears to be no objective, reasonable basis to conclude that there is any viable substantive due process (special relationship or state created danger) issue present concerning the Virginia Tech and Blacksburg Police Departments and their officers.

X. EFFICACY OF LAW ENFORCEMENT DECISION-MAKING

In order to properly assess the overall handling of both shooting incidents at VT, a detailed analysis must be made of each critical decision-point throughout the day of the attacks, as well as the preparations of the relevant law enforcement agencies in developing the capability of adequately responding to an extreme tactical threat. The following are the decision points which proved crucial in the police response to the first murders at WAJ, its investigation of those killings, the overall tactical and security response, and the subsequent attack on Norris Hall.

1. *Had the relevant law enforcement agencies obtained adequate training, improved their capability based on prior experience, and developed SOPs sufficient to allow them to adequately respond to a major incident?*

The fact that both departments had worked so closely together, and that both ERTs rarely functioned without the other, created a model of almost complete inter-agency operability. This allowed officers from each department to not only respond with tactics and movement that had been well prepared and synchronized in past callouts, but gave them the confidence to operate quickly and decisively with their counterparts on the other agency.

Legal expert, Mark Baganz, Esq., concludes that both of these departments were adequately trained under federal legal standards.

Moreover, Captain Goodman indicated that the scene at Norris Hall resembled training exercises both departments had run in the past. This is evidence that their training was realistic. In addition, VT students had also participated in mass casualty drills. The active shooter training at the middle school just two months prior, where Thornhill was contacted, was real enough that when officers arrived on scene at Norris Hall they were able to quickly, and competently devise a plan to assault the building and develop an appropriate attack plan once inside. Captain Goodman opined: "This clearly shows that the mindset of all officers needs to be tactical."

It would be difficult to imagine any two agencies – particularly small agencies – that could have been better prepared through training, SOPs, experience and joint-operational capability, than VT and Blacksburg demonstrated on 16 April 2007.

2. *What information did police actually receive, and how well did they respond to that information, with regard to the first call alerting officials to any type of problem at WAJ?*

The first indication of any problem was a generic call alerting VTPD to a possible injury due to accident in room 4040 of WAJ, which was delivered via the department's administrative line. Many departments might not dispatch one of only a very few on-duty police officers to assist the Rescue Squad as a matter of policy. In this instance, the presence of a trained law enforcement officer allowed the VTPD to quickly assess the

situation, make a determination of who should be immediately alerted, begin the callout of the relevant and necessary LE officials and experts, and secure the crime scene and prevent contamination of it forensically.

It is Archangel's assessment that this policy – and its implementation – allowed the VTPD to begin making important and critical decisions, and accelerated its investigation into the first two shootings. This is not only a policy that was prescient in its existence, but any LE expert would be hard-pressed to improve on it.

3. *How quickly did the agencies commit law enforcement resources in response to the first shootings at WAJ, and were those resources sufficient under the circumstances?*

Considering that the first call, reporting a possible accidental injury in WAJ, came into the VTPD at 0720, it is clear that even this report received high priority. The Virginia Tech Rescue Squad (VTRS) and a police officer were dispatched at 0721. Many departments would have assessed this a much lower priority, or not been so quick to respond. A lower prioritization and response by LE – under the circumstances of the call and initial information conveyed - would not have been a failure to meet its duty to the university and its students. At that point, there was no indication of any type of a crime, nor was there any objective, discernible need for LE involvement at all.

Despite this, both VTPD and VTRS arrived at WAJ, and had entered room 4040, within three minutes of receiving the call. Given the size of the campus, distances traveled, lack of any direct route from origin to destination, and the large number of students and employees (in the thousands) walking and driving about at that time of the morning, this is remarkably fast. Another factor in assessing the police response to, both, this first call and later police movement to Norris Hall from WAJ and the BPD HQ when the call was received of shooting at Norris Hall, is the fact that on campus pedestrians have the right of way. Much time spent on the VT campus since this incident has proven that large groups of students consistently walk straight into oncoming traffic without a glance to ensure that cars will stop for them. This makes rapid LE movement across campus all the more dangerous to the very population they are sworn to protect. The speed with which the VTPD officers and VTRS medical personnel accessed room 4040 after arrival at the building, also demonstrates clear concern on the part of both services in not delaying their entry into WAJ and movement toward the reported accident site.

4. *How quickly were the night shifts of the two departments recalled to duty, and was that reasonable and necessary under the circumstances as known at the time?*

All aspects of the police response to the first two shootings at WAJ must be viewed and critiqued in light of a very broad spectrum of similar crimes experienced by the law enforcement community across the nation, which creates the standard of what is ordinary and reasonable behavior.

Many jurisdictions experience many crimes that, by all initial appearances and taken in the totality of the circumstances of the first two shootings at WAJ, would have been

initially concluded to have been a domestic shooting. To criticize the response and handling of this initial crime by the two LE agencies, one would first have to be able to reasonably and effectively argue that any police department that encountered a young woman and young man, both shot in the head in her room – and he in his underwear – just minutes after being dropped off by her boyfriend, should have anticipated that the worst mass murder shooting rampage ever seen at an American school was about to take place. Such a conclusion would be ludicrous.

The overwhelming majority of murders are committed by those individuals who already hold a position in the victim's closest circle of intimates. Those individuals must be examined first. The next, further circle or ring of likely suspects, are those who are not as intimate, but who have a motive for such an attack. Those more distant than that are individuals who have no discernible motive, or certainly no quickly discernible motive, such as for-hire attackers/killers and random murderers. For police to initially commit enormous resources in attempting to examine whether a victim was killed by a for-hire killer (extremely rare) or a random murderer (even rarer), is to waste both resources and time in determining a strong suspect and being able to apprehend that individual.

In accepting these realities that police must face and work with, not only did VTPD act quickly and decisively in summoning tremendous resources, but in few jurisdictions would that magnitude of resources have been activated based on the crime scene and evidence. Many departments – particularly larger, urban metropolitan areas – see this type of crime on a regular basis. Rarely would it engender the massing and commitment of law enforcement resources seen as a result of the shootings of Emily Hilscher and Ryan Clark. Despite the fact that two relatively small departments were responsible for handling the investigation into those shootings and apprehension of a suspect, more police officers were quickly tasked to that effort than would typically have been seen with much larger, metropolitan police departments confronting the identical circumstances.

Thus, the fact that the first officer arrived at 0724 and called out additional resources immediately, with additional officers from VTPD arriving at 0730, is indicative of their proper and rapid response to the crime scene. A mutual aid request was made 21 minutes later (0751), and both BPD officers and some ERT members had arrived by 0815. Both police chiefs were on scene by 0811 (which would be rare in any jurisdiction) and had elected to recall their night shifts that had just gone off duty at 0813, just two minutes later. This unequivocally demonstrates a rapid decision-making paradigm under difficult circumstances and two chiefs of police who immediately elected to err on the side of over-committing police resources, rather than leave anything to chance even if the statistical probabilities of the shooter being a danger to other citizens were extremely remote at the time.

5. *How quickly were the two departments' tactical teams assembled and deployed, and was that reasonable and necessary under the known circumstances?*

Again, one must examine the standard set by LE across the nation. The overwhelming majority of ERT or SWAT teams are reserve or part-time teams, as were the ERTs for both BPD and VTPD. With most departments, this sees an average delay of 30 minutes to 2 hours between SWAT being called out, officers returned to HQ, vehicles, equipment and weapons being readied, teams briefed and transported to the crime site. An anecdotal average seen by the Archangel Team members is 45 minutes to an hour. This reality has seen many departments modifying SOPs, and training patrol officers to take a faster and more tactical role in responding to immediate threat situations. This is based on the recognition that in many instances a criminal attack could be resolved long before SWAT could be mobilized if patrol is properly trained. Active shooter training, since the Columbine attack on 20 April 1999, is an example of this modification in police response training and SOPs.

With that in mind, the quick decision to mobilize both departments' ERTs early on in the investigation, not only met the highest standard and duty that could be applied to the LE handling of the WAJ shootings, but could hardly have been accomplished faster.

With BPD Chief Crannis arriving at WAJ by 0811 (less than an hour after the shootings), and elements of both agencies' ERT arriving by 0815, it is clear that she had already decided to commit important resources to the investigation by another department, even before her arrival and personal assessment. This demonstrates confidence in the abilities of each chief's counterpart. Moreover, both full ERT units were mobilized by 0815 and were assembled, organized, tasked and in position by 0915, with the VTPD ERT having been assembled prior to that. While it is possible this could have been accomplished in less time, it was clearly a rapid response and mobilization of substantial forces - virtually all officers from both departments.

6. *How did the commanders of the two agencies decide to deploy and array the tactical teams, and was this sufficient?*

As discussed above, in response to what would be considered – in the totality of circumstances – to have most likely been a domestic double homicide, the rapid arrival of two chiefs of police is significant. The speed with which this decision was made, is indicative of the close working relationship between the two departments and two chiefs. The joint decision to immediately activate substantial police resources could hardly have been made faster, nor could either agency have drawn on more officers.

Even then, other area departments were notified and conscripted into the investigation and anticipated apprehension of a first, primary suspect or person of interest. If any criticism is to be made over their response, both departments likely over-committed their available resources as they exhausted the complete assets of their departments, potentially leaving little available for other possible emergencies demanding LE response.

7. *Was it necessary under the circumstances of the information and evidence possessed by LE at the time to have committed so many resources in terms of police officers to*

arrest a single person? Would this same decision have been made by other departments under the circumstances?

The simple answer to this question, is "no." Most departments throughout the country would not have committed such great assets to the investigation of a double shooting, and the apprehension of a single young male adult college student. This point is best understood when considering what the liability would have been to those departments if a separate and completely unrelated emergency had occurred, and the police response was delayed due to the over-commitment of their assets. Even then, the placement of the police teams was done in such a way as to prevent any delay in LE response should such a second, unrelated incident have occurred. In short, it is very difficult to find any weakness in the manner in which LE was deployed, organized and placed in a very short period of time in the morning of 16 April 2007.

8. *Was there sufficient evidence, up to the questioning of Karl Thornhill, for law enforcement to pursue any other possible suspects? If not, did police meet their duty in solely focusing on that one individual, or did they, in fact, continue to conduct a thorough investigation that might have uncovered other possible suspects?*

To answer this, one must review the information available to police, and gleaned from the investigation into the first shooting at WAJ, with the benefit of the acuity of hindsight. Even with that perfect understanding of events, there is still nothing that would have indicated that the attack would, or likely could, have been perpetrated by anyone other than a close intimate of at least one of the two victims. While most evidence dictated Miss Hilscher's boyfriend as the most likely suspect, the murders could have been committed by a jealous girlfriend of Mr. Clark's, or some other person (likely a student) who committed the murders in a fit of jealousy over some perceived infidelity.

The prioritization of steps in the investigation was without flaw. Though substantial resources were committed to finding Karl Thornhill as a first priority, the departments jointly continued to conduct a complete investigation, including forensic examination of the crime scene, locating and interviewing a multitude of witnesses, and roving patrols of officers throughout the campus. Any one of those efforts could have provided information that would have led police in a different direction in the investigation. In short, the two agencies were "covering all the bases," and did not pursue a single suspect at any time during the short period between arriving at WAJ and the shootings at Norris Hall.

9. *Once contacted, did the police move quickly to eliminate Thornhill as a possible suspect or "person of interest?" Even if they did, should law enforcement have continued to investigate him, or should those resources have been committed elsewhere?*

When Thornhill was first contacted on Prices Fork Road, he was immediately questioned. Police did not waste time in first transporting him to either police HQ before beginning the questioning process. Through that questioning, police began to suspect that Mr. Thornhill might not be the shooter. His willingness to submit to a GSR test went a bit

further to cast doubt on the likelihood of him having committed the first two murders. Nevertheless, police continued in their investigation of him, including the execution of a search warrant of his home that evening, hours after the shootings at Norris Hall had ended. In all, the police followed standard and expected protocols in conducting a complete and thorough investigation into the two shootings that occurred that day, and did not cease these efforts until absolutely certain they had reached final conclusions.

10. *Did LE move at adequate speed to search the campus and ensure Thornhill was not present at VT, and thus not a further threat to the VT community?*

In light of the fact that the VT campus has 16 road entrances, 19.6 miles of roadway and 14,369 parking spaces, the police moved at remarkable speed to, not only, obtain a description and identifying information on Mr. Thornhill's vehicle, but commit enormous resources to searching the entire campus. This included patrolling every mile of road, and inspecting every one of the parking spaces, to be able to provide some assurance to the university that the most likely suspect was no longer on campus.

11. *Did responding law enforcement officers alert VTPD Chief Flinchum in a reasonable period of time under the circumstances of the scene they encountered?*

The first officer was on scene at room 4040, WAJ, at 0724. Additional LE and Rescue assets were requested and on scene between 0726 and 0730. The first priority for all of those responders was saving the lives of the two victims, both shot but still alive. The officers were first focused on rendering first aid, requesting and securing transportation to the hospital, and then reporting the situation, with that information going up through channels to the VTPD chief of police. All of this took place between 0730 and 0740. This constituted a rapid assessment and reaction to the crime scene, prioritization and communication of it as a major criminal event, that was reported to the chief of police in a very short period of time.

12. *Did VTPD alert BPD and request mutual aid in a reasonable period of time? Should they have under the circumstances?*

As discussed above, the mutual aid request made by VTPD to BPD was done very quickly, and possibly much faster than might be the case with many departments across the country. Not only was it quickly made, but given the relative inexperience of VTPD in investigating murder scenes, that decision reflected the professionalism and objectivity of Chief Flinchum and the VTPD command staff.

13. *Assuming it was reasonable and necessary for VTPD to request BPD resources, did VTPD request the appropriate resources from BPD?*

Clearly, with BPD recalling night shift officers who had gone off duty, alerting its ERT, and committing virtually every other officer to this effort in some form, it would have been impossible for VTPD to request more resources, or for BPD to have provided them.

Notwithstanding this, both departments still quickly involved other area departments, including MCSO and VSP.

14. *Upon receiving this request from VTPD, did BPD respond in a reasonable period of time and manner?*

BPD did not delay at all in responding to the request from VTPD. The presence of BPD Chief Crannis at WAJ by 0811, and deployment of substantial BPD assets even prior to that, is evidence of this.

15. *Did both departments commit all resources necessary to the investigation into the WAJ killings under the circumstances?*

Again, with the vast majority of officers from both departments deployed in response to the initial shooting at WAJ, it would have been impossible to commit more.

16. *Did the responding agencies alert and involve VSP and others in a reasonable period of time?*

Other agencies were rapidly notified and their assistance requested to an appropriate degree with all due alacrity. By 0800, VSP, MCSO and other area departments had been conscripted into the effort to locate Mr. Thornhill, and VSP had dispatched an agent to assist in the investigation at WAJ. In fact, it was an MCSO deputy sergeant who located and stopped Mr. Thornhill. At no time did VTPD or BPD hesitate to request assistance or demonstrate any level of territoriality, conflict, or competition with their sister agencies.

17. *Should the two responding departments have seen, identified and detained Cho as he walked across campus between the two attacks?*

During Archangel's investigation into the LE response to the VT shootings, both Capt. Goodman and Sgt. Wilson readily admitted that they could have driven past Cho several times as he walked across campus into the town of Blacksburg and back again to Norris Hall. However, with no single witness having seen, described or identified Cho, he would simply have been just one of more than 20,000 students walking on campus that morning. In fact, with nothing connecting Cho to either Emily Hilscher or Ryan Clark, and no single witness having seen him, if he had not committed the second attack on Norris Hall, it is likely that he would never have been apprehended for the first two murders.

18. *Subsequent to the shootings at WAJ, did LE do a sufficient job of securing that building and establishing a demonstrable presence of police throughout the campus?*

Yes. Not only was WAJ put under lockdown immediately upon the arrival of police (though Cho had long since exited, walked the two to three hundred yards back to Harper Hall and entered it at 0717), but dozens of patrol and ERT officers were teamed up, and

in position securing a tight perimeter around the building. This continued up to and through Cho's attack on Norris Hall.

19. *Upon detaining Thornhill, did police stand down the two ERT units and additional officers from the two departments? Would it have been reasonable to do so?*

Thornhill was the only immediate, likely suspect. It was their search for him and anticipation that he might resist arrest violently that dictated the decision to deploy both ERTs. Once contacted without incident, it would not have been unreasonable for the teams to have been stood down. However, this was not done. Secondarily, as it was appearing less likely that Thornhill was a suspect, and with no other immediate suspect whose arrest was imminent, it would not have been unreasonable for the teams to have been stood down. This was not done, either. The decision by the two chiefs of police and their respective command staffs to maintain the strongest possible police presence, including the visible presence of fully equipped and uniformed SWAT-type officers, in both the town and on campus, is evidence of the highest priority the first two murders were given, and commitment of those individuals to ensure the safety of their citizen populations.

20. *Should the campus have been locked down immediately upon police concluding that the shootings at WAJ constituted a double homicide?*

The desire of schools, the American public, politicians and the news media to believe that there is a single response to any attack that will serve as a panacea - eliminating the need to better prepare, plan and train for future attacks - has almost become an obsession. Those who do not wish to deal with the harsh realities of these horrific attacks want to believe that if police (or in this case the university) would only implement this one reaction immediately, that no one would ever have to worry about being injured or killed.

This smacks of the worst kind of constructive ignorance and vicious and baseless finger-pointing. No one tactic will ever be completely effective against attacks on schools. Lockdown can be - under certain circumstances - an effective *first* reaction. But it is only that: a first or initial response. Moreover, lockdowns are not always possible and can be ineffective depending upon the area under threat, numbers of potential victims, building dynamics, numbers of assailants and their knowledge of the school's response plan.

With the case of VT, the sheer size of the campus, ability for anyone to access it from any point on foot along its approximate 11,088 yard perimeter, almost 20 miles of road and 16 unguarded roadway entrances makes an actual lockdown physically impossible. Even if VT's emergency plan to any violent episode called for immediate lockdown, the students and faculty would all know it. That could easily be integrated into any attacker's plans. That would allow the next person to first commit a diversionary crime, minimally designed to incite the lockdown response. With the attacker already in the actual target-building, his prey would be trapped. If Cho had accomplices, they could have caused far greater devastation in a single building, or split their attacks among a number of

buildings, which would have seen the effective law enforcement response to Norris Hall not only delayed, but diluted.

The tactical reality is that under the circumstances seen at VT on 16 April 2007, the students and teachers on campus would have been far safer if told to leave their buildings and flee into open areas. Thus, locking down might have saved some lives at Norris Hall, but would have likely resulted in at least that same number of lives being taken at another building. It would have been no more difficult, and perhaps easier, for Cho to have followed the attack plan of Klebold and Harris (with whom he was so enamored) and assaulted students in a cafeteria, where he would have had large numbers in a confined space. As well, just walking through any dormitory and attacking individuals in their rooms could well have netted him a greater body count, with no one barricading themselves in their rooms, and no one recognizing that others were being attacked in the hallway. The lack of sufficient sound from the discharge of the first two rounds from Cho's 9mm Glock in Emily Hilscher's room, to alert anyone that shooting was taking place in WAJ, is proof positive of this reality.

21. *Did police do an adequate investigative job of locating and questioning Emily Hilscher's next door neighbor, Molly Donohue?*

From Archangel's investigation, it appears that police were searching for Miss Donohue on campus, at her assigned class, in the cafeteria, calling her cell phone and contacting other associates of hers, all with no success. From Miss Donohue's statements it appears that she was so overwhelmed by the shootings and deaths of Miss Hilscher and Mr. Clark that she couldn't remain in class, and was simply walking around campus in a daze. If she was not answering her phone, was not present in any anticipatable location, and not in contact with friends who knew the police were looking for her, there was little else that could have been done. On a 2,600 acre campus with thousands of students walking about, bundled up on a very cold and windy day, the ability of LE to locate this one young lady, while being so focused on finding a murder suspect and protecting the community, was greatly reduced.

22. *How well were LE forces positioned when the 0942 911 call came in from Norris Hall?*

It would be difficult to imagine how LE forces could have been better situated to respond to any emergency call from VT. In reaching that conclusion, it is relevant that the police had no reason to know, suspect or even anticipate that: (1) suspect Karl Thornhill would actually commit some other violent criminal act; (2) whoever the murderer of Hilscher and Clark actually was, would be a threat to anyone else; (3) any other emergency call to respond to violent crime would occur; (4) any crime would take place in Norris Hall; or (5) any attack would take place on the VT campus again that day.

Despite all of those factors, LE forces were patrolling the town of Blacksburg and its surrounding environs, including all the way out to Radford. All LE departments in a large area had been contacted and alerted. All roads and parking lots on the VT campus

had been swept. Police had been to Thornhill's scheduled class and Radford University, his home and place of employment. Both patrol officers and ERT were teamed up and positioned at the BPD HQ and WAJ, ready to respond on a moment's notice. With this arrangement of available police officers, they were as ready for any emergency as they could have been.

23. *How well and sufficiently did LE move to Norris Hall upon receiving the radio call of shooting taking place at Norris Hall?*

Due to the first shooting having occurred at WAJ, the tactical teams of both VT and Blacksburg PDs were assembled and on-site. Capt. Goodman stated that if the first shooting at WAJ had not taken place the normal complement of officers would have been merely five BPD and four VTPD. In a meeting with Captain Goodman in July 2007, he estimated that if the Norris Hall shooting had been the first, or only, assault of Cho it likely would have taken even more time for VTPD to respond, request the assistance of BPD, and for sufficient officers to have arrived on scene, formed a team and begun to attempt entry into the building.

As it was, within a minute of the radio alert of shooting at Norris Hall, police had raced to vehicles and begun to drive to Norris Hall. Anthony Wilson had to make a 20-plus-yard sprint from the front of WAJ to his car. He had removed his heavy vest while assisting at WAJ, and when he heard the "Shots fired," call at Norris come over VTPD Officer Lucas' radio they quickly ran to the car. By the time he realized he did not have his vest, it was too late to backtrack to get the vest, his M4 or any of his other kit, as their only thought was getting to Norris Hall as quickly as possible. Sgt. Wilson would breach Norris Hall and enter room 211 without any personal protective equipment.

The two most obvious routes to Norris from WAJ were either .7 or 1.0 mile. Lt. Cook and others took the most circuitous route traveling approximately 1.3 miles north up roads to the west of Norris before turning east. This allowed them to come in behind (to the northwest) of the building after a 160-yard sprint, mostly up a hill and external stairs, from the closest position they could exit their vehicles. Officers quickly dispersed and traveled each of the available routes, effectively allowing them to come at Norris from all sides, eliminating any egress from escaping assailants, and allowing them the ability to approach the building from all points, quickly attempting entry from the three public entrances. All of this was accomplished in three minutes, with some officers arriving in less time than that. As stated, this all had to be accomplished on a campus with thousands of students walking about and crossing streets with no effort to monitor traffic for their own safety.

All arriving officers were grouped into three entry teams in seconds. Three teams would attempt to breach four different points (including the use of two shotgun efforts at one door and a third at another), under the sounds of gunfire, while attempting to provide cover for each other while moving outside the building. This would take five minutes, including Sgt. Wilson and Officer Lucas and others initially receiving a report on arrival that the shooter had moved from Norris to Holden Hall, effectively traversing the

breezeway between the two buildings. When this information was communicated, Wilson and Lucas had already begun driving Lucas' car up lawn to the southern doorway facing Drillfield Drive, a 70 yard distance. Halfway up, dispatch relayed 911 reports that the shooter was in the more distant Holden Hall. He and other officers changed direction and continued to drive across grass and concrete sidewalks toward Holden Hall. As they were approaching Holden, the dispatcher related that the earlier report was incorrect, that the shooter was still in Norris, forcing them to retrace their steps back toward Norris Hall; a distance of approximately 120 total yards run by the officers. It was at this point that they also realized they had an untenable tactical position, sitting outside in the open udner the view of all east side windows. At that point they moved quickly to the south side doors. Only at that point did they learn the southern doors were chained, and then moved an additional 77 yards up to the west (central or Burruss) side entryway. Thus, from the time they had arrived, Sgt. Wilson and Officer Lucas had run or driven close to 200 yards before even reaching the west (central/Burruss) doors and joining up with Lt. Cook, who himself had run 160 yards.

After failing to breach the public entrance doors, they moved 11 feet to the left (north) and breached the machine shop doors. From the recorded sound of the breaching round gaining them entry into the machine shop, until they had maneuvered through the shop, out into the hall, back down and around the corner into the stairwell, and had reached the second floor landing at which point Cho shot himself, was a mere 28 second period. It is hard to imagine any police department – and few elite military units – that could have done it better or faster.

24. *Did LE arrive at Norris Hall in a reasonable amount of time?*

Without question, and in fact they managed to organize different approaches and teams in a very short period of time.

25. *Did LE wait an unreasonable amount of time before attempting to enter Norris Hall?*

Contrary to grossly erroneous and arguably malfeasant news media reports, they did not wait at all. One cellphone video clip from a student standing to the northwest of the western (central or Burruss) entryway, appears to show police standing outside the building with handguns drawn and pointed at the building, while gunshots can be heard from inside. The student's statements place the timing of his video prior to Lt. Cook arriving on scene, ultimately coming up from behind the student from the northwest, as the student reports that officers coming from that direction ordered him out of the area. Thus, this seconds-long video depicts officers arriving at the west entrance from Old Turner Street (after running some distance westward on the north side of the building), and stopping momentarily to assess the situation and maneuver toward the doors while possibly under fire. There was never a period where police simply stood outside the building and waited, as had been the problem with the law enforcement response to Columbine eight years before.

26. *Did LE address the fortifications and obstacles encountered upon attempting entry into Norris Hall in a reasonable manner and amount of time? Could entry have been accomplished faster?*

With the benefits of the perfection of hindsight, arriving law enforcement officers could possibly have breached Norris Hall in less time. First, better training on the use of shotgun breaching rounds could have gained them entry into the west doors faster. This might have saved them some time, though less than a minute. Though Cho's rate of discharge was between 3.79 and 4.13 seconds, upon the audible sounds of law enforcement arriving at the building, he had slowed down his gunfire considerably. Still, the ability of law enforcement to quickly breach any building is critical, as every second entry time can be reduced by, may represent a bullet that did not have to go into an innocent victim.

As well, questions have been raised as to why the arriving officers did not drive their vehicles into the doors, gaining them immediate penetration into Norris Hall. Certainly, Archangel Group has been a proponent of this for several years, and has taught PDs and SWAT teams around the country tactics that involve vehicle breaching. However, this is a tactic that is most valuable in either (1) initially, seemingly stable barricade situations, or (2) those situations where intel has been received that doors are fortified. Clearly, there was no time for LE to assess the situation and prepare immediate entry. This is the case in most domestic hostage-taking and barricade scenarios. This opportunity was also seen in the half-year before VT at the Nickel Mines Amish School in Pennsylvania, when Charles Carl Roberts nailed lumber up over the two doors and two windows. But without training in this tactic, it is unrealistic to expect police to implement it.

Under the circumstances of Norris Hall, the police arrived and attempted entry. They had no time to assess the situation as gunfire could be heard. They also had no reason to anticipate that the doors would be secured. Most police cars were at least 100 yards away. No car could have entered the breezeway and maneuvered to breach the eastern doors inside the covered portico. The Drillfield side entrance to the south would have necessitated a car driving up a fairly steep bank, maneuvering around a low wall and up a set of short, but steep steps before making contact with the doors. Just getting back down to Wilson's car parked on Drillfield Drive and returning in it, would have required someone to run at least 140 yards, and then drive back up. This would have taken more time than ultimately needed to breach the machine shop doors. And if a car had been brought up to ram the western (central/Burruss) doors, it would have entered a very tiny, confined space which would have blocked the steps, necessitating it then be withdrawn before officers could gain entry. Here as well, it would likely have taken more time to accomplish this as than the officers needed to breach the machine shop doors.

Should this experience alert departments across the country to develop superior breaching tactics that guarantee entry in seconds upon responding to an active shooter, or even seemingly stable barricade situation? The answer is: Absolutely. Between the recent experiences at Nickel Mines, Pennsylvania and Virginia Tech, alone, it is clear that these techniques must be developed and included in response protocols. Did the police

responding to Norris Hall fail to perform adequately in the face of the unanticipated and unanticipatable fortifications they confronted? Absolutely not. The officers that first reached Norris Hall confronted simple, but effective, fortifications. They moved quickly to devise a series of methods to neutralize those fortifications and enter the building to eliminate the threat to innocent victims. They did not hesitate, but moved at the greatest possible speed. Breaching windows on the ground floor would not have been the most efficacious approach, as they were very small-paned glass sections, each held in place by thick metal bands. Clearly, these officers reacted to the obstacles they confronted, and ultimately overcame those obstacles, in the shortest possible time.

27. *Once inside Norris Hall, did the LE entry teams organize and formulate a tactical plan in a reasonable manner and amount of time? Did they execute that plan sufficiently?*

Upon gaining entry, Teams One and Three addressed the three factors which were the most critical in an instant:

1. Move to the shooter(s) and eliminate the threat as quickly as possible;

2. Surround the shooter(s), which they accomplished by immediately sending Team Three down the first floor hallway, then up the steps to the second floor where the shooter(s) would be trapped between them; and,

3. Avoid friendly fire casualties in implementing the attack plan.

These were the most critically important aspects of the assault plan that was being developed "on the fly," and they implemented tactics to address all three in a more than sufficient fashion. As well, they did not make the mistake of treating their plan as something that was to be followed without exception. This is a mistake of many LE agencies: they view an OPLAN as a fixed set of steps, rather than as a general guideline that must be fluid and flexible, allowing the officers the ability to modify the plan and adapt to circumstances that had been unexpected.

28. *Upon reaching the second floor stairwell landings, did LE respond appropriately to the cessation of shooting by the assailant? What did they do and could they have done it better?*

Upon Team One reaching the second floor landing, Cho took his own life. The police, however, did not know that, nor could they have. They immediately accepted the tactical likelihood that the shooter or shooters had taken hostages, gone silent to reload, prepare battle positions, arrange human shields, and/or set up an ambush of officers as they moved down a long corridor that was merely 7 ft. 9 in. wide with 11 doorways on the sides of them.

With Team Three initially attempting to penetrate up the second floor hallway from the south, and Team One doing the same from the opposite direction, the team leaders

quickly realized the threat of a blue-on-blue, or friendly fire, incident and casualties. This, however, took some time. It was decided, communicated and implemented that Team Three would leave two officers inside the southern stairwell to prevent anyone from escaping down those steps from the second floor, or anyone on the first floor assaulting the second floor from below. The rest of the team assaulted up the stairs to the third floor, swept and cleared the rooms on that floor, before proceeding down the west (central/Burruss) steps to come in behind and link up with Team One, so they could begin a complete search of the second floor rooms. This was as tactically effective a plan as anyone could have devised, communicated and executed in the short time they had inside the building.

29. *Did the entry teams address all of the possible escape routes of the shooter(s), as part of their plan?*

Yes, and instantly. Every escape route was controlled or defended by LE from the time they entered Norris Hall, with the possible exception of someone on the inside breaching windows. With windows throughout the building, they could not all be under the direct supervision of an assigned officer; however, with more and more police arriving every minute the likelihood of someone escaping at that point was small.

30. *Did LE inside Norris Hall follow appropriate protocols in moving throughout the second and third floors?*

Yes, with the exception of the rescue of Prof. Granata. Despite the fact that he was severely wounded and respirating noisily in a manner that gave the police reason to believe he might die if not quickly treated, the entry teams violated what would be considered standard protocols or combat tactics by sending a team racing more than 40 ft., down an unsecured corridor, with doors on both sides and the belief that shooters were establishing ambush positions for police in the corridor, to drag the professor back up the hall so he could receive immediate medical care. No one can fault the courage of these officers or the humanitarian nature of the decision they made, but under the circumstances the better approach would have been to allow Prof. Granata to remain where he was in the hallway until all rooms between the entry team to the north and him (outside room 207) had been cleared and secured. The steadfast rule under such circumstances is not to make a bad situation worse by sending rescuers into an unsecured and extremely vulnerable area, only to end up with three, four or five severely wounded or dead people (including critically necessary members of the rescue team), rather than a single victim who has already been shot.

31. *How unreasonable was the almost 16 minute period of time, during which LE was on the second floor, before finally moving to room 211 in which Cho had shot himself? What were they doing during the interim and what should they have been doing?*

As the police began their systematic search of the second floor in tactical mode – including silent movement and a thorough inspection of each room to ensure shooters were not present among the victims - some officers had to provide cover to those moving

down the hallway. With people down, bleeding and dying in each room they approached, they did not know which one might be a shooter. They had to carefully move through each room, rendering first aid to those in immediate need, move those most critical out of rooms and into the second floor landing to receive immediate treatment from the tac medics, as happened with Prof. Granata who was the first to be drug back down the hallway to the north.

Police just could not go racing into all of the rooms simultaneously with one, two or three man teams. They were following a well-trained, combat effective, and proven tactical plan of systematically entering each room, providing sufficient cover for the entry teams and the hallways. It was while implementing this approach that they were alerted the shooter was alone, in room 211, and most likely dead. Even then, with the bodies of student Henry Lee and Prof. Nowak-Couture jammed behind and against the door, it took officers some time to encourage two students (Emily Haas and Clay Violand) to get up and move the bodies, so they could enter the room. From there, they had to quickly assess the room, identify the shooter, and secure his weapons before Lt. Cook could send the radio message of, "Shooter down." From the time Cho shot himself until this point, took fully 16 minutes. And while this seems like a long period of time, just attempting to walk through the same movements, searches and assessments made by those teams on the second floor of Norris Hall during the Archangel investigation yielded the intensely time consuming nature of all that they accomplished.

32. *Upon determining that Cho was dead, was LE negligent in continuing to search for other shooters (despite being told by those inside Norris Hall that he was alone) and possible explosive devices, or should those resources have been dedicated elsewhere, such as the care and transportation of the wounded?*

No, and in fact they would have been grossly, legally and morally negligent if they had satisfied themselves that Cho was the only shooter, based on the limited information and eyewitness accounts they had.

33. *Did the first responding agencies perform adequately in dealing with the numbers of other police arriving from other departments in the aftermath of the Norris Hall shootings?*

If there was one aspect of the entire series of events that unfolded on 16 April 2007 that both BPD and VTPD were well prepared for, had experience in, and not only anticipated but managed almost perfectly, it was the virtual invasion of hundreds of police officers from surrounding areas. This was anticipated by both departments, mechanisms put in place to deal with them, assignments made, resources secured and made available to provide for those officers, and the entire post-tactical phase handled without any substantial problems.

34. *Did the relevant agencies meet their duties in committing substantial resources to searching and clearing numerous buildings in an entire quadrant of the campus, or could those resources have been better utilized?*

As with number 32, above, it would have been negligent of the departments to satisfy themselves that there were no other threats, stand the existing teams down, and not conduct an immediate search of area buildings. Coupled with the recent bomb scares the university had suffered – including the one that day at Norris Hall – no one could afford to assume secondary devices had not been planted elsewhere, or that other shooter-accomplices were not still present on campus and a threat to the community.

35. *Was it reasonable for the police departments to remain unwilling to accept that all involved in the shootings had been eliminated, and continue to investigate and search for others?*

This yields the same answer as numbers 32 and 34 above. The police – and the community – could ill afford to simply assume Cho was acting alone until a complete and thorough investigation had been conducted. Also, Cho was incorrectly identified at first, so it was not until the following morning, 17 April, that police knew for certain who the shooter was, and had a reasonable degree of confidence that he had acted alone.

36. *Was the police response to the presence of dead and dying victims adequate under the circumstances? Could it have been done better?*

Many tactical teams with PDs across the country do not have assigned tac medics. The presence of these medics – and their training, integration and experience with their assigned ERTs – allowed them to be in a position to save many lives. The fact that every single victim that left Norris Hall alive, would ultimately live, is a testament to not only those medics but other officers in Norris Hall rendering crucial first aid. With 174 rounds having been expended into 51 victims (number of dead plus wounded, but not including those injured from other than gunshots), the average number of wounds was three per victim. Many were head shots, or other critical areas.

It is impossible to suggest any ways the medical response could have been better – including the arrangement of transportation to hospitals, triage and treatment areas – under the circumstances with which LE was confronted that day. It is, however, important that law enforcement in America recognize the need for all officers to undergo newly developed Tactical Combat Casualty Care training, which focuses on the differences between most severe and life-threatening injuries in the civilian world, and those wounds and injuries confronted in tactical situations.

XI. CONCLUSION

If, indeed, Cho was involved in the perpetration of the bomb scares in the weeks leading up to the shooting attack, this ultimately was counterproductive. Not only did that put both BB and VT LE on higher alert, but his initial shootings of the two students that morning had the affect of mobilizing and assembling all tac and patrol teams, so that LE response was much faster to the Norris Hall assault than it otherwise would have been. Whether or not he was involved in the bomb scares, it is certain that with all tac teams having been mobilized for each one, penetrating the subject buildings and conducting exhaustive hours-long (and in some cases all night long) searches, he would have had an opportunity to observe them operate. This may have been a significant factor in the tactic he devised to chain and lock the doors to Norris Hall.

It must be assumed that al Qaeda, and its associated groups', cell and intel analysts have monitored this situation and will be studying it, just as American LE is doing. One of the conclusions to be drawn by these terror groups will be that the general composition of American PD SWAT teams may actually result in an unexpected weakness in standard al Qaeda assault and mass hostage siege planning. Al Qaeda planning doctrine includes the use of diversionary assaults to draw off responding forces. This is often important in the planning of decimation assaults, but may be absolutely critical in mass-hostage sieges. This reality would be all the greater in the United States where LE response times are very short and police arrive on scene quickly. Anecdotally, this is seen frequently with the rapid response of police to bank and convenience store robberies, which results in hostage barricade situations completely unintended by would-be robbers. In al Qaeda planning, due to these rapid response times, law enforcement would most likely need to be drawn off, away from the actual, primary assault or siege site. The other factor in this, is the fact that of the 1,892 police departments in the U.S. with tactical or SWAT teams, only 165 are full time teams. The remaining 1,530 are part-time and require a significant amount of time to assemble, kit up, and deploy.[279]

At VT, due to the first shooting the part-time ERTs of both BB and VT PDs had been assembled and were present at the site of that double murder and the BPD HQ. Though across the campus, it was 0.7 or 1.0 miles driving distance, depending on the route taken, or approximately 1.3 miles from the HQ in Blacksburg. When the call was received at 0942 signaling the beginning of the second attack at Norris Hall, this readiness allowed the ERTs to arrive within two to three minutes. Had Cho not committed the first attack, none of these tactical teams would have been assembled and deployed, and response times would have been much longer. Cho had begun the second attack with 377 rounds preset in magazines for his two weapons (though some were loose in his backpack). Only due to the very short response time was he able to fire only 174 of those rounds. Immediately upon the entry teams breaching Norris Hall, and assaulting up the staircase, he was forced to break off his attack on the students and teachers, taking his own life before the teams reached him. In all likelihood, if he had not committed the first double

[279] Data provided by the National Tactical Officers Association, which indicated that the status of 197 of the teams was unknown.

murder two hours earlier, he would have had sufficient time to discharge all of his ammunition prior to the arrival of the tactical teams.

Using the time-per-rounds-fired ratio that he was able to effect, we see that he began firing at 0940 to 0941, assuming it took one minute from the first rounds being fired for a 911 call to be made, to have dispatch take the information and make a radio call to the responding officers. The 911 call was received at 0942, and then transferred from BPD to VTPD, with the radio call being made at 0943. The first radio call reporting arrival at Norris Hall came at 0945, though other officers had arrived a short time before. They had breached and entered the building well into the minute of 0950. They had moved to the top of the staircase leading to the second floor classrooms merely 28 seconds from entry. Thus, Cho had managed to fire 174 rounds in an eleven minute time span, or was firing at a rate of 14.5 to 15.82 rounds per minute, or almost one round every 3.79 to 4.14 seconds throughout the attack. This ratio does not take into account time for his movement between classrooms, crossing the hall or attempting to breach some of the classroom doors.

If this had been his first attack of the day, and assuming he had used the same defensive tactics (the chaining and locking of external doors), it is not unreasonable to estimate that the first responding officer may have arrived within several minutes, but in many jurisdictions it could have been as long as ten minutes from the beginning of the attack before sufficient patrol resources from two PDs could have arrived on scene, organized their teams and begun to attempt entry. Recognizing an active shooter situation, a Hasty Team would have been formed by the first three VTPD officers to arrive. This is standard VTPD doctrine. Estimating an additional 2 minutes for the next two officers to arrive and establish an entry team, they would have still confronted the chained and secured doors. As happened, the patrol officers would have lost valuable time breaching the doors. This would have resulted in repeated efforts to use shotgun rounds to eliminate the chains. Thirty-seven-year police veteran, Major Joseph Bail, Jr. estimates this would have taken at least 3-4 rounds to eliminate the first chain and enter the building. If not successful in this endeavor, or if no shotguns were present in vehicles, the responding officers would have had three remaining options available; all time consuming:

(1) Return to patrol vehicles and drive them through the doors;
(2) Return to patrol vehicles and retrieve bolt cutters if available; and,
(3) Breach side windows in the first floor labs and officers and enter through them.

At a minimum, any of these options would have taken an additional minute, if not longer. In fact it took the entry teams at VT, including trained and equipped ERT veterans, five minutes from arrival to ultimately gain entry. Just adding one minute to the response if additional time had been expended pursuing an alternative breach plan by unalerted officers, yields an aggregate of no less than 10, and as much as 12, full minutes from receiving the call before officers would be inside the ground floor of the building. The entry teams at Norris Hall moved quickly through the ground floor, but this still took an additional 28 seconds. While this far surpasses any estimate of unassembled and

unalerted LE forces needing ten minutes prior to being ready to attempt entry, it could still have allowed Cho an additional 13 minutes. Depending on the shooter, this time could actually be greater as it cannot be discounted that part of Cho's impetus to take his own life was the overwhelming law enforcement response and large numbers of police at Norris Hall. If that number had been merely three, he (or any shooter) may not make the decision to end the attack by taking his own life so quickly.

Applying the fire rate of Cho, this would have resulted in an additional 188.5 to 205.66 rounds having been fired at the very least; though Cho only had an additional 203 rounds with him. If any, or all, of these factored times were actually longer (as they might be depending on the geographical size of any jurisdiction and patrol area vis-à-vis the number of officers present and distances to be traveled), this number would, of course, increase. Of 174 rounds, Cho managed to strike (i.e., wound or kill) 51 victims, or affect a casualty ratio of 3.41 rounds per victim. This supports the tac team commander's observation that most students had been shot two or three times, with some as many as five times.

Applying the range of additional rounds Cho would have discharged to the rounds-per-victim, this delay in LE response would have yielded an additional 55.28 to 59.53 victims, for a total count of wounded and dead of 106.28 to 110.53. Applying as well his ratio of 59% killed and 41% wounded, the casualty numbers would have increased by at least 32.65 deaths and 24.41 wounded. For him to have expended the 203 rounds he was not able to fire, would have taken only 12.83 to 14 minutes more than the time he was actually attacking the students on 16 April. Thus, we come dangerously close to the complete expenditure of his complement of ammunition, and a maximum casualty number of 111 victims, with 63 deaths and 46 wounded. This is more than double the 30 dead and 21 wounded actually suffered in Norris Hall.

Juxtaposing this situation with al Qaeda teaching, it will be realized by terrorists that what would ordinarily be a vulnerability in U.S. LE response capability – i.e., the need to assemble part-time SWAT teams – will actually work to the advantage of police if terrorists, in fact, use diversionary attacks well preceding the primary attack. Recognizing that within terrorists' paradigmatic thought and planning, the first attack at WAJ was, for them, a tactical diversion. Yet this diversion only resulted in superior LE presence, preparation and reaction time. This may result in any future al Qaeda assault plans either not including the use of diversionary attacks, or planning such attacks much closer in time to the primary assault. If diversionary attacks are used, they will not be recognized as such until later.

For this reason, it must be part of standard police response doctrine and protocols in the event of any major attack – particularly any attack on an educational institution – that all departments' tactical teams within a broad area be assembled and ready to deploy. It would not be efficacious to deploy all such teams to the site of that, first, attack, as it must be considered that terrorists could plan to ambush those rescuers before moving onto the primary attack. Or, they could simply use that opportunity to increase the bodycount of that first attack with more police officer deaths, even if it is the only one.

Moving these teams to positions from which they can quickly deploy to the attack site, without placing themselves in a danger zone, would be the optimal approach. From those positions they can quickly move to the initial attack site if additional support is needed, or move to any secondary, tertiary or quaternary attack sites in the area. This is fundamentally the way LE forces were staged between the WAJ and Norris Hall assaults.

With an attack of this type, both administration and police are confronted with a dilemma. To not attempt to limit large numbers of students moving about outside, could be both dangerous to the students and render it impossible for police to identify and isolate an assailant. However, not knowing how many attackers are part of the plan to shoot and kill innocent victims inside buildings, ordering everyone to remain in their current locations could create better mass killing conditions for the assailant(s), particularly in buildings like Norris Hall, where the classrooms could not be locked from the inside. Ordering large numbers to thus remain inside rooms that cannot be locked and secured, merely ensures large numbers of confined victims without the ability to move, secure themselves or defend themselves.

There must be a way for everyone to secure themselves inside of classrooms and offices, yet still allow LE to breach those rooms quickly in an emergency. Master keys distributed to all LE patrol and SWAT officers is, perhaps, the simplest and cheapest. Or all rooms could have keypad locks inside and out, with emergency responders having a single code to access all rooms and buildings. But even technological solutions like this have inherent problems. The GWOT (Global War On Terror) has taught us, as did America's experience in Vietnam, that there are always low tech solutions to high tech security and obstacles. A single gunshot to a keypad could likely render it impossible to open the doors from the outside.

It is clear, as the VT experience and others have shown, that there is no single, one-size-fits-all solution to either the preparation of LE or schools, emergency response procedures of schools, or response tactics of police that will serve as a panacea for all possible attacks. One of the most important things that any school and LE agency can do first, is recognize that America's school are under siege. Every school in America is under threat. In every elementary, middle and high school, there is a Klebold or Harris who has a plan to attack his school, as they did at Columbine. Every town in America has a Charles Carl Roberts from Nickel Mines, PA, or a Duane Morrison from Bailey, CO, and those two murderers have just empowered the others, giving them confidence they can achieve the revenge they crave on society for all the wrongs done them, real or imagined. Every college and university in the country has a Cho, and they are all putting plans together to defeat law enforcement and surpass Cho's tally of wounded and killed. And in every state in America there is an al Qaeda – or related terror group – cell, and they are all gathering intelligence on our schools in anticipation of a possible Beslan-type assault.

Every one of these groups studies the attacks that came before. They see what works, and improve on the tactics and fortifications from the earlier attacks. Just as Cho studied the attack on Columbine and had an opportunity to read about the fortifications used in

Bailey, Colorado and Nickel Mines, Pennsylvania a scant half-year before his rampage. Thus, police must be studying them as well, and recognize the next one will be worse. The attacker(s) will have a plan designed to be impossible for police, for they must delay police response and entry into a building to give them sufficient time to kill as many people as possible. This is the value in police forever preparing for the worst possible thing they can imagine. They must push themselves in training and in their FTXs (Field Training Exercises) to constantly confront newer and ever more difficult tactics. This is where they should fail: in training. Only then can they learn from their training efforts, and improve their capabilities tactically. Gone are the days when FTXs can or should go smoothly, with the police tactics working perfectly and all of the victims or hostages being saved with no officers lost. As the enemy – in whatever form that enemy takes – is not going to make things that easy on responding officers.

Thus, we must look at the degree to which the primary departments of VTPD and BPD had prepared for, and responded to, the circumstances they confronted on 16 April 2007. The police response to those events can be broken down into several general categories:

1. LE preparation and training for extreme tactical events;

2. LE response to the first shooting at WAJ;

3. LE and VT response to ensure the security of the university community;

4. LE positioning prior to the assault on Norris Hall;

5. LE response to the assault on Norris Hall;

6. LE and First Responder performance in the post-assault phase at Norris Hall.

Taking all aspects of that horrific day into consideration, the police performed competently in the administration of their duties, and admirably in the speed and commitment demonstrated in moving quickly to, and into, a fortified building with an active shooter.

For two small departments in a remote, bucolic region of the mountains of Virginia, it would have been impossible for anyone to have imagined the magnitude of the attack experienced on the campus that morning. Still, the command staff of these departments ensured that their officers were well equipped, well armed, well trained and had prepared for every possible major threat scenario from Columbine-type active shooter attacks to terror assaults. They had learned well the lessons from the Morva murders and manhunt the prior August, and they brought those lessons quickly to bear at Norris Hall. More than even that, due to the intensely close relationship between the two departments and their respective chiefs and command staffs, Blacksburg and Virginia Tech Police Departments were an almost perfect model of law enforcement interagency operability.

From interviews, it became clear early on that the mentality of such critical command personnel at VTPD as ERT commander Lt. Curtis Cook, BPD ERT oversight commander Capt. Donnie Goodman and ERT leader Sgt. Anthony Wilson, was that every officer must be trained and ready to fight to protect the innocent. Their mentality was that "if it could happen anywhere, it could happen here." And they were ready. Also, from time spent with those professionals it was clear that they were all saddened to have been proven right.

The LE response to the first two victims at WAJ could scarcely have been better, and with virtually all resources of both departments committed it is difficult to imagine how it could be improved on in the future. From the initial response, to investigation, call out of all available resources, deployment of the ERTs, to the search of the campus, presence of security patrols and staging of officers and ERT to respond to a possible hostile situation with the one potential suspect, both departments demonstrated a deep commitment to both the resolution of that first criminal episode, and the protection of the citizens of Virginia Tech and Blacksburg. Even detractors who may argue that these agencies were too focused on the one criminal episode and the one potential suspect, could not contend that the deployment of such a vast array of law enforcement resources and the manner in which they were positioned placed them in a weaker position to respond to any other unanticipated emergency.

With regard to the decisions of the university Policy Group and VTPD in not immediately closing campus, going into lockdown, or better alerting the university community with more specific information on the first shooting at WAJ, their propriety and efficacy can be debated endlessly. Many of the issues surrounding that debate have little relevance to the tactical aspects of the police response, which is the sole focus of this Report. Still, it should be noted – as discussed in Section IX – that a large school, comprised of 131 buildings on campus, and with all of its various 26,000 students locked in, could have posed an even greater problem for both LE and the victims than was seen at Norris Hall. It would have been impossible to secure the entire campus. With an 11,000-plus yard perimeter, the positioning of a single police officer every ten yards to ensure no one entered or left campus, would have required more than 1,000 officers just for that outer perimeter. That far exceeds the total number of police in that entire region of Virginia.

Just assembling the minimal number of police necessary to cordon the campus, would have taken far more time than the two hours between the two shootings. Even if a police perimeter could have been established around the entire university in an unrealistically short amount of time, Cho would have been locked off campus, as he was returning to VT from Blacksburg at 0902. Not only could police, in all practicality, not have maintained this campus-wide lockdown for long, but Cho would have simply waited to re-enter and then launch his assault, even if that meant attacking Norris Hall the following day. In short, such efforts would have been a horrendous waste of time, effort and LE resources and yielded no benefit to either the police or the VT community. In future attacks, quickly notifying the community via radio, television, email, cellphone message, instant message, and website, may be the best way of communicating in-depth

information. Whether officials should attempt to meet a duty to fully inform that community of the reality of a major crime, or protect them from that information due to concerns over inciting fear and panic, is beyond the scope of this Report.

The sad reality is that no matter which a university and PD choose to do in any future attacks, they will be subject to liability exposure for the decision they made. And despite the benefit of these hi-tech systems to communicate crucial information, it must be recognized that many members of the targeted audience – particularly on a college campus – will not be in a position to receive it. A far lower technology solution in the form of a campus-wide loudspeaker system for emergency use only, may be a more efficacious solution. If utilized, however, that system can only ever be used to communicate information in true emergencies, as to use it for more mundane purposes would, over time, have the likely affect of students ignoring it.

Notwithstanding the sufficiency of the information VT communicated to its students and employees, the reaction of police to the WAJ shooting was exceptional. The presence of LE investigating the shooting of Emily Hilscher and Ryan Clark was obvious to all. The police presence securing the area around WAJ was more than sufficient. Locking down WAJ was a necessary and appropriate decision until all possible witnesses had been interviewed, and it had been determined that the assailant was not still in the building. Roving patrols of police on campus, searching for any indication of the attacker in addition to searching for Mr. Thornhill's pickup truck was handled quickly and sufficiently. The recall of the night shifts from both departments that had just gone off-shift was an extra step that ensured adequate LE resources for, not only, the investigation into WAJ and apprehension of Mr. Thornhill, but to be able to handle standard LE duties on both VT and in Blacksburg. The callout of both ERTs in full force, and their deployment and use both on campus, at the BPD HQ and elsewhere, was as good a pre-tactical plan as could have been devised under the circumstances.

The LE response to the radio alert of shots fired at Norris Hall was as rapid as could have been accomplished. The pre-positioning of all LE assets not only ensured a substantial and rapid response, but resulted in police approaching Norris Hall from all points, a necessary tactic (intended or otherwise) in advancing quickly toward either a mass-hostage siege or active shooter scenario. The police wasted no time in advancing on the building and attempting to enter. It must be realized that upon approaching the building police immediately attempted to enter – without delay – and only then learned that doors had been chained. This bespeaks the tactical mindset, courage, professionalism and commitment of the officers.

Upon encountering the fortified doors, decisions were made quickly to defeat the fortifications. When one effort was unsuccessful, they defaulted to an alternate plan in seconds. This is one of the most important skills to develop in police when responding to such scenarios: the ability to abandon any aspect of a plan – or an entire plan – when circumstances dictate a different approach. Attack plans, no matter how carefully prepared or hastily compiled, must be recognized as mere guidelines. They must always remain fluid and reactive. And while breaching capability of the two departments at

Norris Hall could, arguably, have been better, in the end they gained entry into Norris Hall in an expeditious manner and moved quickly to the sound of the guns. The lesson here, is that all departments must be developing superior breaching capability in both its patrol and tactical officers. In the three most recent, major school attacks – Bailey, Nickel Mines and VT – the attackers used fortifications. Each attack improved on the fortifications of the one that came before. Police must anticipate that the fortifications used in the next school attack – or assault on any building – will be superior to those used by Cho, and have the capability to eliminate them quickly.

The medical response – including the aid provided by tac medics, paramedics and police officers – was rapid, competent and life saving. Triaging of patients and the rendering of care was virtually textbook. But even this was only possible due to the SOP of both ERTs having a tac medic deploy with them. Every victim who was alive when transported from Norris Hall ultimately lived. Despite the inability to put helicopters in the air to aid in the transport, convoys of vehicles to definitive care facilities was competently and expeditiously arranged. Even if wind conditions had allowed the use of helicopters, the large number of severely wounded would have quickly exhausted that asset and any benefit from therefrom, and ground transportation would still have been needed. Those victims suffering from lesser wounds were moved and treated at first aid stations established a short distance from Norris Hall.

There are two important realizations to be taken from the post-tactical phase of Norris Hall. One is that all police need to be trained in Tactical Combat Casualty Care. This is the best training to be made available for LE and military alike in decades. The second comes from Sgt. Anthony Wilson. In the aftermath of the horror that was Norris Hall, he said that all police needed to realize that when dealing with young victims, children and even young adults, all the rules change. He acknowledged that police are taught to not touch many victims, to not get bloody, to wait for the medical professionals to arrive. But, he said, "when it's just kids, and in the case of Norris Hall when there are so many of them that the medics can't deal with them all, you're going to get bloody. If you have to put your bare hands into the body of a child to pinch off an artery, you're going to do it. If you have to put your mouth on the mouth of a child or young girl to save that life, you're going to do it, and you're not going to hesitate. After all, you're a police officer and an adult. You've had your chance at life. You're trained and capable. Those kids haven't had their chance yet." Nothing could better articulate the mindset and commitment necessary in all of America's police in preparing for the next attack to occur. And, the next one is coming.

Within two hours of the attack at Norris Hall news media "experts" on major cable and network channels were condemning the police response. Some supposed experts, even claiming affiliation with the largest and most prestigious law enforcement associations, were making such statements as: "They do not deserve to call themselves police," and, "They do not deserve to call themselves a SWAT team." These pundits were willing to roundly criticize the actions of groups of dedicated men and women, reacting quickly and decisively to the worst mass shooting ever seen by any department in our nation. These supposed experts were not there, and at the time they were rendering their ill-intentioned

opinions, they knew virtually nothing of the facts, truth or actual conduct of those agencies. As of the writing of this report, almost a year and a half after the shootings, and with the benefit of two full months spent at VT and Blacksburg over five trips, countless hours interviewing police, command staff, students, first responders and even one surviving student, plus additional days spent with Sgt. Wilson outside of Virginia, the assessment of every aspect of the police response and operations, including discussions with those who survived, it is hard to imagine any department could have performed better. The training, preparation, interagency operability and conduct of these departments and their officers should serve as a model for all police throughout America.

ADDENDUM A

Figure 1 - Diagram of Burruss, Norris and Holden Halls, with new building under construction to northeast illustrated.

Figure 2 – Map of campus.

Figure 3 – Diagram of First Floor, Norris Hall with entry points of LE.

Figure 4 - Diagram of Second Floor Norris Hall, Depicting Cho's Initial Movements Once Inside (attacking rooms 206, 207 and first assault on 211).

Figure 5 – Partial Map of Campus Depicting Routes Taken from WAJ to Norris Hall by Responding LE.

Figure 6 – Diagram of Attempted Breach Points for Each of the Three Law Enforcement Entry Teams.

Figure 7 – Diagram of Norris Hall, Second Floor, Depicting Cho's movements from his first attack on Rm. 211, then onto Rooms 206, 207 and 204.

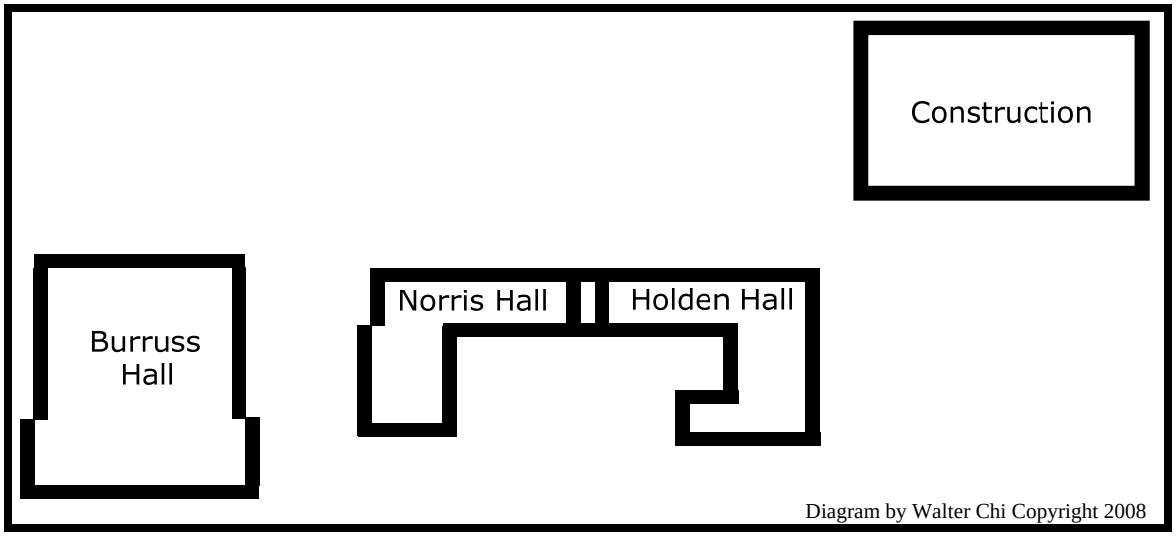
Figure 8 – Arriving LE and Initial Movement Around and Inside Norris Hall.

Figure 9 – Final Movements of Cho.

Figure 10 – Movement of Team Three on Norris Hall, Third Floor.

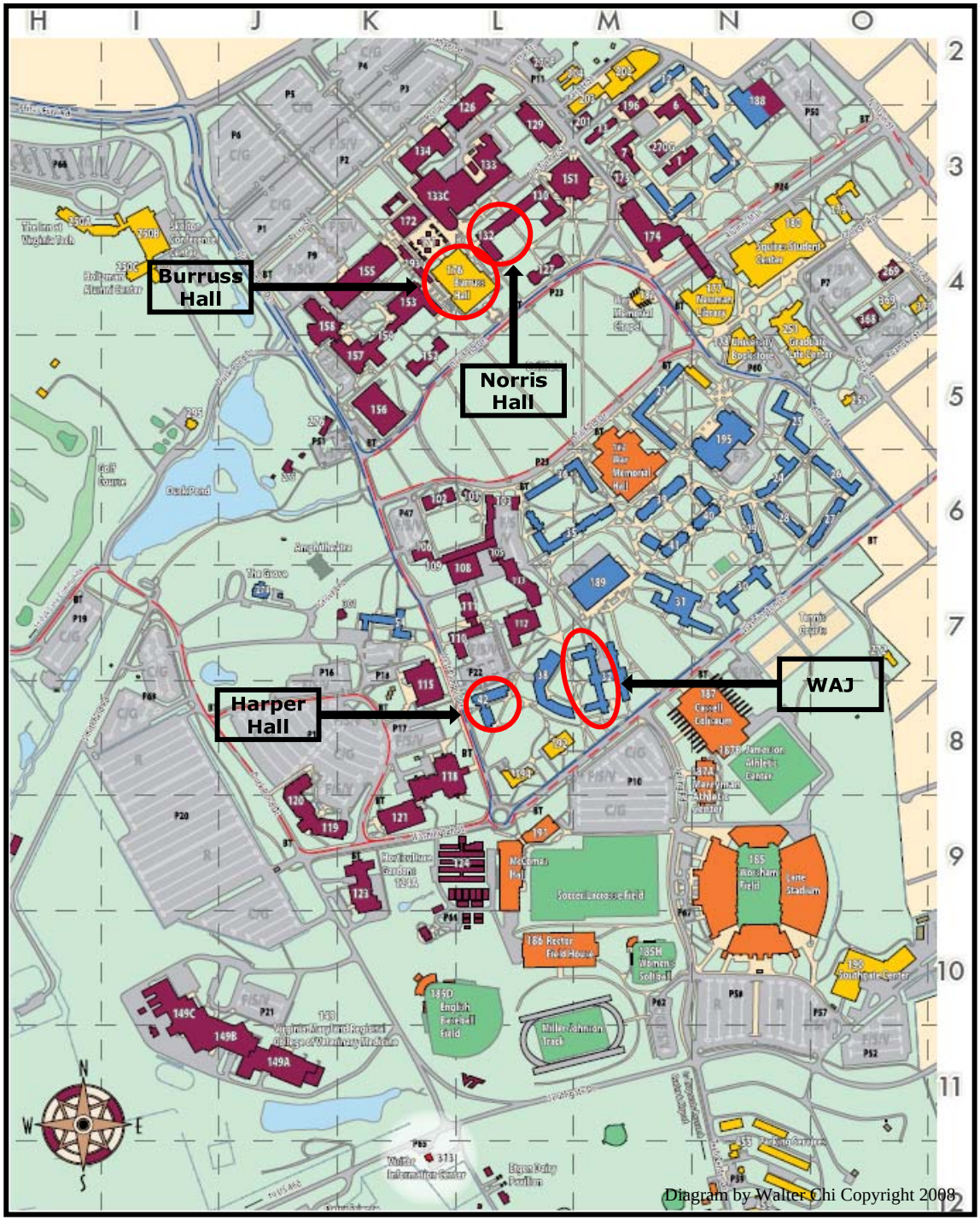
Figure 11 – Search of the Second Floor of Norris Hall.

Figure 1 – Diagram of Burruss, Norris and Holden Halls, with new building under construction to northeast.



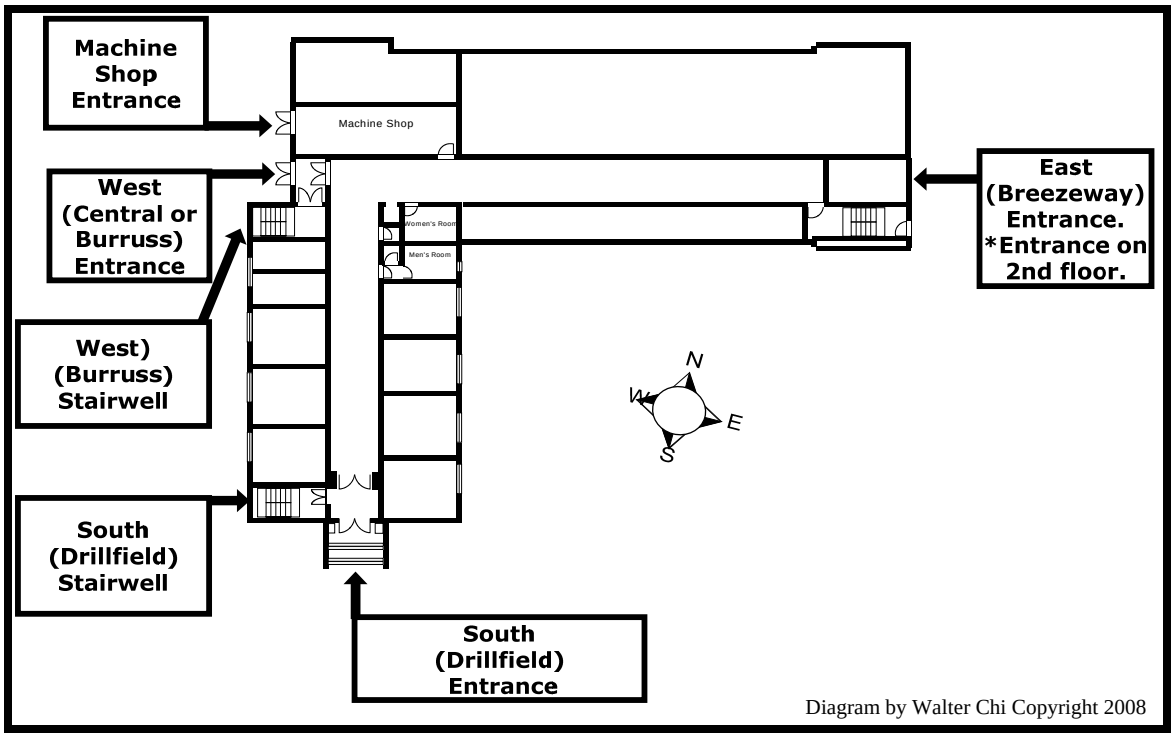
Note the covered breezeway separating Norris from Holden Hall.

Figure 2 – Map of VT Campus



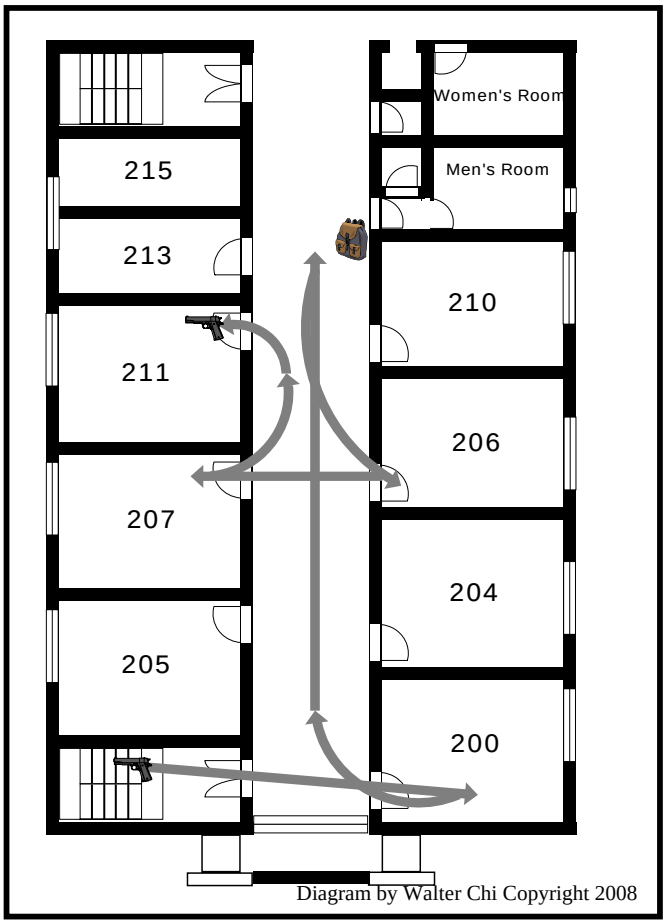
Note the locations of WAJ, Harper, Burruss and Norris Halls in relation to each other.

Figure 3 – Diagram of First Floor of Norris Hall.



Note points of attempted entry by arriving police officers.

Figure 4 – Diagram of Second Floor Norris Hall, Depicting Cho's Initial Movements Once Inside.



Cho exits southern/Drillfield side stairs on second floor and enters Rm. 200 where he prepares for his attack. He walks northward up the hall, looking into the classrooms. He leaves his backpack outside men's room (top of diagram), then proceeds to Rm. 206 where his attacks begin. After leaving 206 he crosses the hall to Rm. 207, and then turns left (north) and attacks Rm. 211 for the first time.

Figure 5 – Partial Map of Campus Depicting Routes Taken from WAJ to Norris Hall by Responding LE

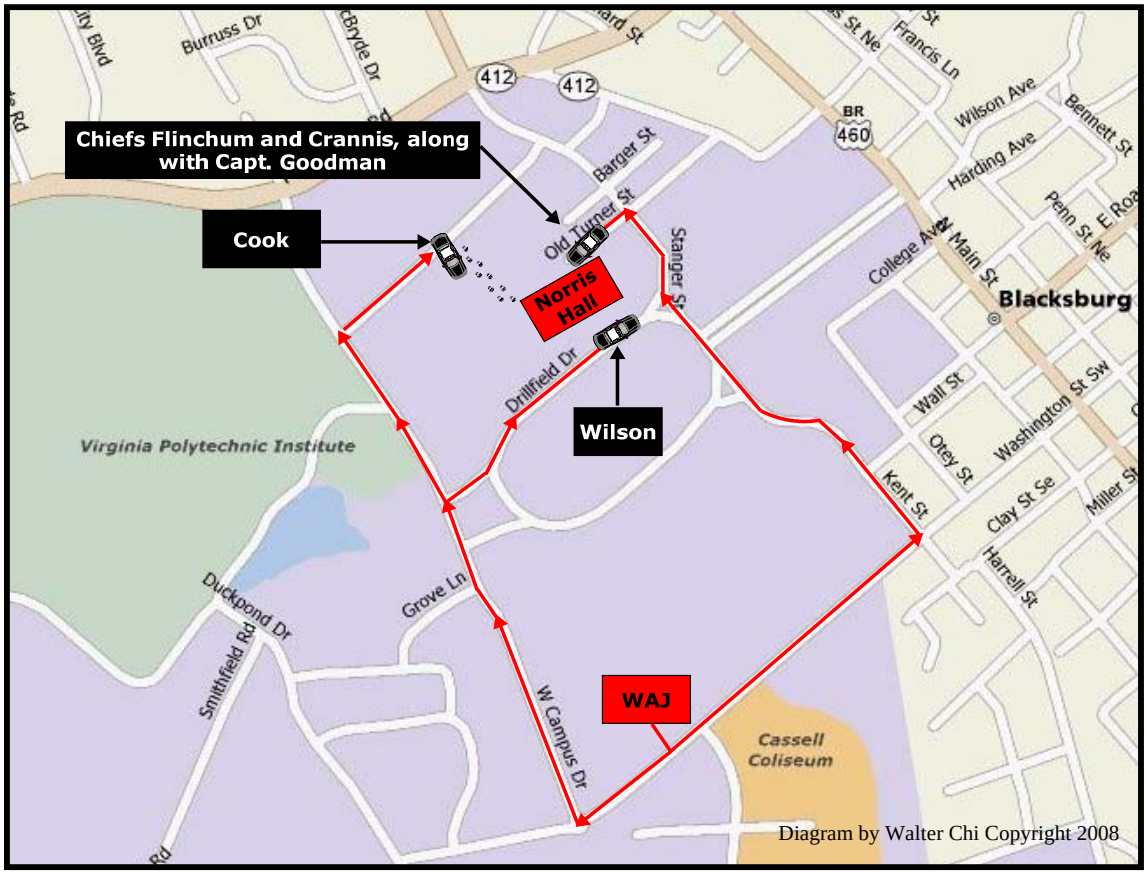
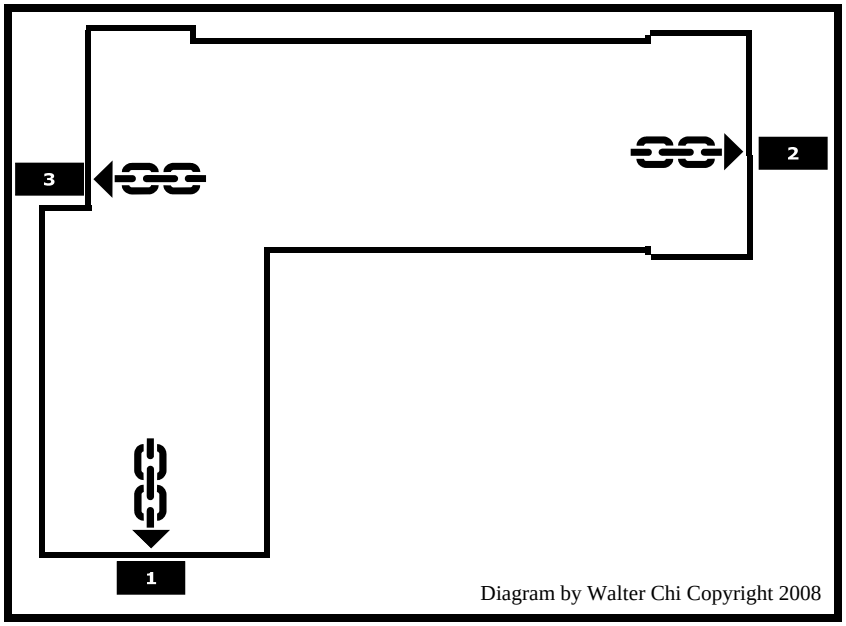


Figure 6 – Diagram of Attempted Breach Points for Each of the Three Law Enforcement Entry Teams

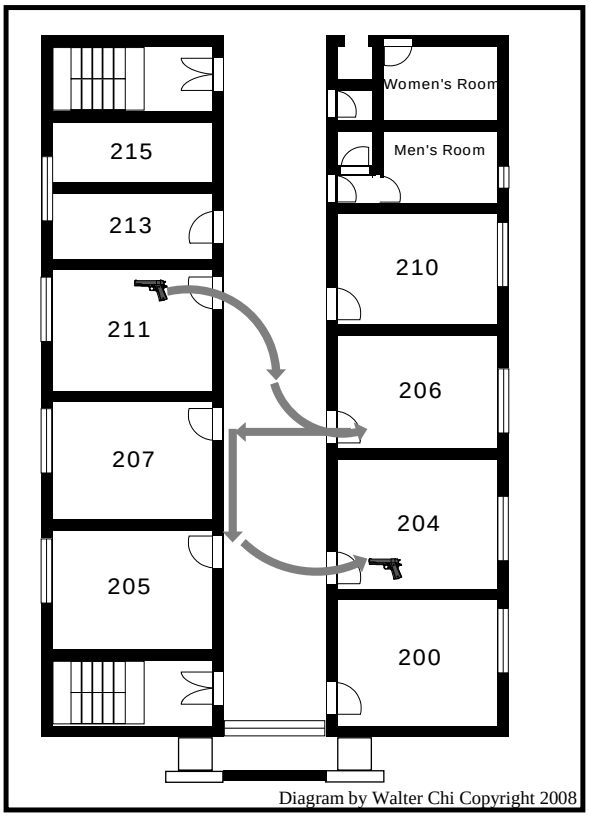


Team One, led by Sgt. Wilson, first attempts entry at the southern/Drillfield side entrance. This is the last entry Cho chained before proceeding up the adjacent staircase onto the second floor.

Team Two, including Chiefs Flinchum and Crannis, with Capt. Goodman, breach the east/breezeway entrance using bolt cutters. This point is the only one that enters directly onto the second floor, due to a rise in the ground from west to east. This is the first entry Cho chained before proceeding west along the hallway on the second floor, then down the central/Burruss side stairs to the first floor.

Team Three, led by Lt. Cook attempts to breach this door, then, along with Sgt. Wilson's Team One, moves 11 feet to the left (north) to enter the machine shop doors. This was the second point Cho chained. After securing these chains, he proceeded down (south) the first floor hallway, then ascended the stairs (first attempted breach point by Team One) to the second floor.

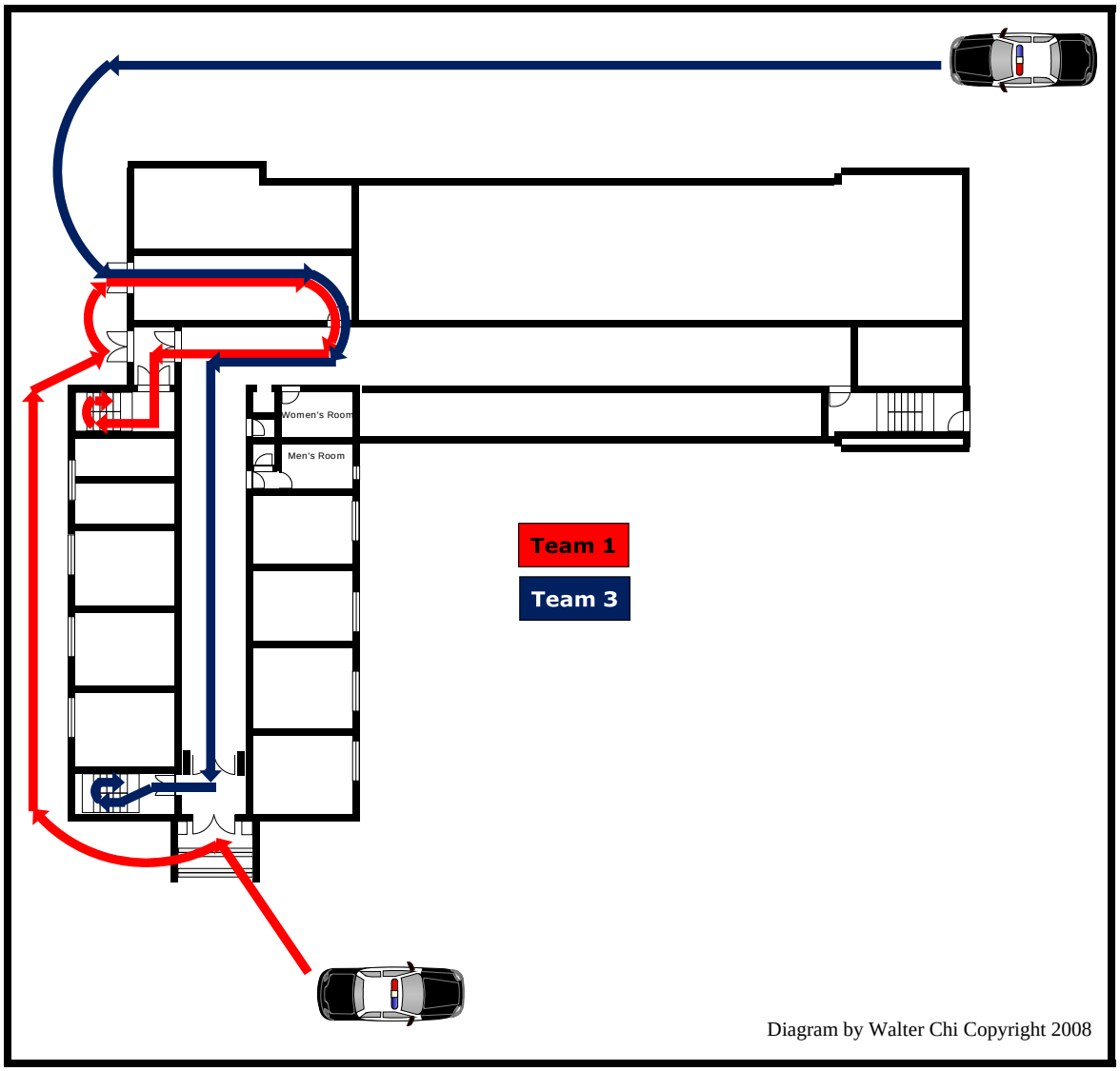
Figure 7 – Diagram of Norris Hall, Second Floor, Depicting Cho's movements from his first attack on Rm. 211, then onto Rooms 206, 207 and 204.



After his first attack on Rm. 211, Cho returns to Rm. 206. He then proceeds across the hall and attempts to assault Rm. 207 for the second time, but by now the students are holding the door shut, denying him entry.

He then proceeds to Rm. 205, where he also fails to gain entry. From there he crosses the hall to Rm. 204 where Prof. Librescu is attempting to hold the door shut, allowing his students the opportunity to jump from the windows at the far right (northeast) corner of the room.

Figure 8 – Arriving LE and Initial Movement Around and Inside Norris Hall.

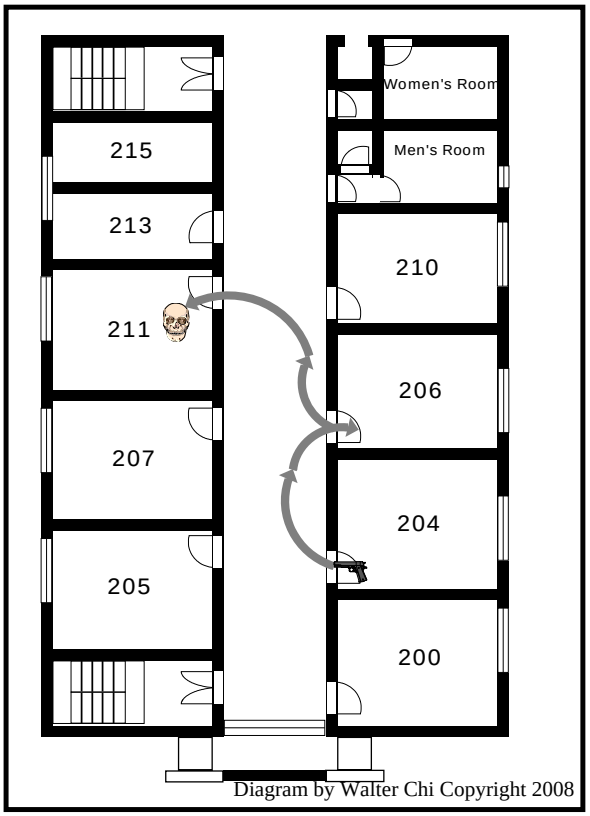


In response to the radio call that there is shooting at Norris Hall, police officers arrive from all points.

Sgt. Wilson exits his police vehicle at the south end (Drillfield side) of the north-south wing of Norris Hall. He first attempts entry, along with other officers at those doors, then they race northward along the west side of that wing to the central (west) or Burruss side doors, where they join with Lt. Cook's Team Three.

Other officers park on Old Turner Street to the north of the west-east wing of Norris Hall and run westward to form up with Lt. Cook. It is at the west/central (Burruss) side doors that Teams One and Three will join up. Lt. Cook, himself, along with others, will run more than 100 yards, coming to the west/central entry way from the northwest.

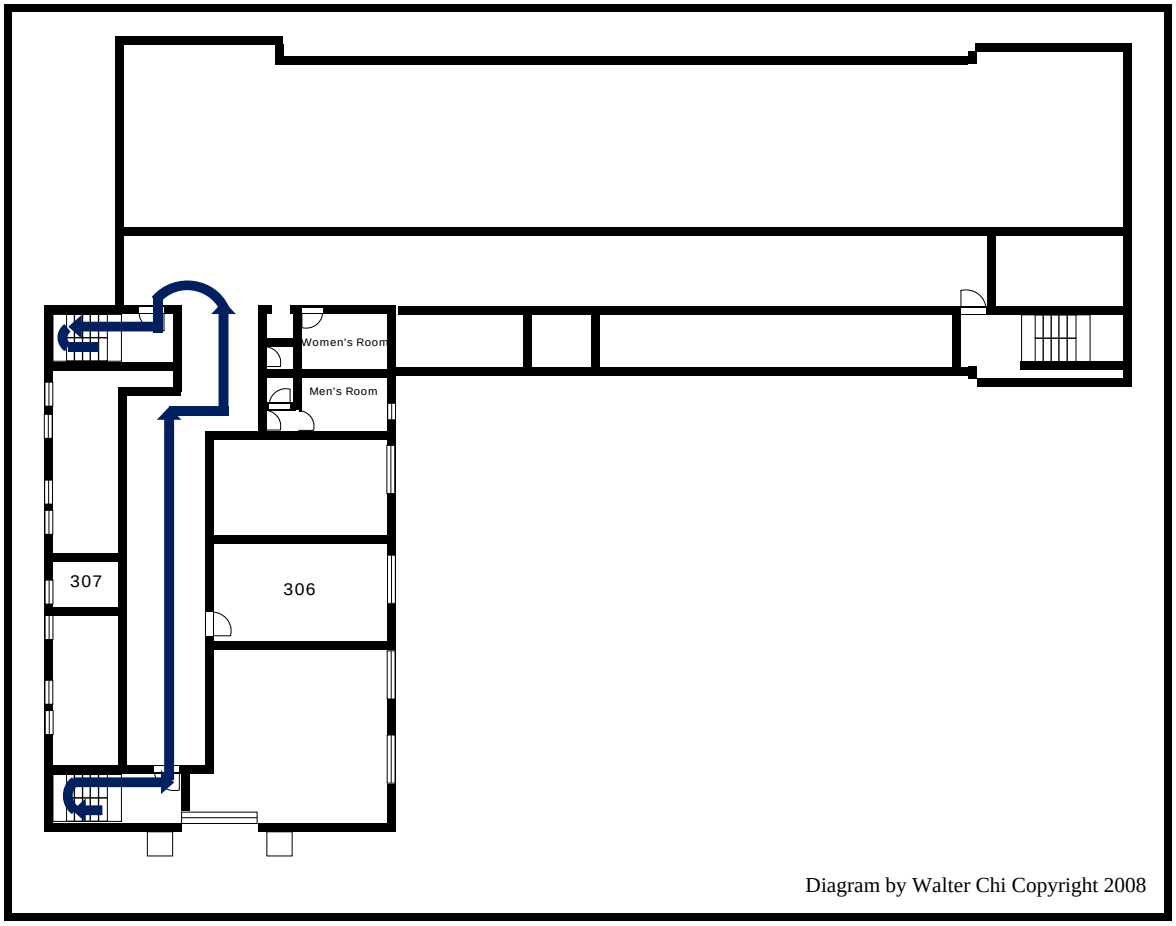
Figure 9 – Final Movements of Cho



Cho exits Rm. 204, then returns to attack Rm. 206 for a third and final time. When he leaves 206 he closes the door behind him, then turns right (north) and proceeds back to Rm. 211, which he will attack for the second time.

He will ultimately kill himself in Rm. 211 (note skull figure depicting Cho's demise) when Team Three reaches the second floor landing at the top of the stairs just up the hallway (north), and scarcely ten feet away.

Figure 10 – Movement of Team Three on Norris Hall, Third Floor

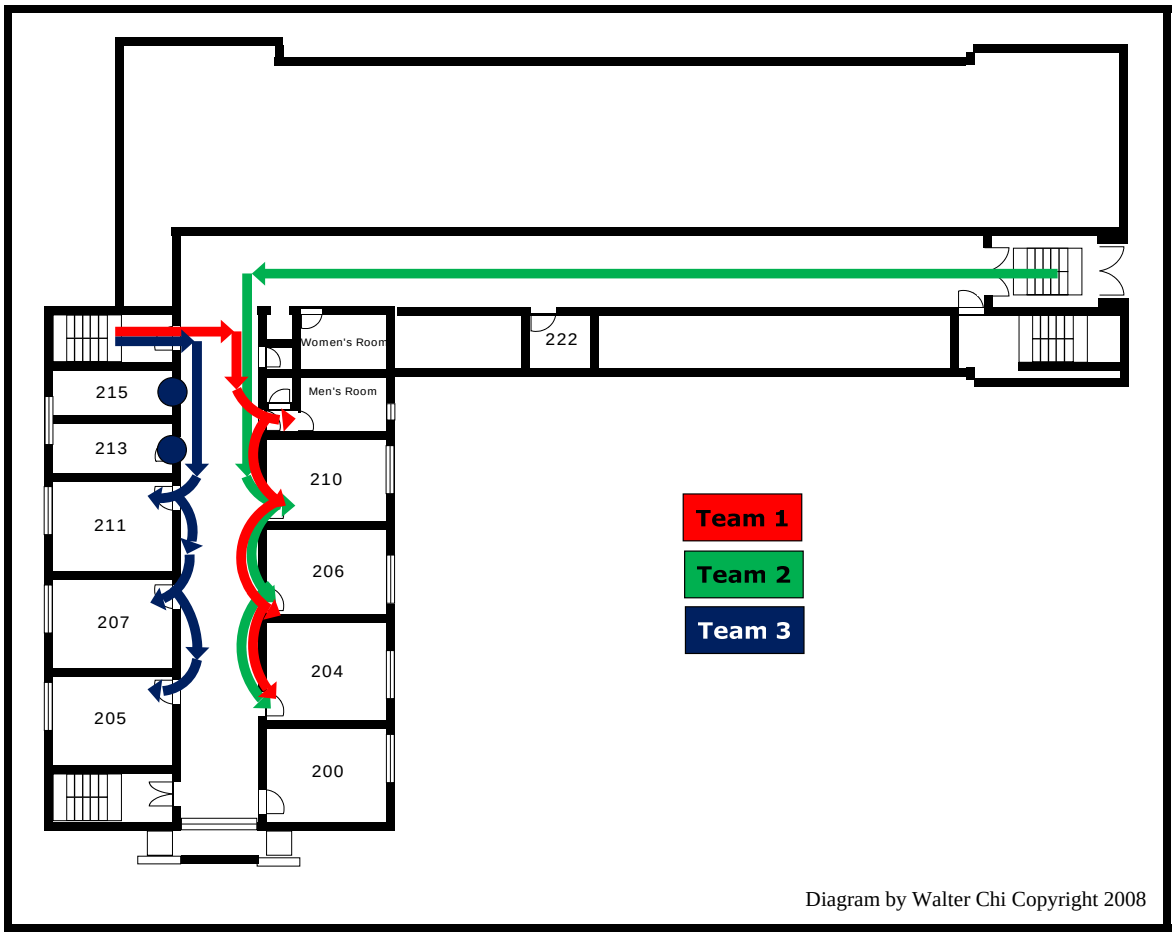


After splitting from Team One, running south, down the first floor hallway, and then up the south/Drillfield stairs to enter the second floor from that end of the wing, it is decided that Team Three should move up the south stairs to the third floor. The two teams are concerned about friendly fire if facing each other in a hallway less than 8 ft. wide.

As Team Three arrives at the third floor, it moves north up the hall, quickly searching and clearing rooms. Three doors will be shotgun breached. At the top of the hall, Team Three then descends the west/central/Burruss side stairs to join back up with Team One to begin searching the second floor.

Note Rm. 306 in which Prof. Yardley was giving his exam, and Prof. Granata's office, Rm. 307, across the hall in which he secured Prof. Yardley and his class before proceeding down the west/central/Burruss stairs to investigate student Tiffany Otey's report of gunfire on the second floor.

Figure 11 – Search of the Second Floor of Norris Hall.



Teams One and Three cover each other while searching the second floor of Norris Hall. Once it is determined that there is no threat in the west-east wing, or on the third floor, Team Two moves down the corridor to assist and provide cover to the teams in the north-south wing.

ADDENDUM B – BIO OF SF/DELTA CSM MEL WICK (RET.)

Mr. Wick has more than 32 years experience in the Special Operations community including 16 plus years in Delta Force. He served as the Command Sergeant Major for Delta, the Joint Special Operations Command (JSOC), the US Army Special Operations Command (USASOC), and the United States Special Operations Command (USSOCOM). He has on the ground combat experience in Vietnam, Desert One in Iran, Grenada, Panama, Somalia, Bosnia, Kosovo, and several other classified operations. He has conducted personal security for US Ambassadors during high threat periods, conducted numerous threat/vulnerability assessments of high-risk facilities and has planned and conducted security operations around the world. His diversified career in Special Operations has built a broad base of experience and expertise in leadership, operations planning, managing complex projects in high threat environments and building positive working relationships with indigenous personnel. He has planned, designed, and supervised the implementation of advanced special operations training courses from 1 week to 6 months in duration, planned and conducted joint exercises up to National level as well as designing, planning and conducting operational tests of special operations unique equipment. He was involved in the initial tactical training for the original FBI HRT and has been conducting tactical training for law enforcement personnel ever since.

As the Director and Program Manager for the Center for National Response, Mr. Wick turned an abandoned highway tunnel into a unique one-of-a-kind, national level, Weapons of Mass Destruction and Counter Terrorism training center, training over 10,000 DOD, Federal, State and local first responders to include numerous tactical scenarios for law enforcement teams.

Mr. Wick had the leading role in the site selection, design, construction, stand up, and operation of a Security Training Center in Iraq. He was instrumental in the POI development, recruiting and hiring of the instructors and support staff, pre-mission training, instructor evaluations, and on site monitoring and program evaluation. Mr. Wick has supervised the conduct of threat/vulnerability assessments of critical infrastructure in the US and Iraq, security and training operations in Iraq, employee travel through high risk areas and other security related activities. Mel continues to conduct seminars, training, and realistic scenario based training for law enforcement personnel.

Mel has a Bachelor of Science degree from Liberty University, Lynchburg, Virginia and is currently the President of Quick Services LLC, a Service Disabled Veteran Owned Small Business specializing in providing counter terrorism training and exercises for law enforcement, focusing on the tactics, techniques, and procedures for dealing with trained and dedicated terrorists. From focused classroom presentations, to hands on tactical training (shooting, room clearing, planning, movement, etc) to scenario based training, to full scale exercises – QSL sends the instructors to you, to train where you will fight. You can contact Mel at (703) 491-1790 or Mel.wick@quickservicesllc.com

ADDENDUM C – BIO OF MARK T. BAGANZ, ESQ.

Mark T. Baganz, Esq. is a former Madison, Wisconsin police officer and graduated from the University of Wisconsin-Madison Law School. He is admitted to practice law in the courts of Wisconsin and is also admitted to practice law before the United States Supreme Court, the Circuit Courts of Appeals for 6th, 7th, 9th and 11th federal circuits as well as before the Eastern and Western District federal courts in Wisconsin. He is a tenured faculty member in the Criminal Justice/Law Enforcement Program at Milwaukee Area Technical College (MATC) where he teaches, among other subjects, Arrest, Search & Seizure/Constitutional Law and Criminal Law. He also is an instructor in the MATC Police Recruit Academy and in MATC's Recertification (In-Service) Program. He formerly served in the capacity as a Police Training Specialist for MATC in its specialized and recertification programs in law enforcement as well as being the Police Recruit Academy Director for MATC. In addition, he is the former International Director of the American Society of Law Enforcement Trainers (ASLET). He has provided legal instruction and training to law enforcement officers throughout the United States. He has served on the Advisory Board for *Police Marksman* magazine and has written numerous articles for *Police Marksman* as well as other law enforcement publications. In his practice of the law, he has represented law enforcement officers involved in use of force incidents, including use of deadly force, and was himself, as a police officer, involved in an officer involved shooting. He has also been consulted on law enforcement issues by different attorneys, law enforcement agencies and individual officers. Attorney Baganz was present at Virginia Tech for certain aspects of the investigation and reviewed available information concerning the incident itself and training of the two primary responding agencies. He authored the opinion concerning the Federal Legal Standards for Law Enforcement in the United States in Similar Situations for this After Action Review.

Mark T. Baganz, Esq.
Attorney at Law
P.O. Box 1563
Brookfield, Wisconsin 53008-1563

(262) 797-7944

CONTACT INFORMATION

Archangel Group can be contacted at:

PO Box 16850
Golden, CO 80402
303-215-0779
info@circon.org
www.antiterrorconsultants.org

The Virginia Tech Police Department can be contacted through:

Lt. Curtis L. Cook
Virginia Polytechnic Institute and State University
Sterrett Facilities Complex (0523)
Blacksburg, VA 24061
cookie@vt.edu