NAVAL POSTGRADUATE SCHOOL

MONTEREY, CALIFORNIA

THESIS

BLIP ON THE RADAR: SCHOOL SAFETY SYNERGY THROUGH EARLY WARNING AND INFORMATION SHARING

by

Bruno S. Dias

December 2020

Co-Advisors: Cristiana Matei
Nadav Morag (contractor)

Approved for public release. Distribution is unlimited.

THIS PAGE INTENTIONALLY LEFT BLANK

REPORT DOCUMENTATION PAGE	Form Approved OMB No. 0704-0188

Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instruction, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Washington headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302, and to the Office of Management and Budget, Paperwork Reduction Project (0704-0188) Washington, DC 20503.

1. AGENCY USE ONLY *(Leave blank)*	2. REPORT DATE December 2020	3. REPORT TYPE AND DATES COVERED Master's thesis

4. TITLE AND SUBTITLE BLIP ON THE RADAR: SCHOOL SAFETY SYNERGY THROUGH EARLY WARNING AND INFORMATION SHARING	5. FUNDING NUMBERS
6. AUTHOR(S) Bruno S. Dias	
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) Naval Postgraduate School Monterey, CA 93943-5000	8. PERFORMING ORGANIZATION REPORT NUMBER
9. SPONSORING / MONITORING AGENCY NAME(S) AND ADDRESS(ES) N/A	10. SPONSORING / MONITORING AGENCY REPORT NUMBER

11. SUPPLEMENTARY NOTES The views expressed in this thesis are those of the author and do not reflect the official policy or position of the Department of Defense or the U.S. Government.

12a. DISTRIBUTION / AVAILABILITY STATEMENT Approved for public release. Distribution is unlimited.	12b. DISTRIBUTION CODE A

13. ABSTRACT (maximum 200 words)

The traditional response to school violence by legislators and school districts has been mostly reactive. Scholars and existing research in the field of school safety and security recommend a critical safety and security initiative that is proactive and works to prevent violence by identifying concerns early on through behavioral threat assessment practices. This thesis applied a multi-step qualitative and comparative policy analysis framework that evaluated existing opportunities to increase the safety and security posture of schools. This study evaluated strengths and weaknesses in school safety and security by drawing lessons from past incidents of school violence in the United States, assembling contributing factors to inaction, comparing another country's holistic approach to targeted violence, and evaluating gaps in existing school safety legislation. This thesis used scholarly research to make school safety and security recommendations at the federal, state, and local levels—for legislators, public safety professionals, school district leadership, and particularly, school safety and security professionals in Texas. This thesis found that for behavioral threat assessment and management to be an effective violence prevention strategy, school officials and legislators ought to develop programs and implement training and measurement tools that focus on efficacy rather than compliance or broad measures that consequentially affect children who do not pose a threat.

14. SUBJECT TERMS behavioral threat assessment, data sharing, student privacy rights, school violence prevention	15. NUMBER OF PAGES 113
	16. PRICE CODE

17. SECURITY CLASSIFICATION OF REPORT	18. SECURITY CLASSIFICATION OF THIS PAGE	19. SECURITY CLASSIFICATION OF ABSTRACT	20. LIMITATION OF ABSTRACT
Unclassified	Unclassified	Unclassified	UU

NSN 7540-01-280-5500

Standard Form 298 (Rev. 2-89)
Prescribed by ANSI Std. 239-18

THIS PAGE INTENTIONALLY LEFT BLANK

Approved for public release. Distribution is unlimited.

BLIP ON THE RADAR: SCHOOL SAFETY SYNERGY THROUGH EARLY WARNING AND INFORMATION SHARING

Bruno S. Dias
Director of Safety and Security, Mansfield ISD
MS, Ashworth College, 2014

Submitted in partial fulfillment of the
requirements for the degree of

MASTER OF ARTS IN SECURITY STUDIES
(HOMELAND SECURITY AND DEFENSE)

from the

NAVAL POSTGRADUATE SCHOOL
December 2020

Approved by: Cristiana Matei
Co-Advisor

Nadav Morag
Co-Advisor

Erik J. Dahl
Associate Professor, Department of National Security Affairs

THIS PAGE INTENTIONALLY LEFT BLANK

ABSTRACT

The traditional response to school violence by legislators and school districts has been mostly reactive. Scholars and existing research in the field of school safety and security recommend a critical safety and security initiative that is proactive and works to prevent violence by identifying concerns early on through behavioral threat assessment practices. This thesis applied a multi-step qualitative and comparative policy analysis framework that evaluated existing opportunities to increase the safety and security posture of schools. This study evaluated strengths and weaknesses in school safety and security by drawing lessons from past incidents of school violence in the United States, assembling contributing factors to inaction, comparing another country's holistic approach to targeted violence, and evaluating gaps in existing school safety legislation. This thesis used scholarly research to make school safety and security recommendations at the federal, state, and local levels—for legislators, public safety professionals, school district leadership, and particularly, school safety and security professionals in Texas. This thesis found that for behavioral threat assessment and management to be an effective violence prevention strategy, school officials and legislators ought to develop programs and implement training and measurement tools that focus on efficacy rather than compliance or broad measures that consequentially affect children who do not pose a threat.

THIS PAGE INTENTIONALLY LEFT BLANK

TABLE OF CONTENTS

I. INTRODUCTION....1
- A. LEARNING FROM PAST LESSONS....2
- B. PROBLEM STATEMENT....4
- C. RESEARCH QUESTIONS....8
- D. RESEARCH DESIGN....8
  - 1. Limits....8
  - 2. Data Sources....9
  - 3. Type of Analysis....9
  - 4. Outputs....9
- E. LITERATURE REVIEW....10
  - 1. Efficacy of Behavioral Threat Assessment....10
  - 2. Countering School Violence through Behavioral Threat Assessment....13
  - 3. Alignment with Student Privacy Rights (FERPA and HIPAA)....14
- F. CHAPTER OUTLINE....16

II. CATALYST EVENTS TO SCHOOL SAFETY LEGISLATION....17
- A. COLUMBINE HIGH SCHOOL SHOOTING....18
  - 1. Precipitating Factors....18
  - 2. Lessons Drawn from Tragedy....19
- B. VIRGINIA TECH SHOOTING....21
  - 1. Precipitating Factors....21
  - 2. Lessons Drawn from Tragedy....22
- C. MARJORY STONEMAN DOUGLAS HIGH SCHOOL SHOOTING....24
  - 1. Precipitating Factors....24
  - 2. Lessons Drawn from Tragedy....25
- D. SANTA FE HIGH SCHOOL SHOOTING....26
  - 1. Precipitating Factors....27
  - 2. Lessons Drawn from Tragedy....27
- E. CONCLUSION....28

III. COUNTERING “SENSELESS” ACTIONS THROUGH SENSIBLE MEASURES....33
- A. GRIEVANCE-FUELED VIOLENCE....34
- B. THE GUN DEBATE....37

C. THE TAPS ACT 41
D. COMPARATIVE ANALYSIS: THE ZURICH MODEL.....42
E. CONCLUSION 45

IV. TEXAS SCHOOL SAFETY LEGISLATION, FUSION CENTERS, AND PRIVACY RIGHTS.....47
A. TEXAS SENATE BILL 11.....47
1. Behavioral Threat Assessment Training 50
2. Forming Multidisciplinary Teams.....51
3. Governor Abbot's Executive Orders 52
B. FUSION CENTERS AND BEHAVIORAL THREAT ASSESSMENT 55
1. Process Similarities 56
2. Process Challenges 57
3. Privacy Considerations: FERPA and HIPAA.....60
C. CONCLUSION 63

V. RECOMMENDATIONS AND CONCLUSIONS.....65
A. TEXAS LOCAL-LEVEL RECOMMENDATIONS 67
1. Behavioral Threat Assessment and Management.....67
2. Whole-Community Approach to Prevent Violence 68
B. TEXAS SENATE BILL 11 AMENDMENTS 70
1. Threat Assessment Case Management Amendment 70
2. Information Sharing Amendment.....72
C. FEDERAL LEGISLATION: THE TAPS ACT.....75
D. CONCLUSION 75

LIST OF REFERENCES.....77

INITIAL DISTRIBUTION LIST 91

LIST OF FIGURES

Figure 1. The Pathway to Targeted Violence 3

Figure 2. Adoption of State School Safety Laws, 1999–2020 30

Figure 3. Example of a School-Based Threat Assessment Multidisciplinary Team 52

THIS PAGE INTENTIONALLY LEFT BLANK

LIST OF TABLES

Table 1. Mass Attacks in Public Spaces: Motives and Targeting, 2017.....35

Table 2. Texas Governor Abbott: Executive Orders, 2018.....53

THIS PAGE INTENTIONALLY LEFT BLANK

LIST OF ACRONYMS AND ABBREVIATIONS

ATAP	Association of Threat Assessment Professionals
FERPA	Family Educational Rights and Privacy Act
FBI	Federal Bureau of Investigation
HIPAA	Health Insurance Portability and Accountability Act
NRA	National Rifle Association
NTAC	National Threat Assessment Center
S.B.	Senate Bill
TAPS	Threat Assessment, Prevention, and Safety (Act)

THIS PAGE INTENTIONALLY LEFT BLANK

EXECUTIVE SUMMARY

School safety and security form a complex issue. Educators, as well as safety and security professionals, must balance the implementation of safety and security measures without sacrificing privacy rights and what should be welcoming learning environments for children. The increased frequency and lethality of violence within the American public education system highlights the importance of conducting a closer examination of contemporary school safety and security initiatives to identify prevailing opportunities and effective practices through research and empirical evidence.[1]

The pervasiveness of violence in American schools has been a problem for decades. With growing casualty rates and increased media coverage, federal, state, and local governments are pressured to enact laws, mandates, and initiatives aimed at preventing school violence.[2] The Federal Commission on School Safety and multiple state-led mandates, which include legislative actions, were either introduced or became law in 2018—one of the deadliest school years since the 1970s.[3] States that bore witness to highly publicized 2018 school shootings, such as Florida and Texas, have responded by enacting a range of measures, including the use of school-based behavioral threat assessment and management as a strategy to counter violence within the public education system.[4] Behavioral threat assessment and management processes help educators, and school safety and security professionals understand precipitating behaviors, stressors, and violence mitigators that should be regulated or leveraged to promote safety. Having a deeper understanding of what causes concerning behaviors helps school administrators formulate

---

[1] "Shooting Incidents Graphs 2010-Present Archives," K-12 School Shooting Database, accessed July 24, 2020, https://www.chds.us/ssdb/category/shooting-incidents-2010-present/.

[2] Michelle Exstrom, "School Safety: Overview and Legislative Tracking," National Conference of State Legislatures, May 8, 2019, http://www.ncsl.org/research/education/school-safety.aspx.

[3] Federal Commission on School Safety, *Final Report of the Federal Commission on School Safety* (Washington, DC: Federal Commission on School Safety, 2018), https://www2.ed.gov/documents/school-safety/school-safety-report.pdf.

[4] "Unprepared and Overwhelmed," *South Florida Sun Sentinel*, December 28, 2018, https://projects.sun-sentinel.com/2018/sfl-parkland-school-shooting-critical-moments; Alex Samuels, "Gov. Greg Abbott Signs Several School Safety Bills in Wake of Shooting at Santa Fe High," *Texas Tribune*, June 6, 2019, https://www.texastribune.org/2019/06/06/texas-santa-fe-mass-shooting-mental-health-school-safety/.

better management strategies, which in turn may keep students from progressing down a pathway of violence where retribution becomes the solution to correct a perceived wrong.[5]

U.S. government agencies have conducted multiple studies regarding behavioral threat assessments. Still, a recent 2019 Secret Service study highlights the importance of effective behavioral threat assessment and management processes in school violence prevention.[6] Before behavioral threat assessment and management, threats and concerning behaviors were dealt with by enacting zero-tolerance policies, which often resulted in the expulsion of students or criminal prosecution. Behavioral threat assessment does not replace disciplinary actions, but if done effectively, the number of conduct violations may be significantly reduced by adding a process designed to provide support and risk management rather than simply punish.[7]

This thesis applied a multi-step qualitative and comparative policy analysis framework that outlined the issues by defining the problem, assembling the evidence, projecting outcomes, and deciding courses of action.[8] This study evaluates strengths and weaknesses in school safety and security by drawing lessons from past incidents of school violence, assembling contributing factors to inaction, comparing another country's holistic approach to counter incidents of targeted violence, and evaluating gaps in existing school safety legislation.

This thesis found that to be done effectively, behavioral threat assessment and management require the implementation of training, information sharing, and measurement tools that focus on efficacy instead of compliance or broad measures that consequentially affect children who do not pose a threat. This thesis determined that

---

[5] Melissa A. Louvar Reeves and Stephen E. Brock, "School Behavioral Threat Assessment and Management," *Contemporary School Psychology* 22, no. 2 (2018): 148–62, https://doi.org/10.1007/s40688-017-0158-6.

[6] Lina Alathari et al., *Protecting America's Schools: A U.S. Secret Service Analysis of Targeted School Violence* (Washington, DC: National Threat Assessment Center, 2019), https://www.secretservice.gov/data/protection/ntac/Protecting_Americas_Schools.pdf.

[7] "Zero Tolerance," University of Virginia, accessed August 15, 2020, https://curry.virginia.edu/faculty-research/centers-labs-projects/research-labs/youth-violence-project/violence-schools-and-1.

[8] Eugene Bardach, *A Practical Guide for Policy Analysis: The Eightfold Path to More Effective Problem Solving*, 4th ed. (Thousand Oaks: SAGE Publications, 2012).

behavioral threat assessment practices should leverage the collective expertise of multiple stakeholders, ensure accurate understanding of existing privacy rights to guide information sharing practices, develop proper case management protocols, and implement policies that ensure beneficial information is not lost as a child moves from school to school.

Through a review of Texas and federal legislation, this thesis found both valuable elements as well as opportunities to enhance safety and security measures aimed at preventing school violence. In 2019, Texas took an essential step in increasing school safety and security measures through legislation, but despite making significant strides, to date, little guidance has been provided regarding how to assess if proper behavioral threat assessment case management and information sharing processes are being conducted.[9]

This thesis identifies areas where existing gaps should be addressed sooner rather than later, as failure to do so, will likely affect desired outcomes. By identifying existing opportunities, offering solutions, and recommending relevant legislation, this thesis helps educational institutions and homeland security stakeholders prioritize resources to build effective school safety and security programs.

It may never be possible to prevent violent attacks from happening in schools entirely, but schools must mitigate the risk through both proactive and protective means by developing processes that are defensible. This research concludes that there is no single solution to school safety and security. The focus must be placed on developing a layered security protocol that leverages entire communities to make school violence prevention an attainable goal.

The primary audience of this thesis includes legislators, school district leadership, mental health professionals, public safety professionals tasked with providing school safety and security functions, and fusion centers. While the narrow scope of this thesis was intended for Texas, the recommendations outlined in this thesis can be broadly applied at a national level.

---

[9] Texas School Safety Center, "Model Policies and Procedures to Establish and Train on Threat Assessment" (San Marcos: Texas School Safety Center, 2020), https://locker.txssc.txstate.edu/f40474bcbab5f025bb1570f1bfbf9f06/Model-Policies-and-Procedures-to-Establish-and-Train-on-Threat-Assessment.pdf.

THIS PAGE INTENTIONALLY LEFT BLANK

ACKNOWLEDGMENTS

> Many of life's failures are people who did not realize how close they were to success when they gave up.
>
> —Thomas A. Edison

First, I would like to thank my family, friends, and unofficial editor and amazing wife, Lisa, for their love, support, and understanding of the rigor and time requirements associated with this program. Your understanding and support were instrumental. To my sons, Brendan and Sergio, it is never too late to learn, and there is never a challenge too difficult to overcome if you push yourself.

Second, I want to thank my leadership group at Mansfield ISD and Weatherford ISD for recognizing the return this program brings to their organizations. Dr. Kimberly Cantu, Mr. David Wright, Dr. Jeffrey Hanks, and Mr. Monty Chapman, thank you.

Last, I want to thank my classmates and instructors from Cohort 1903/1904 for the knowledge, support, and encouragement I acquired from all of you. I learned many valuable lessons, which have made me not only a better professional but a better critical thinker.

My advisors, Dr. Cris Matei and Dr. Nadav Morag, deserve special recognition for their continuous support and instruction throughout this challenging program.

THIS PAGE INTENTIONALLY LEFT BLANK

I. INTRODUCTION

Failure to connect dots and poor information sharing were cited as reasons for the formation of the Department of Homeland Security following the terrorist attacks on September 11, 2001, but despite having a clear understanding of impediments and an outlined mission, the implementation of solutions continues to pose challenges to homeland security professionals.[1] The American public-school system is faced with similar challenges, which highlights the importance of conducting a closer examination of school safety and security initiatives to identify opportunities and practices through research and empirical evidence.

Some may question the classification of schools as a component of the Homeland Security enterprise, but the role of American schools has significantly evolved. In addition to readying youth for the American workforce, higher education, and military service, school districts offer nutritional services, healthcare, social-emotional learning, and mental health support to some of the most fragile youth groups.[2] The nexus between the public education system and national security has been recognized by Retired Admiral William McRaven. When asked which national security threat was his greatest concern, his response was "K-12 education."[3] It is within this particular context that this thesis is extremely relevant. Indeed, it highlights the need to enact proactive school safety measures rather than continuing to be reactive to acts of violence. Through research and analysis, this thesis provides a roadmap for the implementation of legislation and policies that respect all students, cultures, special needs, and privacy by focusing on prevention and support rather than punishment. After years of missed opportunities, the time to apply lessons that school officials, legislators, and entire communities have failed to learn is now,

---

[1] Department of Homeland Security, *Department of Homeland Security Information Sharing Strategy* (Washington, DC: Department of Homeland Security, 2008), 9.

[2] "Why Education Matters to Health: Exploring the Causes," Virginia Commonwealth University, February 13, 2015, https://societyhealth.vcu.edu/work/the-projects/why-education-matters-to-health-exploring-the-causes.html.

[3] David Choi, "Navy SEAL Who Oversaw bin Laden Raid Says America's Biggest National Security Issue Is the K-12 Education System," Business Insider, July 8, 2020, https://www.businessinsider.com/navy-seal-william-mcraven-education-biggest-security-issue-2020-7.

as evident by the increasing level of violence within the American public-school system. U.S. diplomat and former Secretary of State John Dulles offered a valuable lesson in problem-solving when he stated, "The measure of success is not whether you have a tough problem to deal with, but whether it is the same problem you had last year."[4]

A. LEARNING FROM PAST LESSONS

The pervasiveness of violence in American schools has been a problem for decades, and with growing casualty rates and increased media coverage, federal, state, and local governments are pressured to enact laws, mandates, and initiatives aimed at preventing school violence.[5] The Federal Commission on School Safety and multiple state-led mandates, which include legislative actions, were either introduced or became law in 2018—one of the deadliest school years since the 1970s.[6] States that bore witness to highly publicized 2018 school shootings, such as Florida and Texas, have responded by enacting measures that range from fortifying schools to arming teachers, to creating large databases that contain student threat assessments, school discipline records, juvenile crime records, and social media posts.[7]

The use of behavioral threat assessment and management as a violence prevention tool was outlined as an effective strategy in the 2018 report by the Federal Commission on School Safety.[8] The Secret Service also identified the importance of behavioral threat

---

[4] Dianne L. Gadow, "It's Time—Strengthening Partnerships throughout the Juvenile Justice System," *Corrections Today* 70, no. 1 (February 2008): 6.

[5] Michelle Exstrom, "School Safety: Overview and Legislative Tracking," National Conference of State Legislatures, May 8, 2019, http://www.ncsl.org/research/education/school-safety.aspx.

[6] Federal Commission on School Safety, *Final Report of the Federal Commission on School Safety* (Washington, DC: Federal Commission on School Safety, 2018), https://www2.ed.gov/documents/school-safety/school-safety-report.pdf.

[7] "Unprepared and Overwhelmed," *South Florida Sun Sentinel*, December 28, 2018, https://projects.sun-sentinel.com/2018/sfl-parkland-school-shooting-critical-moments; Alex Samuels, "Gov. Greg Abbott Signs Several School Safety Bills in Wake of Shooting at Santa Fe High," *Texas Tribune*, June 6, 2019, https://www.texastribune.org/2019/06/06/texas-santa-fe-mass-shooting-mental-health-school-safety/.

[8] Federal Commission on School Safety, *Final Report of the Federal Commission on School Safety*.

assessment and management in its 2018 report.[9] One of the key objectives of behavioral threat assessment and management is to identify concerning behaviors from students early on so that management strategies can be implemented.[10] The objective of a robust behavioral threat assessment process is to keep individuals from progressing down a pathway of violence where retribution becomes the solution to correct a perceived wrong.[11] Figure 1 illustrates the steps typically taken by individuals who engage in targeted violence. Each marker represents an opportunity to deescalate.

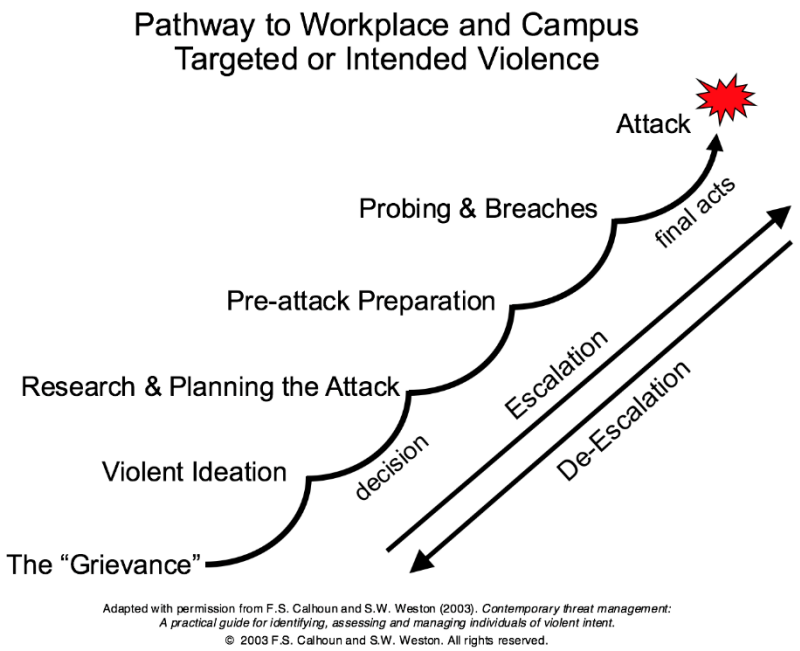

Figure 1. The Pathway to Targeted Violence[12]

---

[9] National Threat Assessment Center, *Enhancing School Safety Using a Threat Assessment Model: An Operational Guide for Preventing Targeted School Violence* (Washington, DC: Secret Service, July 2018), https://www.secretservice.gov/data/protection/ntac/USSS_NTAC_Enhancing_School_Safety_Guide_7.11.18.pdf.

[10] Federal Commission on School Safety, *Final Report of the Federal Commission on School Safety*.

[11] Melissa A. Louvar Reeves and Stephen E. Brock, "School Behavioral Threat Assessment and Management," *Contemporary School Psychology* 22, no. 2 (2018): 148–62, https://doi.org/10.1007/s40688-017-0158-6.

[12] Source: "Pathway to Violence," WAVR-21, accessed July 13, 2020, https://www.wavr21.com/pathway-to-violence-2/.

U.S. government agencies have conducted multiple studies regarding the efficacy of behavioral threat assessment and management, but a recent 2019 Secret Service study highlights the importance of effective behavioral threat assessment and management processes in school violence prevention.[13] Prior to behavioral threat assessment and management, threats and concerning behaviors were dealt with by enacting zero-tolerance policies, which often resulted in the expulsion of students or criminal prosecution. This consequential and reactive framework leverages school regulations and law enforcement as simple solutions to what often are complex problems. School-based law enforcement has multiple roles, including relationship building and mentorship, which are functions that become clouded due to the overuse of law enforcement for consequential practices. The social discourses of 2020 and recent calls to remove law enforcement from schools highlight the challenges faced by law enforcement when they become the panacea for resolving complex problems. Behavioral threat assessment does not replace disciplinary actions, but if it is done effectively, the number of conduct violations may be significantly reduced by adding a process designed to understand what is propelling concerning behaviors so that a management strategy—involving counseling, social-emotional learning, and other forms of support—can be implemented. Studies have shown that zero-tolerance policies are highly ineffective, and minority students are disproportionally affected by such practices.[14]

B. PROBLEM STATEMENT

Despite behavioral threat assessment and management being an important violence prevention initiative, recent acts of school violence exemplify the confusion associated with how to effectively implement school-based behavioral threat assessment and management programs. For example, the Marjory Stoneman Douglas High School Public Safety Commission identified poor training, poor management, and lack of information

[13] Lina Alathari et al., *Protecting America's Schools: A U.S. Secret Service Analysis of Targeted School Violence* (Washington, DC: National Threat Assessment Center, 2019), https://www.secretservice.gov/data/protection/ntac/Protecting_Americas_Schools.pdf.

[14] "Zero Tolerance," University of Virginia, accessed August 15, 2020, https://curry.virginia.edu/faculty-research/centers-labs-projects/research-labs/youth-violence-project/violence-schools-and-1.

sharing regarding the school's behavioral threat assessment processes as contributing factors to the school shooting that resulted in 17 casualties.[15] Additionally, the challenge of sharing data with law enforcement agencies without compromising existing privacy rights highlights the need to develop actionable, reasoned implementation guidelines, and corresponding legislation.[16] This issue is exemplified in states like Florida and Texas, where the implementation of behavioral threat assessment and management teams in all public schools is mandatory, and consideration should be given in developing legislation that promotes safety without compromising privacy and the trust of all stakeholders.

Specifically, Texas Senate Bill (S.B.) 11 requires public and charter schools to implement and prioritize the formation of school-based threat assessment and management teams.[17] S.B. 11 allocates funding for training, hiring additional counselors, and providing telemedicine for mental health needs.[18] However, currently, there are no standardized processes for case management, including methods to measure the efficacy of behavioral threat assessment and management programs, and there are no processes in place governing the dissemination of threat assessment information from school to school or from district to district.[19] The Texas School Safety Training Center, the research center responsible for implementing and overseeing school safety functions in Texas, developed a broad framework of model policies and procedures for threat assessment programs. This model program was published in 2020 through a tool kit guide; however, the referenced guidelines

---

[15] Marjory Stoneman Douglas High School Public Safety Commission, *Final Report of the Marjory Stoneman Douglas High School Public Safety Commission* (Tallahassee: Florida Department of Law Enforcement, 2019), http://www.fdle.state.fl.us/MSDHS/MSD-Report-2-Public-Version.pdf.

[16] Santa Cruz County, *Assessing the Threat of Violence in Our Public Schools: Is Enough Being Done?* (Santa Cruz: Santa Cruz County, June 13, 2017), http://www.co.santa-cruz.ca.us/Portals/0/County/GrandJury/GJ2017_final/SchoolThreatAssessment.pdf.

[17] Greg Abbott, *Improving School Safety in Texas* (Austin: Office of the Governor, 2019), https://gov.texas.gov/uploads/files/press/Aug_2019_School_Safety_Update.pdf.

[18] Abbott.

[19] Texas Association of School Boards, "School Safety after Senate Bill 11" (Austin, Texas Association of School Boards, 2019), https://www.tasb.org/services/legal-services/tasb-school-law-esource/business/documents/school-safety-after-senate-bill-11.pdf.

lack methods for effective implementation of case management, performance measures, and data sharing practices—making the guidelines suggestive rather than executable.[20]

Like Texas S.B. 11, Florida's Senate Bill 7030, the Marjory Stoneman Douglas High School Public Safety Act, mandates the creation of school-based behavioral threat assessment and management teams.[21] However, S.B. 7030 specifically describes how Florida manages threat assessment data and data sharing through the implementation of a central law enforcement records database.[22] The bill recommends that all school threat assessment records in Florida are forwarded to a state-wide law enforcement database that contains school disciplinary, student arrest, and family services records.[23] The Family Educational Rights and Privacy Act (FERPA) and Health Insurance Portability and Accountability Act (HIPAA) codify exceptions to privacy-record confidentiality, and students who pose a threat should fall under the existing safety exceptions.[24] Florida's S.B. 7030 is receiving significant push-back by privacy rights groups, and its application could compromise public trust.[25] Lack of public trust and parental involvement may keep students and parents from reporting concerning behaviors, thus compromising an important balance between proactive measures and privacy. For example, the Secret Service's National Threat Assessment Center identified effective reporting mechanisms and community involvement as significant steps in forming effective threat assessment teams.[26] Developing policies and programs that clash with laws intended to protect students could tarnish the efficacy of threat assessment and management initiatives.

---

[20] Texas School Safety Center, "Model Policies and Procedures to Establish and Train on Threat Assessment" (San Marcos: Texas School Safety Center, 2020), https://locker.txssc.txstate.edu/f40474bcbab5f025bb1570f1bfbf9f06/Model-Policies-and-Procedures-to-Establish-and-Train-on-Threat-Assessment.pdf.

[21] S.B. 7030, 2019 Leg. (Fla. 2019), https://www.flsenate.gov/Session/Bill/2019/07030.

[22] S.B. 7030, 2019 Leg. (Fla. 2019).

[23] S.B. 7030, 2019 Leg. (Fla. 2019).

[24] Sarah Collins, "Proposed Florida School Safety Policies Undermine Student Privacy," Student Privacy Compass, March 26, 2019, https://studentprivacycompass.org/collins1/.

[25] Katya Schwenk, "Florida 'Student Safety' Database Fell Short, Commission Says," EdScoop, August 16, 2019, https://edscoop.com/florida-student-safety-database-public-safety-commission/.

[26] Alathari et al., *Protecting America's Schools*.

Lessons from Florida's approach to school-based threat assessment and information sharing initiatives offer Texas opportunities to enhance proactive measures that align with privacy rights, creating an ecosystem where policy, proactive measures, privacy, and human conduct work collectively toward the same goal. Texas took a bold step in the right direction by mandating the formation of school-based threat assessment and management teams along with other school safety measures, but how to effectively institute and manage threat assessment programs remains at the discretion of each individual school district. Legislative or other legal mandates governing case management and information sharing have not been instituted. As opportunities to do better abound, schools must create programs and policies that align proactive violence prevention programs and protocols without compromising public trust. This thesis ultimately predicts that behavioral threat assessment databases that focus too broadly on data collection and lack privacy rights considerations will do little to promote school safety but will instead corrupt public trust and the inherent side effects that follow.

Rather than waiting for predictions to morph into reality, this thesis recommends legislation to govern threat assessment case management and statewide threat-assessment information-sharing in Texas. The Texas recommendation leverages law enforcement partnerships when needed without compromising FERPA, HIPPA, or the trust of parents and the community. By following the path of proactive violence prevention measures, this thesis recommends the adoption of pending federal legislation that should become part of the Department of Homeland Security's national violence prevention strategy by making behavioral threat assessment and management functions, a community-based program. The often-reactive role of school leadership, law enforcement, and legislators in times of increased acts of violence requires a new holistic strategy that leverages all stakeholders to prevent violence before it happens. Violence is a multifaceted issue, and there is no panacea, but if done correctly, behavioral threat assessment and management may significantly increase the safety and security posture of communities, states, and the homeland.

C. RESEARCH QUESTIONS

This thesis explores current efforts and available opportunities in Texas to implement effective school safety measures by asking,

- What is needed for behavioral threat assessment and management protocols to be effective?
- Is it possible to share behavioral threat assessment information without compromising existing student privacy rights, and if so, how?
- What local, state, and federal measures should be implemented to promote school safety and security holistically?

D. RESEARCH DESIGN

This thesis focused on offering recommendations for current legislation in the area of behavioral threat assessment by demonstrating the existing problems with current school behavioral threat assessment and management practices through an examination of precipitating events to school violence, related societal challenges, a comparative policy analysis with Switzerland, and recent changes in school safety legislation.

More narrowly, this thesis focused on the following topics:

- Missed opportunities to learn from past incidents of school violence,
- Understanding what drives targeted violence,
- Impediments to action,
- The gun debate,
- A comparative analysis with Switzerland,
- Existing legislation and information sharing initiatives,
- Privacy rights considerations, and
- Local, state, and federal school safety recommendations and legislation.

1. Limits

This thesis focused on the implementation of proper methods of behavioral threat assessment and management in K-12 educational institutions in Texas and concerns

associated with sharing federally protected student data with other school districts and law enforcement. This thesis was oriented toward the role of school districts and its governing body, the Texas Education Agency, and state legislators. This thesis did not focus on law enforcement recommendations or information sharing with other organizations or the public at large. While the narrow scope of this thesis was intended for Texas, the recommendations can be broadly applied nationally.

2. Data Sources

The data utilized included mandates that were introduced in 2018 or later intended to enhance school safety, laws, open-source documents, scholarly articles, and government publications. By analyzing the outlined data sources, this thesis drew conclusions regarding contributing factors to past acts of school violence, provided context to contemporary issues facing school safety, and justified recommendations for school safety measures at the local, state, and federal levels.

3. Type of Analysis

This thesis applied a multi-step qualitative and comparative policy analysis framework that outlined the issues by defining the problem, assembling the evidence, projecting outcomes, and deciding courses of action.[27] By analyzing past incidents of school violence, contemporary school-based behavioral threat assessment policies and legislation, case management, impediments, data sharing, and publicly available data—or lack of publicly available data from Florida and Texas—this thesis evaluated the efficacy, pointed out disparities, and offered recommendations that promote symbiosis of school safety and security policy and privacy.

4. Outputs

This thesis leveraged the findings of the research to prescribe legislative action aimed at the State of Texas to enhance school-based behavioral threat assessment and management practices, including effective threat assessment screening and proper case

[27] Eugene Bardach, *A Practical Guide for Policy Analysis: The Eightfold Path to More Effective Problem Solving*, 4th ed. (Thousand Oaks: SAGE Publications, 2012).

management. This thesis also provided a general framework to share protected student information without compromising privacy rights. Other states might apply the same recommendations, despite their being developed for Texas, either to launch or enhance their school-based threat assessment programs.

E. LITERATURE REVIEW

The purpose of this literature review is to explore academic debates on the efficacy of school-based behavioral threat assessments as a violence prevention initiative. More narrowly, this literature review explores the alignment of recent school-based behavioral threat assessment initiatives and data sharing with student privacy rights. The literature review outline is based on the following core components: the efficacy of behavioral threat assessment, countering school violence through behavioral threat assessment, and alignment with existing privacy rights. These three core components provide the underpinning for understanding the merits and challenges necessary for deriving effective school safety legislation.

1. Efficacy of Behavioral Threat Assessment

A corpus of literature discusses the merits of behavioral threat assessments. Scholars like Randy Borum et al. suggest that behavioral threat assessments are not a new concept and define them as the process of developing a systematic approach to assessing whether individuals who make verbal threats pose an actual threat by analyzing behavioral indicators.[28] The tenure of behavioral threat assessments as a method to prevent violence facilitated this review as it offered opportunities to evaluate a wide range of case studies and scholarly opinions. For example, federal and local law enforcement agencies, such as the United States Capitol Police and the Los Angeles Police Department, have been using behavioral threat assessments to protect members of Congress and Hollywood celebrities

[28] Randy Borum et al., "Threat Assessment: Defining an Approach to Assessing Risk for Targeted Violence," *Behavioral Sciences and the Law* 17 (1999): 323–37, https://scholarcommons.usf.edu/cgi/viewcontent.cgi?referer=&httpsredir=1&article=1145&context=mhlp_facpub.

since the 1980s and early 1990s.[29] When describing the origins of behavioral threat assessments and the need for such measures within the Capitol Police, William Zimmerman recalls a police mindset that was oriented toward response rather than prevention:

> Members of Congress' staffers were calling up and saying something to the effect of "Tom Jones just called and said I am going to do everything in my power to make sure that the Congressman is not in office next year." At that time the response would be, "That is not a violation of the law. Call us if something happens."[30]

Zimmerman's statement highlights law enforcement's reactive and often ineffective posture in dealing with threats and concerning behaviors before they escalate into violence. The Capitol Police example offers a compelling comparison with how schools have historically failed to deal with threats and behavioral issues proactively by enacting reactive zero-tolerance policies that, according to research, do little to prevent violence.[31] A report by the American Psychological Association's Zero Tolerance Task Force argues that a one-size-fits-all policy, such as zero tolerance, is ineffective.[32] Instead, Mary O'Toole—an expert in the field of behavioral threat assessment and former Federal Bureau of Investigation (FBI) special agent—suggests using threat assessment procedures to identify the level of risk posed by students.[33] O'Toole's findings and recommendations legitimize the importance of properly managing concerning behaviors rather than trying to solve the problem through suspension or expulsion. The Marjory Stoneman Douglas shooting confirms O'Toole's conclusion regarding the fallacies of zero-tolerance

---

[29] Mario J. Scalora and William Zimmerman, "Then and Now: Tracking a Federal Agency's Threat Assessment Activity through Two Decades with an Eye toward the Future," *Journal of Threat Assessment and Management* 2, no. 3–4 (2015): 268–74, https://doi.org/10.1037/tam0000057.

[30] Scalora and Zimmerman.

[31] Farnel Maxime, "Zero-Tolerance Policies and the School to Prison Pipeline," Shared Justice, January 18, 2018, http://www.sharedjustice.org/domestic-justice/2017/12/21/zero-tolerance-policies-and-the-school-to-prison-pipeline.

[32] American Psychological Association Zero Tolerance Task Force, "Are Zero Tolerance Policies Effective in the Schools?: An Evidentiary Review and Recommendations," *American Psychologist* 63, no. 9 (December 2008): 852–62, https://doi.org/10.1037/0003-066X.63.9.852.

[33] Mary O'Toole, *The School Shooter: A Threat Assessment Perspective* (Quantico, VA: Federal Bureau of Investigation, 2000).

policies.[34] Other scholars, such as Reid Meloy, stress that behavioral threat assessments aim to identify, assess, and manage concerning behaviors before they escalate to violence.[35] Meloy brings credibility to the importance of a structured process by highlighting that behavioral threat assessment processes use an evidence-based multi-step framework intended to manage a concern before it becomes unmanageable.[36]

The literature and research support the applicability of enacting processes to analyze and manage concerning behaviors rather than waiting for a criminal violation or worse to occur. According to the FBI's Behavioral Analysis Unit, the most common goal for a school shooter is "retribution" due to a "well-developed value system in which violence was acceptable."[37] This assertion is valuable because it identifies a common goal among school shooters regardless of racial differences, social status, peer pressure, or economic boundaries. Furthermore, the Department of Education and Secret Service have concluded that 93 percent of "attackers engaged in some behavior prior to the incident that caused others to be concerned."[38]

Dewey Cornell uses existing public health initiatives as examples to describe the evidence-based nature of behavioral threat assessment: "Just as seatbelts and speed limits prevent injuries without predicting who will crash a car and restrictions on cigarette sales reduce lung cancer deaths without pinpointing who will get the disease, threat assessments aim to prevent violence without profiling potential attackers."[39]

---

[34] Marjory Stoneman Douglas High School Public Safety Commission, *Final Report*.

[35] Anna Miller, "Threat Assessment in Action," *Monitor on Psychology* 45, no. 2 (February 2014), https://www.apa.org/monitor/2014/02/cover-threat.

[36] Miller.

[37] "The School Shooter: A Quick Reference Guide," Iowa Department of Homeland Security, accessed February 9, 2020, https://www.homelandsecurity.iowa.gov/documents/misc/FBI_School_Shooter_Guide.pdf.

[38] Bryan Vossekuil et al., *The Final Report and Findings of the Safe School Initiative: Implications for the Prevention of School Attacks in the United States* (Washington, DC: Secret Service and Department of Education, 2004), https://www2.ed.gov/admins/lead/safety/preventingattacksreport.pdf.

[39] Miller, "Threat Assessment in Action."

2. Countering School Violence through Behavioral Threat Assessment

The body of literature for countering school violence through behavioral threat assessment is dynamic. For instance, the Secret Service's National Threat Assessment Center (NTAC) used data based on 41 past incidents of targeted school violence to analyze a variety of factors such as "motives, behaviors, and situational factors of the attackers."[40] NTAC's research suggests that the use of behavioral threat assessment and management techniques is an effective strategy in "targeted violence" prevention.[41] Dewey Cornell et al. conclude that structured and well-implemented threat assessment teams have been able to reduce expulsion rates through proper threat management protocols, and none of the threats assessed have been carried out.[42] Cornell's findings highlight the importance of gaining a better understanding of what causes behavior so that a proper management plan can be implemented rather than hoping disciplinary or criminal consequences will keep concerning behaviors from re-occurring or escalating.

NTAC's research also highlights the importance of data sharing among schools and law enforcement, but little guidance is provided regarding effective ways to avoid operational silos or encourage data sharing processes that align with student privacy rights.[43] Moreover, confusion about sharing information or developing effective behavioral threat assessment processes has led to violence. Richard Brusca and Colin Ram suggest that a lack of understanding of FERPA and HIPAA kept administrators from sharing concerning information about the student who eventually killed 33 people at Virginia Tech.[44] FERPA and HIPAA laws were created to protect privacy rights, but not at the risk of compromising public safety. According to Brusca and Ram, "The privacy laws in place at the time of the Virginia Tech shooting provided few legal barriers to the disclosure of key information

---

[40] Alathari et al., *Protecting America's Schools*, 3.

[41] Alathari et al., 8.

[42] Dewey G. Cornell et al., "Guidelines for Student Threat Assessment: Field-Test Findings," *School Psychology Review* 33, no. 4 (2004): 527–46, ProQuest.

[43] Alathari et al., *Protecting America's Schools*.

[44] Richard Brusca and Colin Ram, "A Failure to Communicate: Did Privacy Laws Contribute to the Virginia Tech Tragedy?," *Washington and Lee Journal of Civil Rights and Social Justice* 17, no. 1 (Fall 2010): 141–68.

relating to the shooter's deteriorating mental health condition. Nonetheless, a presumption of nondisclosure permeated the campus."[45] Threat managers should have a solid understanding of safety exception clauses that regulate the release of federally protected confidential information with those who have the need and right to know.

Similar concerns associated with the poor execution of threat assessment processes and a lack of data sharing were identified by the commission tasked with investigating the Marjory Stoneman Douglas High School shooting.[46] The commission warned that Florida had no standard threat assessment process and "little to no information sharing."[47] The importance of standardized processes governing the training, implementation, and evaluation of school-based threat assessment was validated by scholar and threat assessment professionals Dave Novotney et al. when they proposed to standardize school-based threat assessment initiatives in Oregon's school system to reduce costs and promote effective results.[48] Furthermore, the National Association of School Psychologists confirms the need for information sharing practices while warning against implementing practices that do not align with student privacy rights.[49]

3. Alignment with Student Privacy Rights (FERPA and HIPAA)

Privacy rights representatives and education journalists have voiced concerns over the implications of information sharing and the creation of large databases that contain threat assessment information. A review of recent threat assessment mandates and proposals in Florida highlights concerns over the need to consider privacy rights when implementing

---

[45] Brusca and Ram, 167.

[46] Megan O'Matz, "Teachers Feared Parkland Shooter a Year and a Half before the Massacre," *South Florida Sun Sentinel*, February 22, 2019, https://www.sun-sentinel.com/local/broward/parkland/florida-school-shooting/fl-ne-nikolas-cruz-threat-assessment-20190124-story.html.

[47] O'Matz.

[48] Oregon Task Force on School Safety, *A Statewide Threat Assessment System for Oregon Public Schools* (Salem: Oregon Task Force on School Safety, 2015), https://olis.leg.state.or.us/liz/2017R1/Downloads/CommitteeMeetingDocument/98554.

[49] Linda M. Kanan, "When Students Make Threats," *Education Digest*, November 2010.

policies and laws intended to promote school safety.[50] In 2018, The Marjory Stoneman Douglas High School Public Safety Act set into motion multiple school safety mandates, including S.B. 7026, which created a reporting tool called "FortifyFL" to facilitate the reporting of concerning behaviors.[51] In 2019, S.B. 7030, proposed enhanced information sharing practices by creating a central law enforcement database to serve as a repository of information with data from multiple sources ranging from police records to school threat assessment archives. As a result, representatives of privacy rights organizations, such as the American Civil Liberties Union, the Southern Poverty Law Center, and the Electronic Frontier Foundation, have described Florida's data-sharing project as a " 'mass surveillance' effort with grave implications for student privacy."[52] Indeed, according to the U.S. Department of Education's guidelines on student records privacy, sharing student records with law enforcement is limited to qualifying circumstances.[53]

Sara Collins further notes that the primary concern revolved around video surveillance, law enforcement involvement with threat assessments, processes for implementing effective threat assessment practices, and data sharing.[54] Collins' concern with the sharing of confidential information with law enforcement is augmented by instances in which law enforcement abused their access to sensitive information. A recent audit conducted by the Office of California Attorney General Xavier Becerra revealed over 1,000 cases of computer database misuse in California by law enforcement officials, highlighting inadequate use and poor accountability measures.[55] This overreach by law enforcement and government

---

[50] "Safe for Whom? How the MSD Commission Is Putting Florida's Children in Danger," Southern Poverty Law Center, October 10, 2019, https://www.splcenter.org/20191010/safe-whom-how-msd-commission-putting-floridas-children-danger.

[51] S.B. 7026, 2019 Leg. (Fla. 2019), https://www.flsenate.gov/Session/Bill/2018/7026.

[52] Katya Schwenk, "Florida's Statewide Student Data Project Alarms Privacy Groups," Edscoop, July 10, 2019, https://edscoop.com/floridas-statewide-student-data-project-alarms-privacy-groups/.

[53] "Does FERPA Distinguish between School Resource Officers (SROs) and Other Local Police Officers Who Work in a School?," Department of Education, accessed January 18, 2020, https://student privacy.ed.gov/frequently-asked-questions?audience=30&topic=All&page=2.

[54] Collins, "Policies Undermine Student Privacy."

[55] Sam Stanton, Darrell Smith, and Elliot Wailoo, "California's AG Investigates Cases of Police Database Misuse," *Governing*, November 13, 2019, https://www.governing.com/news/headlines/ Californias-AG-Investigates-Cases-of-Police-Database-Misuse.html.

agencies brings credibility to concerns voiced by privacy rights scholars. Eli Silverman highlights the importance of police oversight by stating it is "what's demanded by the public or political leaders [but] oversight is generally a stepchild in the tool kit of law enforcement."[56] Collins suggests that Florida's mandate lacks guardrails to protect students from government overreach and bias. She states, "When data originally intended to ensure that schools serve all children equitably is repurposed in a way that could harm or stigmatize them, the state has broken the public's trust in school and government institutions."[57] According to Collins, the lack of guidance, record-retention protocols, and a challenge process for entering a student into the state-wide database is particularly alarming.[58]

This literature review illustrates the strength of behavioral threat assessment and management practices in violence prevention but also demonstrates that its weakness lies in its application and alignment with existing privacy laws.

F. CHAPTER OUTLINE

Chapter II explores precipitating events that have led to the enactment of legislative actions intended to promote school safety. Chapter III outlines motives by exploring grievance-fueled violence—as well as impediments to enacting actionable legislation in the United States—and then examines Switzerland's approach to preventing acts of targeted violence. Chapter IV presents existing Texas school safety legislation, current initiatives, and privacy considerations. Chapter V concludes with recommended legislation at local, state, and federal levels intended to promote synergy among school safety initiatives, data sharing, privacy rights, and proactive violence prevention through behavioral threat assessment and management.

---

[56] Stanton, Smith, and Wailoo.

[57] Amelia Vance, "School Safety Measures Must Have Evidence, Be Specific, & Have Privacy and Equity Guardrails," Student Privacy Compass, July 24, 2019, 7, http://studentprivacycompass.org/hsgacletter/.

[58] Department of Health and Human Services and Department of Education, *Joint Guidance on the Application of the Family Educational Rights and Privacy Act (FERPA) and the Health Insurance Portability and Accountability Act of 1996 (HIPAA) to Student Health Records* (Washington, DC: Department of Health and Human Services, 2008).

II. CATALYST EVENTS TO SCHOOL SAFETY LEGISLATION

> In nearly every instance, students who committed attacks had already come to the attention of adults who were concerned about their well-being.
>
> —Dewey Cornell and Matthew Mayer[59]

This chapter details past incidents of targeted violence at educational institutions to outline opportunities to enact preventive school safety and security measures by learning from past incidents. With each act of targeted school violence, lessons to learn, adapt and implement preventative measures become available. This conclusion is evident in commission review reports that typically follow school shootings, such as those by the Federal Commission on School Safety, which was created by President Trump after the Marjory Stoneman Douglas High School shooting.[60] However, in the United States, school districts and legislators have been slow to learn from past deadly events, resulting in measures that are often reactive.[61] School violence is not a novel threat, and America's 167-year-old history of violence within the educational institution dates back to at least 1853—when the first-documented school shooting committed by a student seeking retribution occurred in Louisville, Kentucky.[62] On November 2, 1853, Matthew Ward shot and killed his school's principal, William Butler, as retribution for a perceived wrong.[63]

The four shootings at educational institutions referenced in this chapter—Columbine High School, Virginia Tech, Marjory Stoneman Douglas High School, and Santa Fe High School—highlight contemporary events of school violence that contain a nexus between

---

[59] Dewey G. Cornell and Matthew J. Mayer, "We Could Prevent School Shootings If We Really Wanted To," NBC News, December 8, 2019, https://www.nbcnews.com/think/opinion/school-shootings-could-be-prevented-if-we-intervened-cases-troubled-ncna1097376.

[60] Federal Commission on School Safety, *Final Report of the Federal Commission on School Safety*.

[61] Donald Gilliland, "How a Proactive, Preventive Approach Can Stem the Tide of School Shootings," *The Hill*, July 28, 2018, https://thehill.com/opinion/criminal-justice/399260-how-a-proactive-preventive-approach-can-stem-the-tide-of-school.

[62] "History of School Shootings in the United States," K12 Academics, July 26, 2018, https://www.k12academics.com/school-shootings/history-school-shootings-united-states.

[63] Robert M. Ireland, "Acquitted Yet Scorned: The Ward Trial and the Traditions of Antebellum Kentucky Criminal Justice," *Register of the Kentucky Historical Society* 84, no. 2 (1986), https://www.jstor.org/stable/23380287.

behavioral threat assessment and information sharing as preventive violence measures. Furthermore, the outlined cases and the corresponding reactive legislation and mandates that followed provide context to the argument that many school administrators and state legislators have not been proactive about enacting processes or laws that can aid in violence prevention.

A. COLUMBINE HIGH SCHOOL SHOOTING

On April 20, 1999, two Columbine High School seniors, Eric Harris and Dylan Klebold killed over a dozen people and injured dozens more.[64]

1. Precipitating Factors

Harris and Klebold displayed suicidal and homicidal indicators before the shooting, yet those around them failed to connect the dots before warning signs morphed into violence.[65] The list of concerning risk behaviors included writing entries in journals describing violent acts, making threatening posts online, producing alarming video-recordings, submitting disturbing essays to school staff, downloading explosive-making materials, acquiring weapons and explosives, soliciting help from others to acquire additional weapons, and engaging in criminal activity.[66] Unfortunately, the failure to identity Harris's and Klebold's journey toward the pathway to violence was not isolated to school officials or their parents. Law enforcement officials also failed to take a proactive approach. This gap is evident in a review of law enforcement interactions with Harris and Klebold before the shooting: "While they were being dealt with by Jefferson County authorities, the two gave overt indicators that they were dangerous."[67] Law enforcement authorities, however, failed to communicate their findings with school officials and other stakeholders.[68]

---

[64] Columbine Review Commission, *The Report of Governor Bill Owens' Columbine Review Commission* (Denver: Columbine Review Commission, 2001), https://schoolshooters.info/sites/default/files/Columbine%20-%20Governor's%20Commission%20Report.pdf.

[65] Columbine Review Commission.

[66] Columbine Review Commission.

[67] Columbine Review Commission.

[68] Columbine Review Commission.

2. Lessons Drawn from Tragedy

In addition to the behavioral threat assessment and information sharing components that could have been leveraged to prevent tragedy, the shooting at Columbine High School highlights a pivotal change in how the American media cover acts of school violence. As the Columbine shooting unfolded, the world at large watched from the convenience of their living rooms; meanwhile, two teenagers inflicted destruction and mayhem on live television in vivid detail.[69] Unlike previous incidents of school violence that had gained local, regional, or national news coverage temporarily, the Columbine High School shooting dominated national news for days.[70] This level of publicity gave inspiration to future school shooters and subsequent school shootings, thus demonstrating the need for all states to implement proactive measures ahead of tragedy.[71] Journalist Dave Cullen, who covered the tragedy at Columbine High School, weighed the concerns associated with the coverage of school violence events by the media: "I have taken to calling them spectacle murders because they are essentially performances—and without the media, they have no stage."[72]

In May 2001, the Columbine Review Commission's report was released by the governor of Colorado.[73] The report outlined several components, ranging from missed opportunities to recommendations to prevent future acts of violence.[74] Some of the recommendations included the formation of threat assessment teams at every secondary school in Colorado, threat assessment training, and the implementation of best practices in threat assessment to help recognize concerning behaviors and develop mitigating strategies ahead of violence.[75] The post-tragedy outcry—which typically follows a school shooting—

---

[69] Alicia C. Shepard, "The Columbine Shooting: Live Television Coverage," Columbia University, accessed April 2, 2020, http://www.columbia.edu/itc/journalism/j6075/edit/readings/columbine.html.

[70] Benjamin Frymer, "The Media Spectacle of Columbine: Alienated Youth as an Object of Fear," *American Behavioral Scientist* 52, no. 10 (2009): 1387–1404, https://doi.org/10.1177/0002764209332554.

[71] Columbine Review Commission, *Report*.

[72] Dave Cullen, "From Columbine to Parkland: How We Got the Story Wrong on Mass Shootings," *The Guardian*, February 9, 2019, https://www.theguardian.com/books/2019/feb/10/columbine-parkland-gun-crime-dave-cullen.

[73] Columbine Review Commission, *Report*.

[74] Columbine Review Commission.

[75] Columbine Review Commission.

fueled significant changes, ranging from law enforcement's response to active shooter incidents to school safety legislative action.[76]

Specifically related to behavioral threat assessments, in the aftermath of this tragedy through April 2020, no mandates or legislative action has been enacted in Colorado to form threat assessment teams. While training, process, and best-practice recommendations have been developed, threat assessment implementation remains optional.[77] In relation to information sharing, Colorado authorities have passed several legislative acts since the tragedy. The various legislation, which sets forth the protocols governing the sharing and release of information in compliance with state and federal law, "Allows for information sharing between state agencies and schools when there is a need to know to better serve children or to protect school safety."[78] The Office of the Colorado Attorney General promotes the importance of information sharing by providing a tool that functions as an "information conduit" from various sources, including anonymous reports, regarding school safety concerns.[79]

Despite making progress in prioritizing school safety and security initiatives, Colorado offers another important lesson regarding the implementation of threat assessment processes: having a process that is not effectively executed will do little to prevent violence. In December 2013, Karl Pierson, a student at Arapahoe High School, a school located approximately eight miles from Columbine, brought a shotgun and explosives to school. Pierson killed another student, Claire Davis, before committing suicide.[80] A report commissioned after the shooting cited—not surprisingly—inadequate information sharing, confusion about student privacy rights, and poor threat assessment practices as contributing

---

[76] Columbine Review Commission.

[77] Colorado School Safety Resource Center, *10 Years after Columbine: Highlights of School Safety Efforts in Colorado* (Lakewood: Colorado Department of Public Safety, 2009).

[78] Colorado School Safety Resource Center.

[79] "Safe2Tell Colorado: How It Works," Colorado Office of the Attorney General, accessed July 18, 2020, https://safe2tell.org/how-it-works.

[80] William Woodward and Sarah Goodrum, *Report on the Arapahoe High School Shooting: Lessons Learned on Information Sharing, Threat Assessment, and Systems Integrity* (Denver: Denver Foundation, 2016), 141.

factors to the incident.[81] In response, Colorado legislators passed the Claire Davis School Safety Act, which imposes a limited waiver of sovereign immunity for schools that fail to protect students from certain acts of violence.[82]

B. VIRGINIA TECH SHOOTING

On April 16, 2007, Seung Cho, a senior at Virginia Tech, killed over 30 people and injured over a dozen more.[83]

1. Precipitating Factors

Approximately eight years after Columbine, the Virginia Tech shooting demonstrated a similar pattern of missed opportunities, which, like Columbine, included failures to identify behavioral warning signs, confusion about student privacy rights, and a lack of information sharing.[84] This shooting also demonstrated the broader impact Columbine has had in inspiring future school shooters.[85]

Before the shooting, Cho had displayed a long history of warning behaviors that dated back to his middle and high school years, yet it was not until the Columbine shooting that a management strategy was implemented to address Cho's concerning behaviors.[86] After the Columbine shooting, the staff at Cho's middle school noticed his concerning behaviors, ideations of homicidal violence, which led them to recommend intervention strategies, including mental health support.[87] Cho's concerning behaviors were managed throughout his secondary school years, but the concerning behaviors returned during his years at Virginia

---

[81] Woodward and Goodrum.

[82] "Claire Davis School Safety Act," Colorado School Safety Resource Center, July 27, 2017, https://www.colorado.gov/pacific/cssrc/claire-davis-school-safety-act.

[83] Virginia Tech Review Panel, *Mass Shootings at Virginia Tech*.

[84] Virginia Tech Review Panel, *Mass Shootings at Virginia Tech: Report of the Review Panel* (Richmond: Commonwealth of Virginia, 2007).

[85] Peter Langman, "Role Models, Contagions, and Copycats: An Exploration of the Influence of Prior Killers on Subsequent Attacks," Langman Psychological Associates, June 22, 2017, 18.

[86] Virginia Tech Review Panel.

[87] Virginia Tech Review Panel.

Tech.[88] Cho's increasingly menacing behaviors at Virginia Tech were not effectively managed by campus administrators, mental health professionals, and law enforcement in part due to incorrect interpretations of health and student privacy laws, which resulted in significant communication gaps among key stakeholders, further disrupting opportunities for staff to effectively intervene.[89]

In June 2007, the Departments of Health and Human Services, Education, and Justice issued a report to President George W. Bush about the tragedy at Virginia Tech.[90] The report made several key findings, including information gaps among education officials, healthcare providers, law enforcement, and other stakeholders, the importance of recognizing warning signs and aligning mental health with safety and privacy, and challenges facing the implementation of violence prevention strategies.[91] The title of one of the key findings—"Where We Know What to Do, We Have to be Better at Doing It"—supports this chapter's assertion that the failure to apply and effectively execute lessons from past acts of school violence is a widespread problem.[92]

2. Lessons Drawn from Tragedy

The Virginia Tech tragedy embodies several important components of behavioral threat assessment, particularly as it relates to risk behavior and threat management. Cho received support throughout his middle and high school years, but once the support structure was removed, a dangerous imbalance occurred, the risks increased, and the level of support and supervision he received decreased. The university's communication silos compounded this issue even further as outlined by the Virginia Tech Review Panel: "Numerous incidents occurred that were clear warnings of mental instability. Although various individuals and

---

[88] Virginia Tech Review Panel.

[89] Virginia Tech Review Panel.

[90] Department of Health and Human Services, Department of Education, and Department of Justice, *Report to the President on Issues Raised by the Virginia Tech Tragedy* (Washington, DC: Department of Health and Human Services, Department of Education, and Department of Justice, June 13, 2007), 1, https://www.justice.gov/archive/opa/pr/2007/June/vt_report_061307.pdf.

[91] Department of Health and Human Services, Department of Education, and Department of Justice.

[92] Department of Health and Human Services, Department of Education, and Department of Justice, 2.

departments within the university knew about each of these incidents, the university did not intervene effectively. No one knew all the information, and no one connected all the dots."[93]

This finding by the panel highlights an important behavioral threat assessment component as it relates to assessing risk behaviors. A deeper look into Cho's extensive list of concerning behaviors and lack of effective management strategies would have helped university officials, mental health professionals, and law enforcement gain a better understanding of the level of risk posed by Cho. A wide range of safety and security functions could have been implemented to disrupt Cho's journey further on the pathway to violence; however, inaction by those around him facilitated his menacing conduct. It is also important to note that as with the Columbine shooting, other valuable lessons regarding reactive functions, including police response and emergency management roles, were outlined by the Virginia Tech Review Panel.

In the aftermath of the Virginia Tech tragedy, multiple mandates were enacted, including the use of threat assessment as a violence prevention tool at public institutions of higher education as well as the use of threat assessment teams as a violence prevention tool at all K-12 public schools.[94] In addition to recommending threat assessment teams, the State of Virginia's enacted policy that outlined information sharing practices among threat assessment teams, mental health professionals, and law enforcement in both higher education and K-12 schools.[95] The State of Virginia mandated threat assessment practices at institutions of higher education in 2008, but the mandate for K-12 behavioral threat assessment processes was not enacted until 2012—after the Sandy Hook Elementary School tragedy. The State of Virginia corrected a gap in its school safety framework by deriving lessons from a distant incident (Sandy Hook Elementary), which promotes the efficacy of learning from past incidents, as employed in this chapter. This begs the question of why other states and educational institutions failed to apply lessons from past tragedies, as did Virginia.

---

[93] Virginia Tech Review Panel, *Mass Shootings at Virginia Tech*, 2.

[94] Va. Code Ann. § 23.1-805 (2016), https://law.lis.virginia.gov/vacode/title23.1/chapter8/section23.1-805/; Va. Code Ann. "§ 22.1-79.4 (2019), https://law.lis.virginia.gov/vacode/22.1-79.4/.

[95] Va. Code Ann. § 23.1-805 (2016).

The State of Virginia also conducted research to assess the efficacy of behavioral threat assessment as a violence prevention measure. The results of its study confirm that when done correctly, behavioral threat assessment does, in fact, prevent violence.[96]

C. MARJORY STONEMAN DOUGLAS HIGH SCHOOL SHOOTING

On February 14, 2018, Nikolas Cruz, a former Marjory Stoneman Douglas student, killed over a dozen people and injured over a dozen others.[97]

1. Precipitating Factors

Approximately 19 years after Columbine and 11 years after Virginia Tech, poor behavioral threat assessment processes and significant gaps in communication between school officials and law enforcement manifested as contributing factors to school violence.[98]

As with the perpetrators of the other two school shootings, before the Marjory Stoneman Douglas shooting, Cruz exhibited a long history of concerning behaviors, including homicidal and suicidal ideations, which remained poorly appraised and managed despite law enforcement's prior awareness.[99] The list of concerning behaviors included a history of hurting animals, aggression toward others, an extensive list of disciplinary issues at schools, multiple reports of menacing conduct, and online posts of firearms and homicidal threats.[100] School officials, local law enforcement, and the FBI were all aware of concerning behaviors associated with Cruz, but they did little to prevent the tragedy.[101] The post-tragedy police investigation revealed that Cruz had researched other school shootings, including Columbine.[102] Evidently, according to the Marjory Stoneman Douglas Final Commission

---

96 "The Value of Threat Assessment Teams," National Institute of Justice, accessed July 11, 2020, https://nij.ojp.gov/topics/articles/value-threat-assessment-teams.

97 Marjory Stoneman Douglas High School Public Safety Commission.

98 Marjory Stoneman Douglas High School Public Safety Commission, *Final Report*.

99 Marjory Stoneman Douglas High School Public Safety Commission.

100 Marjory Stoneman Douglas High School Public Safety Commission.

101 Marjory Stoneman Douglas High School Public Safety Commission.

102 Randy Camp, Chuck Massucci, and John Suess, "Cruz's Cell Phone Content and Internet Searches" (presentation, Marjory Stoneman Douglas High School Public Safety Commission, November 8, 2018).

Report, the significant "misunderstanding and overapplication of several privacy laws, including FERPA and HIPAA," were yet again impediments to information sharing between stakeholders.[103]

2. Lessons Drawn from Tragedy

In January 2019, the Marjory Stoneman Douglas High School Public Safety Commission's final report was released. It provided a list of systemic issues, including poor security, emergency management training, law enforcement response, and adherence to proper threat assessment practices. The report outlined significant missed opportunities to identify warning signs, not only by school officials but also by local and federal law enforcement. One of the identified gaps brings to question the efficacy of large databases intended to serve as repositories of information. A source of information close to Cruz contacted the FBI's National Call Center and provided details that referenced concerns with the state of Cruz's mental health, his menacing behaviors, and the fact he had the means to carry out a school shooting.[104] Despite the details provided by the caller, the information did not lead to an investigation.[105] FBI Director Christopher Wray admitted the tip should have been investigated.[106]

In the aftermath of this tragedy through April 2020, Florida authorities have enacted Senate bills that specifically address behavioral threat assessment and information sharing. In order to address gaps in behavioral threat assessment, legislative actions have included the implementation of threat assessment teams and collection of relevant quantitative data, the requirement of mental health services for students who are expelled for firearms or certain

---

[103] Marjory Stoneman Douglas High School Public Safety Commission, *Final Report*, 306.

[104] Federal Bureau of Investigation Language Services Section, "Transcript of January 5, 2018, Public Access Line Tip Regarding Nikolas Cruz" (Pocatello, ID: Federal Bureau of Investigation Language Services Section, 2018), https://vault.fbi.gov/transcript-of-january-5-2018-public-access-line-pal-tip-regarding-nikolas-cruz/transcript-of-january-5-2018-public-access-line-pal-tip-regarding-nikolas-cruz-part-01-of-01.pdf.

[105] Jay Weaver and Greg Gordon, "FBI Call Center: Where an Ominous Tip about a Suspected School Shooter Went to Die," *Miami Herald*, February 25, 2018, https://www.miamiherald.com/news/nation-world/article201902214.html.

[106] Weaver and Gordon.

threats, and the development of a standardized behavioral threat assessment tool.[107] Gaps in information sharing were also addressed through legislative action. An Office of Safe Schools was created and tasked with coordinating with the Florida Department of Law Enforcement to provide a centralized data analytics center. The proposed central hub of information will integrate data from social media, the Department of Children and Family Services, the Florida Department of Law Enforcement, local law enforcement, and the Florida Department of Juvenile Justice.[108] Additionally, a reporting mechanism that allows users to submit tips via computer or mobile devices is funneled through the same office.[109]

In addition to proposing the creation of a central database, amendments to existing legislation allow threat assessment teams to have access to confidential information from law enforcement, schools, and other government agencies. These legislative changes also mandate threat assessment teams to consult with law enforcement once a threat is made or if a student commits multiple misdemeanor offenses.[110] Florida's approach to creating a large central repository of information has created significant concerns among privacy rights groups. Balancing new school safety and security initiatives with existing privacy rights laws is an essential component in developing effective processes that foster public trust and involvement. Chapter IV of this thesis outlines privacy rights concerns with Florida's student threat assessment database and information sharing practices in greater detail.

D. SANTA FE HIGH SCHOOL SHOOTING

On May 17, 2018, Dimitrios Pagourtzis, a junior at Santa Fe High School, killed 10 people and injured 13 others.[111]

---

[107] Florida Department of Education, "SB 7026: Public Safety" (Tallahassee: Florida Department of Education, 2018), http://www.fldoe.org/core/fileparse.php/12031/urlt/SB-7026-Public-Safety.pdf; "Marjory Stoneman Douglas High School Public Safety Act (MSDHSPSA)," Florida Department of Education, accessed August 15, 2020, http://www.fldoe.org/safe-schools/.

[108] Florida Department of Education, "SB 7026: Public Safety."

[109] Florida Department of Education, "Marjory Stoneman Douglas High School Public Safety Act."

[110] Florida Department of Education, "SB 7026: Public Safety."

[111] Rick Jervis, "'We're Not Protecting Our Children': Santa Fe Shooting Survivors Demand Answers, Independent Review," *USA Today*, June 6, 2019, https://www.usatoday.com/story/news/2019/06/06/school-shooting-santa-fe-survivors-say-police-wont-give-them-details/1213742001/.

1. Precipitating Factors

Approximately three months after the Marjory Stoneman Douglas High School shooting, another incident of school violence that shares common characteristics with the aforementioned cases occurred—this time in Texas. Before the shooting, Pagourtzis displayed concerning behaviors at school that were apparent to those around him. A behavioral threat assessment had been ordered but not completed before the shooting. He became isolated, he posted concerning information and images online, and weeks before the shooting, he wore a trench coat with a Nazi iron cross and a hammer and sickle, which is symbology associated with the Columbine shooters.[112] The Santa Fe School shooting incident highlights the importance of gathering as much information as possible during an assessment phase, so that threat managers are able to assess risk by weighing the totality of behaviors rather than single behaviors.

2. Lessons Drawn from Tragedy

Unlike the commissions formed in the wake of Columbine, Virginia Tech, and Parkland, it is publicly unknown if the Texas governor ordered a commission report or shooting review of the incident, which made researching contributing factors and system gaps challenging for this research. Despite the absence of an official report, conclusions can be drawn from this tragedy by analyzing its impact on Texas legislation regarding school safety and security initiatives. In the aftermath of this tragedy, Texas legislative authorities have enacted S.B. 11, school safety legislation that specifically addresses the formation of behavioral threat assessment teams; information sharing processes in Texas schools; law enforcement information sharing of student arrests; and the formation of school safety committees composed of parents, teachers, board members, emergency management, law enforcement, and school leadership.[113] In addition to threat assessment and information sharing initiatives, emphasis has also been placed on physical security enhancements, stronger emergency management practices, and arming school employees. The state's bold step toward

[112] Gabrielle Banks and Brian Rogers, "Teen Suspect in Santa Fe Shooting Promoted 'Born to Kill' Shirt, German Nationalist Symbols on Facebook," *Houston Chronicle*, May 18, 2018, https://www.chron.com/news/houston-texas/houston/article/Teen-suspect-in-Santa-Fe-shooting-promoted-12926019.php.

[113] Texas Association of School Boards, "School Safety after Senate Bill 11."

enacting strong school safety measures is not without gaps, particularly relating to the implementation of behavioral threat assessment and information sharing practices. Chapter IV of this thesis outlines issues and considerations with school safety measures in Texas, and Chapter V outlines recommendations by exploring strengths and existing opportunities in the state's school safety plan.

E. CONCLUSION

The aforementioned cases highlight that despite fatal and highly publicized school shooting events, such as the Columbine High School shooting, school safety measures and corresponding school safety legislation remain mostly reactive in the United States. Instead of focusing on preventive factors, such as information sharing, warning signs identification, and behavioral threat assessment and management, opportunities to act are often lost in political policy division. The existing gap in developing tangible solutions is evident in the gun debate, whose rhetorical talking points discourage consensus and, therefore, implementation of meaningful solutions.[114]

The reactive nature of school violence prevention is also fueled by the low probability of school shootings, promoting a false sense of immunity from violence.[115] Shortly after the shooting at his school, Columbine High School Principal Frank DeAngelis spoke about his initial disbelief of the tragedy occurring there. Only after the shooting did he caution other school districts that a school shooting could happen anywhere: "No one ever believed it would happen at Columbine High School in Littleton, Colorado. But hopefully, people across the nation, across the state, will realize that it can happen in their school."[116]

This false sense of immunity still exists despite multiple recommendations and strategies to prevent school violence that pre-date the Columbine tragedy. Indeed, after the

---

[114] Gray Rohrer, "Gun Debate Dominates Campaign Talk for Governor, Cabinet," *Orlando Sentinel*, March 23, 2018, https://www.orlandosentinel.com/politics/os-gun-politics-florida-20180322-story.html.

[115] David Ropeik, "School Shootings Are Extraordinarily Rare. Why Is Fear of Them Driving Policy?," *Washington Post*, March 8, 2018, https://www.washingtonpost.com/outlook/school-shootings-are-extraordinarily-rare-why-is-fear-of-them-driving-policy/2018/03/08/f4ead9f2-2247-11e8-94da-ebf9d112159c_story.html.

[116] "Columbine High School Principal Speaks in Wake of 1999 Shooting," April 23, 1999, ABC News, video, 2:40, https://abcnews.go.com/video/embed?id=54554729#amp=1.

Kentucky Heath High School shooting incident in December 1997, President Bill Clinton solicited action, and a presidential report on school safety was authored.[117] The 1998 report outlined several proactive measures to enhance school safety, including promoting mental health, being observant to risk behaviors, encouraging partnerships with law enforcement, and sharing information.[118] Nevertheless, despite having a foundation for such practices since the late 1990s, many school districts have not emphasized proactive mental health support, building positive school climates, and information sharing initiatives, as evident in the aforementioned case studies. This false sense of immunity brought by low likelihood statistics is not a defensible approach to school safety and security.

School leaders may be effective educators, but they should also be open to learning. Even when acts of violence occur, history is quickly forgotten, causing decision-makers to miss opportunities to enact proactive measures. For example, following the Marshall High School shooting, Marshall County School Superintendent Trent Lovett told a local news station, "We felt like the safest school district around and then for something like this to happen, if it can happen here, I can promise you it can happen anywhere."[119] Lovett's statement to the media exemplifies missed opportunities to learn from past events. The 2018 Marshall High School shooting was located approximately 30 miles from the scene of the 1997 Heath High School shooting—the incident that spurred President Clinton's 1998 school safety report.[120]

The shortcomings associated with a preventive approach to school violence and the ensuing reactive approach have brought about post-tragedy legislative action intended to prevent future acts of violence. As shown in Figure 2, as violent events occur, legislative

---

[117] Texas School Safety Center, *Texas School Safety Practices Survey 2015–2016* (San Marcos: Texas School Safety Center, 2015), https://locker.txssc.txstate.edu/f460091c5eda8166c7e8c0a450569bdc/2016-School-Safety-Practices-Survery-Report.pdf.

[118] Texas School Safety Center.

[119] Sydny Shepard, "Marshall County to Upgrade School Security before Next School Year," Campus Security & Life Safety, June 7, 2018, https://campuslifesecurity.com/articles/2018/06/07/marshall-county-schools-to-upgrade-security-before-next-school-year.aspx.

[120] Madison Park, "20 Years Ago, Another Kentucky School Was Attacked. Locals Have Never Forgotten It," CNN, January 24, 2018, https://www.cnn.com/2018/01/24/us/school-shooting-kentucky-west-paducah/index.html.

action follows, which supports the conclusion that school violence preventative measures have been mostly reactive. The 2018 school year—one of the most violent on record—saw a significant number of legislative measures enacted.[121]

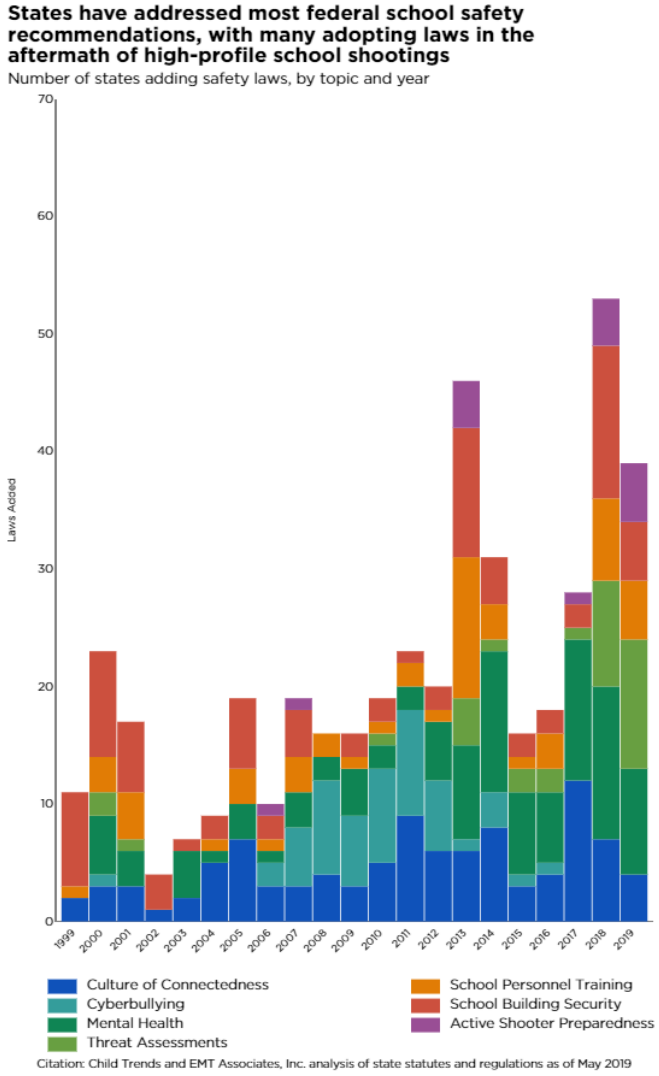

Figure 2. Adoption of State School Safety Laws, 1999–2020[122]

[121] German Lopez, "2018 Was by Far the Worst Year on Record for Gun Violence in Schools," Vox, December 10, 2018, https://www.vox.com/2018/12/10/18134232/gun-violence-schools-mass-shootings.

[122] Source: Deborah Temkin et al., "The Evolution of State School Safety Laws since the Columbine School Shooting," Child Trends, February 12, 2020, https://www.childtrends.org/publications/evolution-state-school-safety-laws-columbine.

To be effective in preventing school violence, school administrators and legislators should not rely on the improbability of a school shooting as part of their safety and security posture. Instead, learning from past incidents is crucial so that evidence-based, proactive policies can be instituted ahead of tragedy. In order to promote effective implementation, school administrators and legislators need a better understanding of what drives a person to commit acts of targeted violence.

However, the gun debate often gets in the way of implementing proactive measures. The next chapter analyzes the threat posed by acts of grievance-fueled violence, assesses how the gun debate leads to inaction and concludes with a comparative analysis of Switzerland's approach to preventing incidents of targeted violence. In his book *Comparative Homeland Security*, Nadav Morag details the importance of considering available opportunities to enact domestic policy by looking abroad to assess how other nations tackle problems:

> Looking at the approaches, policies, and experiences of other countries with respect to homeland security policy (whether or not they view it as that) makes it possible to gain a greater understanding of the options available to U.S. policymakers, a sense of how policies should be selected and evaluated, and an understanding of the options available to overseas partners as well as how they operate and cope with their own threats—many of which are, as noted earlier, "transferrable" to the United States.[123]

With the gun debate being such a polarized issue, a comparative government analysis method was selected to highlight the importance of implementing common-sense, actionable measures that expand beyond political parties.

[123] Nadav Morag, *Comparative Homeland Security: Global Lessons*, (Hoboken, NJ: Wiley, 2011), 12, https://doi.org/10.1002/9781118048252.

THIS PAGE INTENTIONALLY LEFT BLANK

III. COUNTERING "SENSELESS" ACTIONS THROUGH SENSIBLE MEASURES

> Perpetrators see their violent acts as a logical and inevitable outcome of a situation, a sensible course of action, and they tend to minimize the suffering they caused. Victims, for their part, tend to emphasize their innocence, the pain they have suffered, or the permanent scars left by the trauma.
>
> —Maarten Boudry[124]

Understanding what drives violence in school environments is an area that requires consideration. Research has shown that acts of targeted violence are often fueled by grievances that can be real or perceived.[125] The desire to mend grievances through retribution is often viewed as senseless acts to society, but to the assailant, violence makes perfect sense and is part of a well thought out justification process.[126] Instead of simplifying what has driven someone to commit violence, communities could play a more significant role by understanding concerning and identifiable behaviors that have led individuals toward a pathway to violence.[127] However, instead of focusing on attainable evidence-based measures, incidents of targeted violence are met by cries that focus on the instrumentality of the crime, which often fuels the gun debate. Firearm legislation is a highly polarized issue, and the lack of accord leads to inaction, creating a perpetual cycle of violence, gun debate, and inertia.[128] This chapter sheds light on motives and objectives associated with grievance-fueled violence and highlights opportunities to enact data-driven policies to counter acts of grievance-fueled violence. This is done by conducting a

---

[124] Maarten Boudry, "The Myth of Senseless Violence and the Problem of Terrorism," in *The Palgrave Handbook of Philosophy and Public Policy*, ed. David Boonin, (Cham, Switzerland: Springer, 2018), 149, https://biblio.ugent.be/publication/8620706.

[125] Critical Incident Analysis Group, "A Radical New Look at Mass Shooters. Why They Do It and How to Stop Them," University of Virginia School of Medicine, accessed June 26, 2020, https://med.virginia.edu/ciag/a-radical-new-look-at-mass-shooters-why-they-do-it-and-how-to-stop-them/.

[126] Gordon A. Crews, ed., *Handbook of Research on Mass Shootings and Multiple Victim Violence* (Hershey, PA: IGI Global, 2020), https://www-igi-global-com.libproxy.nps.edu/gateway/book/226279.

[127] Alathari et al., *Protecting America's Schools*.

[128] Alex Rogers, "Congress Rarely Acts on Gun Control Despite Mass Shootings," CNN, August 5, 2019, https://www.cnn.com/2019/08/04/politics/congress-reaction-mass-shootings/index.html.

comparative government analysis of Switzerland's approach to counter incidents of targeted violence.

By understanding cause, identifying ineffective policies, and analyzing how Switzerland has responded to tragedy, this chapter highlights attainable strategies to counter acts of targeted violence.

A. GRIEVANCE-FUELED VIOLENCE

The U.S. counterterrorism enterprise has arguably been successful in preventing acts of ideology-based terrorism, but the homeland threat landscape has endured several smaller-scale attacks from individuals who viewed violence and retribution as an instrument to correct personal feelings of being wronged.[129] Acts of grievance-fueled violence have become a prevalent issue in the United States, impacting multiple segments of American life, including concert venues, restaurants, places of worship, the workplace, and learning institutions.[130] Research suggests that acts of mass violence have continued to occur at increasing rates since 1966.[131]

The increased frequency of acts of targeted violence can often be attributed to grievances or perceived grievances held by the perpetrator.[132] A 2017 NTAC report produced by the Secret Service highlights the impact of grievance-fueled violence as outlined in Table 1.

---

[129] Department of Homeland Security, *Department of Homeland Security Strategic Framework for Countering Terrorism and Targeted Violence* (Washington, DC: Department of Homeland Security, September 2019), https://www.dhs.gov/publication/dhs-strategic-framework-countering-terrorism-and-targeted-violence.

[130] National Threat Assessment Center, *Mass Attacks in Public Spaces -2017* (Washington, DC: Secret Service, March 2018), https://www.secretservice.gov/forms/USSS_NTAC-Mass_Attacks_in_Public_Spaces-2017.pdf.

[131] "Mass Shooting Factsheet," Rockefeller Institute of Government, accessed May 26, 2020, https://rockinst.org/gun-violence/mass-shooting-factsheet/.

[132] National Threat Assessment Center, *Mass Attacks in Public Spaces*.

Table 1. Mass Attacks in Public Spaces: Motives and Targeting, 2017[133]

Components to Motive	*n*	Percent*
Grievances	***13***	***46%***
Workplace	*6*	*21%*
Domestic	*5*	*18%*
Personal	*2*	*7%*
Ideological or racially-based	***6***	***21%***
Mental Health / Psychosis	***4***	***14%***
Political	***1***	***4%***
Fame	***1***	***4%***
Unknown	***4***	***14%***

** Percentages exceed 100 as one case had two motives.*

Inadequate coping mechanisms, unmanaged mental health issues, and a lack of support or mitigating strategies can cause grievances to escalate to the point that violence becomes the solution to mend wrongs through retribution.[134] The FBI's Behavioral Analysis Unit has identified "retribution" as "the most common goal" for a school shooter.[135] Leading experts in the field of behavioral threat assessment and the Department of Homeland Security have identified this type of grievance-driven violence, as outlined in the *Strategic Framework for Countering Terrorism and Targeted Violence*: "Many perpetrators of mass attacks do not appear to fit the definition of terrorists because they

[133] Source: National Threat Assessment Center, 4.

[134] James L. Knoll and J. Reid Meloy, "Mass Murder and the Violent Paranoid Spectrum," *Psychiatric Annals* 44, no. 5 (May 2014), http://drreidmeloy.com/wp-content/uploads/2015/12/2014_MassMurderAndT.pdf.

[135] Iowa Department of Homeland Security, "The School Shooter."

lack a clear ideological motive. They may often be responding to a perceived grievance, whether domestic, workplace or of some other nature."[136]

In the days and weeks following the latest targeted violence incident, investigations often uncover a pattern of concerning conduct and detectable behavioral clues (pre-event indicators) left by the perpetrator before the incident.[137] O'Toole details the importance of recognizing warning signs:

> Violence—whether in a school, home, workplace, or on the street—is a complex issue with complex causes and consequences. Imagining that there are easy answers and instant solutions is counterproductive: there is no easy way to attack the causes and no simple formula that can predict who will commit a violent act. It is also true, however, that violent behavior develops progressively, that making a threat represents a stage in an evolutionary process, and that there are observable signs along the way that most of us can see if we know what to look for.[138]

However, law enforcement, government officials, and the public often fail to recognize or report concerning behaviors before a tragedy.[139] In some cases, even when the public contacts local and federal law enforcement authorities, preventive measures are met with inaction, further facilitating and propelling the perpetrator toward a pathway that, in many cases, results in violence.[140]

One FBI study found that "on average, each active shooter displayed 4 to 5 concerning behaviors over time that were observable to others around the shooter. . . . [Commonly,] concerning behaviors were related to the shooter's mental health, problematic interpersonal interactions, and leakage of violent intent."[141] The same study found that in 41 percent of the cases, someone reported the concerning behaviors to law

---

[136] Department of Homeland Security, *Strategic Framework*, 11.

[137] Federal Bureau of Investigation, *A Study of Pre-Attack Behaviors of Active Shooters in the United States between 2000 and 2013* (Washington, DC: Federal Bureau of Investigation, 2018), 7, https://www.fbi.gov/file-repository/pre-attack-behaviors-of-active-shooters-in-us-2000-2013.pdf/view.

[138] O'Toole, *The School Shooter*, 33.

[139] Federal Bureau of Investigation, *A Study of Pre-Attack Behaviors*, 7.

[140] Weaver and Gordon, "FBI Call Center."

[141] Federal Bureau of Investigation, *A Study of Pre-Attack Behaviors*, 7.

enforcement, but in 54 percent, those who witnessed these behaviors did nothing.[142] Threat assessment practices have been adopted by many federal law enforcement agencies, including the FBI, Capitol Police, and the Secret Service. Threat assessment is used to protect dignitaries, celebrities, and politicians because it offers a process to capture concerning information and assess risk proactively.[143]

Rather than introducing and developing threat assessment–type legislation as a measure to counter violence holistically, proposed solutions following incidents of targeted violence often lead to the very polarized gun debate. It is necessary to understand the futility of the gun debate in the state of Texas when considering the introduction or imposition of effective legislation.

B. THE GUN DEBATE

Unlike many other states, the culture and history of guns in Texas run deep. As Jerry Patterson, former Texas state senator and land commissioner, explains it, "Firearms have always been part of Texas history, we have people who are very independent-minded, people who are self-sufficient and people who needed arms in their daily lives." [144] The connection between firearm ownership and the Texas way of life has ultimately morphed into policies that make gun control laws a cultural opponent to the Texan identity. Not surprisingly, the cultural and identity nexus of firearm ownership in Texas has resulted in measures that strongly promote the right to bear arms. In fact, "Texas gun control laws are among the least-restrictive in the U.S."[145] While there are various types of weapons that are prohibited under Texas law, restrictions on who can own a firearm, and limitations on where firearms may be carried, there is no waiting period, and qualified individuals who

---

[142] Federal Bureau of Investigation, 7.

[143] J. Reid Meloy and Jens Hoffmann, *International Handbook of Threat Assessment* (New York: Oxford University Press, 2014).

[144] Ryan Poppe, "Guns Influence Culture and Laws in Texas," Texas Public Radio, July 29, 2016, https://www.tpr.org/post/guns-influence-culture-and-laws-texas.

[145] "Texas Gun Control Laws," FindLaw, last updated January 10, 2020, https://statelaws.findlaw.com/texas-law/texas-gun-control-laws.html.

have obtained a permit can carry a concealed firearm.[146] The culture of people who feel the need to protect themselves is evident in the differing reactions to tragic shooting events in Texas. Since the 1966 University of Texas tower shooting, Texas has shown a consistent reduction in regulations.[147] The notion of solving acts of gun violence by arming good citizens was further reinforced after the 1995 Luby's Cafeteria massacre.[148] Rather than place the blame on the shooter's access to a weapon, gun advocates like Patterson pushed back on the existing regulations that prevented the victims from being able to defend themselves.[149] The results were victories for gun advocates in Texas:

1. The state's Castle Doctrine was extended in 2007 beyond the curtilage (the area of land occupied by a dwelling and its yard) of a residence with a new law that allowed gun owners to use "force if they felt threatened, not only in their homes but also if they're in their vehicle or places of business."[150]

2. The open-carry law allows gun owners to visibly show their holstered gun in a variety of public places.[151]

3. In 2015, Texas legislators suspended a law that prohibited carrying concealed weapons on college campuses by enacting a law that authorized the concealed carry of weapons by those with the appropriate license in Texas.[152]

---

[146] FindLaw.

[147] Poppe, "Guns Influence Culture and Laws in Texas."

[148] "This Day in History: Twenty-Three Diners Massacred at Texas Restaurant," History, last updated October 15, 2019, https://www.history.com/this-day-in-history/twenty-three-diners-massacred-at-texas-restaurant.

[149] Poppe, "Guns Influence Culture and Laws in Texas."

[150] Poppe.

[151] Poppe.

[152] Dave Philipps, "What University of Texas Campus Is Saying about Concealed Guns," *New York Times*, August 27, 2016, https://www.nytimes.com/2016/08/28/us/university-of-texas-campus-concealed-guns.html.

Advocacy groups press on as the most recent changes to support the Texan gun rights culture include a continued reduction in gun-free zones (for example, churches) and the ability for Texans who legally own firearms to openly carry or conceal their weapons for an entire week after the state declares an emergency.[153] These continued pro-Second Amendment legislative changes, along with a household gun ownership rate of 44 percent, suspend any legislation that proposes gun restrictions in offering a solution to school shooting events.[154]

Regrettably, while data-driven, bipartisan opportunities exist to enact violence prevention measures and legislative policies, they are often snuffed out by the gun debate.[155] Scholars like Andrew Morral with the RAND Corporation highlight the lack of scientific studies regarding efforts to criminalize firearms, which calls into question the efficacy of this type of measure.[156] In times when large segments of the population and the political arena plead for less police involvement and more social support, relying on criminalization as a solution to a complex problem runs counter to the contemporary narrative to defund the police and shift funds to social programs.

The lack of popularity in modifying the Second Amendment, regulatory challenges, and the lack of scientific backing lead to governmental inaction, thus creating a continuous loop of violence, gun debate, and inaction.[157] Abolishing or modifying the Second Amendment of the United States has divided the nation, making the debate a highly polarized issue that lacks common ground. In addition to being a deeply rooted issue, the efficacy of banning firearms is questionable. There are approximately 390 million legally

---

[153] Lauren McGaughy, "NRA Celebrates 'Highly Successful' Year in Texas as New Gun Bills Signed into Law," *Dallas Morning News*, June 17, 2019, https://www.dallasnews.com/news/politics/2019/06/18/nra-celebrates-highly-successful-year-in-texas-as-new-gun-bills-signed-into-law/.

[154] Richard Connelly, "How Many Texans Own Guns? A Whole Freakin' Lot, Poll Shows," *Houston Press*, March 5, 2013, https://www.houstonpress.com/news/abbott-says-protect-yourself-and-never-mind-that-covid-19-surge-11477670.

[155] Natalie Wolchover, "Why Gun Control Is So Contentious in the U.S.," *Scientific American*, July 23, 2012, https://www.scientificamerican.com/article/why-gun-control-is-so-con/.

[156] Andrew Morral, "Gun Policy in America: An Overview," RAND Corporation, April 22, 2020, https://www.rand.org/research/gun-policy/key-findings/gun-policy-in-america.html.

[157] Rogers, "Congress Rarely Acts on Gun Control Despite Mass Shootings."

possessed firearms in the United States, and Texas has the highest number of registered weapons of any state, with over 725,000 firearms.[158] Given these statistics, the prospect of seizing all firearms from every home is a daunting, if not impossible, regulatory task.

Even if it were possible, criminals and those who wish to cause harm would still find weapons, as evident by the drug trade. Cocaine, methamphetamine, and heroin are all illegal substances, but transnational organizations continue to make billions selling drugs to Americans. If firearms were illegal, what would keep transnational criminal organizations with existing smuggling methods and supply chains from becoming distributors of illegal firearms? Additionally, the increase in seizures of "ghost guns," or unregistered firearms with no serial numbers, is becoming a growing problem in California, the state with the most strict gun legislation.[159] San Diego County saw a 200 percent increase in ghost gun seizures between 2017 and 2018.[160] Another emerging issue relates to modern advancements in 3D printing, which now includes the printing of metal components and will make regulation even more difficult.[161] The aforementioned examples question the efficacy of more regulations, which are likely to do little to keep law violators from finding illicit ways to acquire firearms.

Research from the RAND Corporation describes how the gun policy debate contains "sharply divided views" among gun policy experts, and "there is very little scientific evidence available to support the decisions that policymakers and the public must make about whether to implement or change various gun policies."[162] Instead of advocating for gun reform, Texas should look at policies and methods that are evidence-based and implementable and have bipartisan support. The next section provides an

---

[158] "Number of Registered Weapons in the U.S. in 2019, by State," Statista, September 5, 2019, https://www.statista.com/statistics/215655/number-of-registered-weapons-in-the-us-by-state/.

[159] Brandi Hitt, "'Ghost Guns' Investigation: Law Enforcement Seeing Unserialized Firearms on Daily Basis in SoCal," ABC 7 Los Angeles, January 31, 2020, https://abc7.com/5893043/.

[160] Rory Devine, "SDPD Seeing Rise in 'Ghost Gun' Seizures," NBC 7 San Diego, August 15, 2019, https://www.nbcsandiego.com/news/local/sdpd-seeing-rise-in-ghost-gun-seizures/129380/.

[161] Jake Hanrahan, "3D-Printed Guns Are Back, and This Time They Are Unstoppable," *Wired* (UK), May 20, 2019, https://www.wired.co.uk/article/3d-printed-guns-blueprints.

[162] Morral, "Gun Policy in America."

example of a currently proposed bill, The TAPS ACT, which aligns with these characteristics.

C. THE TAPS ACT

The Threat Assessment, Prevention, and Safety (TAPS) Act was introduced by Representative Brian Babin of Texas on January 29, 2019, and it aims to bring awareness, expertise, and best practices in recommended behavioral threat assessments and management to American communities.[163] The target audiences for this legislation are law enforcement, school officials, and communities. Applying known threat assessment and management strategies that are used to protect high-level politicians, dignitaries, and celebrities to the local level can be achieved through awareness training (learning about warning signs of violence) and by developing mechanisms for reporting and managing behaviors ahead of violence (aligning limited resources where they are needed the most).[164] The bill calls for the formation of task forces composed of subject-matter experts who will use a multidisciplinary team approach to formulate a national strategy aimed at preventing acts of targeted violence through behavioral threat assessment and management. In addition to developing a road map to prevent violence, the TAPS Act will generate grant opportunities to help fund and implement threat assessment programs among stakeholders, including local communities.

Striking a balance between miscalculating potential dangers and overreacting can be achieved through awareness and proper management strategies.[165] An American Psychological Association study has suggested that many threats are not reported because individuals exposed to threatening behavior do not take the threat seriously.[166] A University of Virginia study sheds light on the lack of reporting concerning behaviors by students:

---

[163] "TAPS Act," Official website of U.S. Congressman Brian Babin, accessed May 31, 2020, https://babin.house.gov/taps/.

[164] Official website of U.S. Congressman Brian Babin.

[165] Official website of U.S. Congressman Brian Babin.

[166] Miller, "Threat Assessment in Action."

> In a more recent study of more than 3,750 high school students, University of Virginia psychologists found that even when students were personally threatened, they tended to keep mum. Among the 12 percent of students who reported being threatened at school, only 26 percent told a higher up, such as a teacher or school officer.[167]

Another study, which examined the National Police Foundation's means of tracking incidents of averted school violence, concludes that several attacks were avoided because witnesses reported concerning behaviors—suggesting that recognizing and reporting concerning behaviors can prevent violence.[168]

Participation in the TAPS Act is voluntary, the act is not a "red flag" firearm prohibition law, and there are no provisions for modifying the U.S. Bill of Rights. As of May 31, 2020, the bill has strong bipartisan support with 180 co-sponsors (90 Republicans and 90 Democrats).[169] In addition to attaining bipartisan support, the TAPS Act was endorsed by the Association of Threat Assessment Professionals (ATAP), the nation's leading behavioral threat assessment and management association.[170]

A comparative analysis with Switzerland, a country with a high rate of firearm ownership but a low number of incidents of targeted violence, offers valuable lessons that the United States should consider.

D. COMPARATIVE ANALYSIS: THE ZURICH MODEL

There are approximately 3.4 million privately owned firearms in Switzerland, a country with a total population of approximately 8.5 million.[171] However, unlike the

---

[167] Miller, "Threat Assessment in Action."

[168] Jeffrey A. Daniels, *A Preliminary Report on the Police Foundation's Averted School Violence Database* (Washington, DC: Office of Community Oriented Policing Services, 2019).

[169] Official website of U.S. Congressman Brian Babin, "TAPS Act."

[170] "ATAP TAPS ACTion Center," Association of Threat Assessment Professionals, accessed August 29, 2020, https://www.atapworldwide.org/page/TAPS.

[171] Emma Jane Kirby, "Switzerland Guns: Living with Firearms the Swiss Way," BBC News, February 11, 2013, https://www.bbc.com/news/magazine-21379912.

United States, mass shootings have not been frequent occurrences in Switzerland.[172] The National Rifle Association (NRA) often cites Switzerland as an example to highlight that gun ownership does not equate to more violence, but the NRA fails to describe the factors that differentiate Switzerland from the United States.[173]

There are multiple differences between Switzerland and the United States, including how firearms are viewed in both countries. In Switzerland, children often train with firearms by joining gun clubs where they learn regulations and firearm safety protocols.[174] Once they become adults, able-bodied males—except for conscientious objectors—serve in the country's military, where they receive additional firearms training.[175] The level of training alone and the national security objectives significantly differ from the United States because firearm training in Switzerland is structured, and civilian firearm possession is not intended for personal defense purposes. If a citizen wishes to possess a firearm for personal protection, he or she must make a case to show that protection is needed.[176]

Another often-overlooked component to Switzerland's gun approach is the implementation of a strong process to vet firearm possession, which is proactive and designed to keep individuals who show tendencies toward violence, criminal histories, and psychological issues from possessing firearms. Furthermore, local law enforcement agencies in Switzerland are responsible for assessing firearm applicants for weapon

---

[172] Hilary Brueck, "Switzerland Has a Stunningly High Rate of Gun Ownership—Here's Why It Doesn't Have Mass Shootings," Business Insider, August 5, 2019, https://www.businessinsider.com/switzerland-gun-laws-rates-of-gun-deaths-2018-2.

[173] "Swiss Gun Rights Supporters Refuse to Capitulate to International Gun Controllers," National Rifle Association, May 11, 2018, https://www.nraila.org/articles/20180511/swiss-gun-rights-supporters-refuse-to-capitulate-to-international-gun-controllers.

[174] Krishnadev Calamur, "The Swiss Have Liberal Gun Laws, Too," *The Atlantic*, February 16, 2018, https://www.theatlantic.com/international/archive/2018/02/swiss-guns/553448/.

[175] Emily Krempholtz, "Tons of Guns, but No Mass Shootings: What We Can Learn from the Swiss," Buzzworthy, March 27, 2020, https://www.buzzworthy.com/switzerland-gun-laws/.

[176] Krempholtz.

possession suitability, which in some cases includes consultation with a mental health professional at one's own cost before a license to carry is approved.[177]

Despite having structured training, robust vetting protocols, and different gun culture, Switzerland has also experienced incidents of targeted violence. On September 27, 2001, Switzerland became the scene of a targeted violence event when a disgruntled citizen, involved in a three-year conflict with authorities, resorted to violence as a means to address his grievance.[178] The shooter, Friedrich Leibacher, entered a parliament building armed with multiple firearms and homemade explosives, killing 14 people before committing suicide.[179] Jérôme Endrass et al. highlight the importance of focusing on warning signs and collaboration: "A psychiatric expert opinion commissioned after the killings concluded that, although Leibacher displayed very peculiar behavior long before the assault, the danger he presented did not become clearly evident until all the information regarding his past and recent behavior was put together."[180] Despite being in a different country, Leibacher's assessment of evaluating the totality of behaviors highlights a commonality with the school shooting incidents highlighted in this thesis.

A Swiss local government approach in Zurich highlights the importance of focusing on preventive measures by actively managing situations involving individuals in the juvenile and adult criminal system who display concerning or threatening behaviors. In such cases, a multi-disciplinary team comprising of forensic experts and a case manager work to "gather all available information . . . to assess the risk for violence and propose intervention strategies."[181]The Swiss process is not based on profiling or predictions. It uses a data-driven approach to collect information and share it with all stakeholders; in the

---

[177] Brueck, "Switzerland Has a Stunningly High Rate of Gun Ownership."

[178] J. Reid Meloy et al., "The Role of Warning Behaviors in Threat Assessment: An Exploration and Suggested Typology: Warning Behaviors in Threat Assessment," *Behavioral Sciences & the Law* 30, no. 3 (May 2012): 256–79, https://doi.org/10.1002/bsl.999.

[179] Jérôme Endrass et al., "Procedures for Preventing Juvenile Violence in Switzerland: The Zurich Model," *New Directions for Youth Development*, no. 129 (Spring 2011): 79–87, https://doi.org/10.1002/yd.388.

[180] Endrass et al., 79.

[181] Endrass et al., 79.

case of a student threat, information from parents, teachers, and witnesses are reviewed to develop a robust risk assessment. Once risks are identified, the objective is to develop risk-mitigation strategies that are driven by "the needs of the offender."[182] The Zurich Model exemplifies the importance of implementing management strategies that directly align resources with the needs of the individual they are trying to assist. By conducting a granular assessment of behavioral causation, threat managers recognize behavioral triggers and grounding factors, to implement tailored threat management plans that are designed to keep concerning behaviors from reoccurring. Psychopathology, behavioral dispositions, threat assessment, and protective factors are essential components leveraged by the Zurich Model to prevent crime and reduce recidivism.[183]

E. CONCLUSION

The lesson from Switzerland does not pertain to societal differences or per capita firearm ownership between Swiss and American populations but rather to the ways in which the Swiss derive opportunities to prevent violence by adopting preventive initiatives and considering support strategies instead of looking to punishment as a cure for all evils. Like the United States, Switzerland is not immune to the gun debate, but as the debate rages over firearms, some Swiss authorities are taking a serious approach to implement multidisciplinary teams tasked with assessing and managing risks ahead of violence. Sensible action over inertia is the applicable lesson the United States should learn from Switzerland.

Threat assessment is not a new concept in America, threat assessment and management practices are being used by multiple federal agencies, and more and more states are adopting threat assessment and management practices. Texas already took an essential step in recognizing the importance of enacting preventive measures, but adopting legislative action that supports the use of a practical behavioral threat assessment and management process through proper case management, privacy rights alignment, and proper information sharing practices is equally if not more important—as demonstrated by

[182] Endrass et al.

[183] Endrass et al., 82.

the acts of violence outlined in Chapter II. In order to identify gaps and measure efficacy, it is important to understand existing legislation and recommended practices set forth by Texas legislation. Chapter IV analyzes existing Texas threat assessment mandates outlined in S.B. 11, the Texas governor's recommended use of fusion centers for threat assessment practices, and privacy considerations associated with student and medical records.

IV. TEXAS SCHOOL SAFETY LEGISLATION, FUSION CENTERS, AND PRIVACY RIGHTS

Truth, like love and sleep, resents approaches that are too intense.

—W. H. Auden[184]

This chapter explores current Texas school safety legislation, the Texas governor's orders pertaining to school safety, and their alignment with the student records privacy law (FERPA) and medical records privacy law (HIPAA). As with other acts of violence outlined in Chapter II, Texas highlights the reactive rather than proactive nature of school safety and security policy. Most of the recommended practices cited in S.B. 11 had been previously outlined by other states that experienced incidents of school violence, but as with many cases, tragedy preceded meaningful action. Instead of continuing to promote a cycle of school safety legislation that follows tragedy, it is important for government officials and school districts to prioritize school safety and security measures by enacting proactive measures. Prioritizing school safety and security involves implementing ongoing mechanisms that assess the execution of recommendations and guidelines for efficacy so that adjustments and corrections can be measured by tangible means. It may never be possible for schools to be 100 percent safe, but that does not mean policy and processes should strive to make schools as safe as possible.

By reviewing existing measures, laws, and proposals, this chapter analyzes the effectiveness of Texas school safety initiatives by outlining program details, available opportunities, and important considerations regarding privacy rights and community involvement.

A. TEXAS SENATE BILL 11

In 2019, the Texas Legislature passed Texas S.B. 11 into law after Texas Governor Greg Abbott recommended the implementation of multiple school safety and security

[184] Patrick Deane, "'Within a Field That Never Closes': The Reader in W. H. Auden's 'New Year Letter,'" *Contemporary Literature* 32, no. 2 (1991): 184, https://doi.org/10.2307/1208360.

initiatives that included preventive and responsive measures intended to promote school safety.[185] Governor Abbott developed his school safety and security action plan after conducting a series of meetings with school safety and security experts following the shooting at Santa Fe High School in Texas.[186] The following school safety measures are outlined in S.B. 11:

- Increase school safety funding;
- Increase school physical security;
- Add additional law enforcement and security personnel;
- Arm trained school staff through state-approved programs;
- Increase training in emergency management;
- Standardize emergency operations plan development;
- Promote information sharing with law enforcement;
- Implement school safety and security committees composed of multiple stakeholders;
- Increase mental health support for students; and
- Implement behavioral threat assessment and threat management processes.[187]

S.B. 11 is significant because it elevated the posture of school safety and security measures by applying what had been recommended: mandated practices.[188] However, the increased posture in safety and security has not been free of implementation issues.

The rush to gain compliance with a holistic approach to school safety and security caused delays in implementation, ultimately resulting in an extension of regulatory

---

185 Greg Abbott, *School and Firearm Safety Action Plan* (Austin: Office of the Texas Governor, 2018).

186 Abbott.

187 "Governor Abbott Releases Report Highlighting Progress on School Safety Initiatives in Texas," Office of the Texas Governor, August 27, 2019, https://gov.texas.gov/news/post/governor-abbott-releases-report-highlighting-progress-on-school-safety-initiatives-in-texas.

188 "SB 11," Texas Classroom Teachers Association, accessed June 20, 2020, https://tcta.org/node/15179-sb_11.

compliance due dates from the 2019–2020 to the 2020–2021 school year.[189] The need for an extension is an important marker as it conflicts with previously submitted survey responses intended to assess the posture of school safety in Texas.[190] Despite the school safety survey conducted in 2016—which indicated that many school districts had taken significant steps toward safety and security—an extension was still needed to meet the requirements of S.B. 11. Additionally, the survey did not have a measuring mechanism that separated compliance assumptions from actuality.[191] This finding raises the question of whether the survey's designers were checking for a degree of compliance versus efficacy in safety and security measures or if the survey respondents had the required level of expertise to answer the survey correctly. Survey respondents claimed that physical security measures, emergency management initiatives, and a security or law enforcement presence were already in place to varying degrees in the Texas school system.[192]

However, the same could not be stated about behavioral threat assessment, which for most districts, has been a novel component of school safety and security.[193] To implement and deliver best practices in behavioral threat assessment and management to Texas public schools, a research center at Texas State University was selected to function as a clearinghouse for all school-based safety and security initiatives outlined in S.B. 11.[194] The Texas School Safety Center is part of the Texas governor's strategic homeland security plan, with statutory education code authority to provide school safety and security training and accountability measures to all public schools in Texas.[195]

---

189 Kaitlyn DeHaven, "Texas School Safety Laws Implementation Lags, May Be Pushed to 2020–2021," Campus Security & Life Safety, July 30, 2019, https://campuslifesecurity.com/articles/2019/07/30/texas-school-safety-laws-implementation-lags-may-be-pushed-to-2020-2021.aspx.

190 Texas School Safety Center, *Texas School Safety Practices Survey*.

191 Texas School Safety Center.

192 Texas School Safety Center.

193 Texas Association of School Boards, "School Safety After Senate Bill 11."

194 Jayme Blaschke, "Texas School Safety Center to Contribute to Gov. Abbott's Action Plan," Texas State University, May 30, 2018, https://www.txstate.edu/news/news_releases/news_archive/2018/May-2018/TxSSC053018.html.

195 "About Us: What We Do," Texas School Safety Center, accessed August 16, 2020, https://txssc.txstate.edu/about/.

1. Behavioral Threat Assessment Training

To standardize a training baseline for threat assessment and management in the state, the Texas School Safety Center selected SIGMA Threat Management, a private threat assessment and management company, as the training provider for every school district in Texas.[196] Attending SIGMA's threat assessment training is a statutory requirement to be compliant with S.B. 11.[197] This training highlights the importance of threat assessment and management and instructs school officials to "identify, investigate, assess and intervene in cases of threats and other alarming behavior."[198]

The Texas School Safety Center took an essential step in recognizing the significance of enacting preventive school safety measures, and the state's approach to making threat assessment training a mandate highlights the importance of behavioral threat assessment initiatives in Texas. However, each school district is entitled to select its own threat assessment model, and there are no standardized mechanisms currently in place to measure the effectiveness of threat assessment programs in Texas.[199] Providing consistent and mandated baseline threat assessment training was an essential step, but the development of threat assessment programs, case management functions, and efficacy outcomes is governed entirely by individual school districts—which makes auditing Texas school districts for the effectiveness of these functions a daunting task indeed. This process, as with the 2016 survey, may lead to positive results on paper that may lack fidelity.

Focusing on the implementation rather than the effectiveness of a threat assessment program is problematic, so the Texas School Safety Center should consider establishing strong auditing mechanisms. The school shootings at Arapahoe High School in Colorado and Marjory Stoneman Douglas High School in Florida, as outlined in Chapter II, exemplify that having a behavioral threat assessment program that is not effectively

---

[196] "School Threat Management," SIGMA Threat Management Associates, accessed June 19, 2020, http://www.sigmatma.com/k-12-schools/.

[197] "Threat Assessment Toolkit," Texas School Safety Center, accessed June 20, 2020, https://txssc.txstate.edu/tools/tam-toolkit/.

[198] SIGMA Threat Management Associates, "School Threat Management."

[199] Texas School Safety Center, "Threat Assessment Toolkit."

managed might meet recommended guidelines and legislative mandates but will do very little to prevent acts of violence.

2. Forming Multidisciplinary Teams

An essential component of developing an effective behavioral threat assessment program is emphasizing collaboration and forming multidisciplinary teams composed of individuals with different but relevant expertise and experiences.[200] The application of multidisciplinary teams in behavioral threat assessment is vital because professionals with diverse backgrounds and expertise can effectively assess dynamic circumstances that comprise multiple variables. In summary, outcomes are enhanced by leveraging partnerships that cultivate various opinions and perspectives toward solving a problem. In some cases, a simple change of environment may resolve the problem. This will require more action from a school administrator. In other cases, social issues may be the primary contributing factor, so leveraging the expertise of a social worker will be more effective, and the same is true regarding the role of law enforcement in cases where security issues are greater. This team approach helps to avoid groupthink; it builds trust among stakeholders and promotes communication across disciplines.

The creation of multi-disciplinary teams has been emphasized by SIGMA training and by guidelines published by the Texas School Safety Center. The Texas School Safety Center also provides extensive information about the importance of behavioral threat assessment teams by outlining recommended practices and guidelines. A crucial component is the recommendation to create an accountability mechanism through district-level oversight teams that govern campus-level teams. The cycle depicted in Figure 3 demonstrates the various disciplines that make up school-based behavioral threat assessment teams.

[200] John Van Dreal, "A Multidisciplinary Approach to School Safety," REL Northwest, October 10, 2019, https://ies.ed.gov/ncee/edlabs/regions/northwest/blog/school-safety.asp.

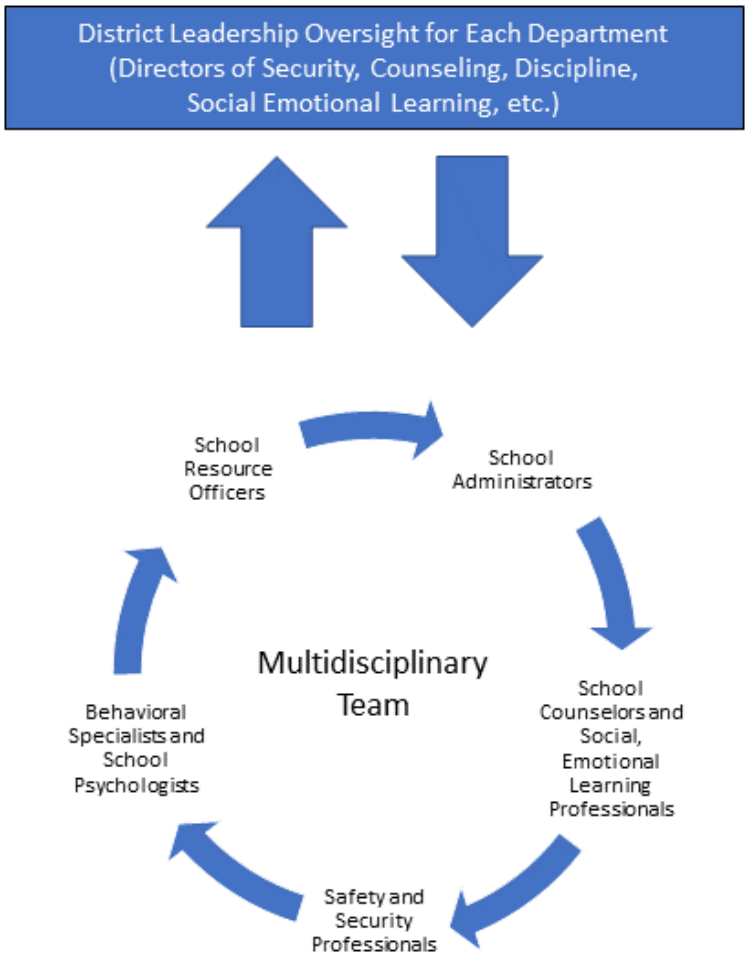

Figure 3. Example of a School-Based Threat Assessment Multidisciplinary Team

3. Governor Abbot's Executive Orders

In Texas, the merits of instituting proactive violence prevention mechanisms are expanding beyond the school sector, which is evident by Governor Abbott's issuance of eight executive orders in September 2019 following non–school-related acts of targeted violence in El Paso and Odessa, Texas.[201] The executive orders were intended to stimulate

[201] "Governor Abbott Issues Eight Executive Orders in Response to El Paso and Odessa Shootings," Office of the Texas Governor, September 5, 2019, https://gov.texas.gov/news/post/governor-abbott-issues-eight-executive-orders-in-response-to-el-paso-and-odessa-shootings.

violence prevention measures with practices that have multidisciplinary and information sharing components similar to the Zurich model, as outlined in Chapter III.[202] A review of Governor Abbott's executive orders is warranted as it brings to light what might become legislation. As previously discussed in this chapter, Governor Abbott's 2018 school safety action plan became legislation through S.B. 11. The executive orders outlined below promote partnerships between multiple disciplines, organizations, and community members, which further encourage a joint stakeholder (whole-community approach) to prevent violence.

Table 2. Texas Governor Abbott: Executive Orders, 2018[203]

Order No.	Description
5	The Department of Public Safety shall work with the Texas Education Agency and the Texas Higher Education Coordinating Board on ways to better inform schools, students, staff, and families about the importance of Suspicious Activity Reports and how to initiate that process.
6	The Department of Public Safety shall work with local law enforcement, mental-health professionals, school districts, and others to create multidisciplinary threat assessment teams for each of its regions, and when appropriate, shall coordinate with federal partners.
7	The Department of Public Safety, as well as the Office of the Governor, shall use all available resources to increase staff at all fusion centers in Texas for the purpose of better collecting and responding to Suspicious Activity Reports, and better monitoring and analyzing social media and other online forums, for potential threats.

Order number 5 is significant because it establishes a foundation for communication between the state's education agency authority—the Texas Education Agency—and the largest law enforcement agency in Texas—the Texas Department of Public Safety.

Order number 6 highlights the importance of a multidisciplinary approach that involves mental health professionals, school professionals, and law enforcement, and it

[202] Office of the Texas Governor.

[203] Office of the Texas Governor.

extends beyond the local and regional levels by promoting partnerships with federal authorities.

Order number 7 recommends that fusion centers—law enforcement central hubs of information where suspected criminal and threatening information is "received, analyzed, gathered and shared among law enforcement agencies and the private sector"[204]—should be used to conduct assessments of digital and social media for concerning behaviors and threats online.[205] By serving as a conduit of information, fusion centers work to avoid silos of communication through information and resource sharing with the intent of elevating the U.S. homeland security posture.[206] This executive order mandates that the network of seven fusion centers in Texas improve school safety by investigating threatening behaviors online, particularly through suspicious activity reports, which contain a public-facing reporting tool that provides a venue for submission of criminal and threatening information.[207]

The aforementioned orders highlight a shift in response from reactive law enforcement practices, whereby law enforcement becomes involved after a criminal offense, to a proactive posture, whereby concerns are reported early on. This change in strategy is relevant, as the lack of social support and mental health care—an absence of systems to understand what drives criminal behavior—has been overlooked in the United States while law enforcement and the judicial system have become the "solution" by exacting consequences for complex trauma, social and mental health problems.[208] The next section evaluates the role of fusion centers and behavioral threat assessment by assessing similarities and challenges between fusion centers and behavioral threat assessment functions.

---

[204] "Fusion Centers," Department of Homeland Security, September 19, 2019, https://www.dhs.gov/fusion-centers.

[205] Abbott, *Improving School Safety in Texas*.

[206] Department of Homeland Security, "Fusion Centers."

[207] Abbott, *Improving School Safety in Texas*.

[208] Mike Maciag, "The Daily Crisis Cops Aren't Trained to Handle," *Governing*, May 2016, https://www.governing.com/topics/public-justice-safety/gov-mental-health-crisis-training-police.html.

B. FUSION CENTERS AND BEHAVIORAL THREAT ASSESSMENT

Governor Abbott's Executive Order 7 was not the first time he referenced the use of fusion centers to help promote school safety, which is indicative of how the state plans to prevent violence proactively. In August 2019, Governor Abbott issued a new school safety report that recommended the use of fusion centers in Texas to prevent school violence. Governor Abbott's report states that fusion centers have been "successful in using predictive information to apprehend people who pose possible threats to schools"; however, careful consideration should be given when relating "predictive" practices with behavioral threat assessment.[209] The objective of behavioral threat assessment is to develop preventive strategies by identifying and assessing both risks and mitigating factors so that a risk reduction strategy can be implemented if needed.[210] An effective threat assessment program seeks objective facts to facilitate data-driven decisions instead of applying professional judgment or predictive conclusions. John Van Dreal, a school psychologist and expert in the field of school-based behavioral threat assessment and management, describes the importance of implementing fact-finding protocols, so effective solutions can be crafted to specific needs:

> The cornerstone of this work is a protocol that emphasizes fact-finding and takes anxiety and other strong emotions out of the equation so teams can focus on identifying evidence-based, culturally responsive solutions that match the risk factors. This perspective is based on the belief that potential problems can be prevented and that with the right interventions, students can learn to make safe behavioral choices.[211]

Van Dreal's description of school-based behavioral threat assessment and the application of solutions that match risk factors does not appear to align with law enforcement work at first glance, primarily due to the reactive nature of law enforcement. Law enforcement work often entails matching conduct with a criminal statute; however, there are several components of fusion center practices that complement and align with behavioral threat assessment work. The following example of the Northern California

---

[209] Office of the Texas Governor, "Governor Abbott Releases Report."

[210] Borum et al., "Threat Assessment."

[211] Van Dreal, "A Multidisciplinary Approach to School Safety."

Regional Intelligence Center illustrates this symbiosis through its process similarities and challenges.

1. Process Similarities

The makeup of fusion centers comprises non–law enforcement positions, including crime and intelligence analysts, subject-matter experts, emergency managers, cybersecurity professionals, and private-sector partners that collectively support the homeland security enterprise through a multidisciplinary approach.[212] The application of a joint stakeholder, multidisciplinary approach, is closely related to behavioral threat assessment practices. Executive Director Mike Sena of the Northern California Regional Intelligence Center testified before the House Committee of Homeland Security in 2016 about the merits of information sharing and the role fusion centers have in crime prevention strategies.[213] The process of collecting information, analyzing it, and assessing risk are closely related to threat assessment, whereby risk behaviors are recognized, reported, assessed, and managed through effective intervention practices. The concept of seeking information and using data to facilitate investigations is an effective element of preventing school violence through behavioral threat assessment and management.

Another essential similarity relates to recognizing the importance of privacy, civil rights, and civil liberties. In this connection, the Northern California Regional Intelligence Center exemplifies the importance of privacy rights considerations by enacting policies that protect civil rights and freedoms and making the preservation of constitutionally protected rights a part of its mission:

> To protect life, critical infrastructure, key resources, privacy, civil rights, and civil liberties through information sharing, analysis, criminal intelligence and technology that focuses a whole of government and community approach to identify, prevent, protect against, mitigate, and

[212] Department of Homeland Security, *2017 National Network of Fusion Centers: Final Report* (Washington, DC: Department of Homeland Security, 2018), https://www.hsdl.org/?abstract&did=817528.

[213] "Mike Sena Congressional Testimony," accessed June 20, 2020, Northern California Regional Intelligence Center, video, 6:12, https://ncric.ca.gov/default.aspx?menuitemid=586&menugroup=NCRIC+Public+Home.

> assist in the response to and the recovery from the greatest human-made threats and major hazards in the Federal Northern District of California.[214]

Furthermore, a public-facing privacy statement posted on the Center's web page outlines the "policies and procedures regarding the manner in which information is collected, received, maintained, archived, accessed or disclosed."[215] The emphasis placed on prioritizing privacy, information sharing, and civil liberties should serve as a model to other fusion centers in Texas and throughout the United States. This balanced framework highlights that proactive security measures do not have to be at odds with privacy rights and civil liberties.

2. Process Challenges

The concern for potential discrimination of protected groups and privacy infringements is likely an impediment to the role of fusion centers in school-based behavioral threat assessment.[216] Concerns over having children added to law enforcement databases may keep reporting parties from contacting law enforcement in fear that rather than helping, law enforcement may arrest a student who needs help. Florida, despite good intentions, exemplifies the reality associated with this type of concern.[217] In February 2020, a five-year-old boy was added to a law enforcement threat database for saying, " I wish someone killed you" to another student.[218] Unfortunately, his name will remain in this database well into his adulthood.[219] Children say inappropriate things, which highlights the critical importance for threat managers to evaluate the context of each

---

[214] "Protecting Our Communities through Information Sharing, Analysis and Collaboration," Northern California Regional Intelligence Center, accessed June 20, 2020, https://ncric.ca.gov/.

[215] California State Threat Assessment System, *Information Privacy Policy* (Sacramento: California State Threat Assessment System, 2014), https://ncric.ca.gov/html/CaliforniaSTTASPrivacyPolicy.pdf.

[216] Jenny Abamu, "Secret 'Fusion Centers' and the Search for the Next School Shooter," EdSurge, July 11, 2018, https://www.edsurge.com/news/2018-07-11-secret-fusion-centers-and-the-search-for-the-next-school-shooter.

[217] Grace Toohey, "Boy, 5, Told Classmate 'I Wish Someone Killed You.' He'll Be in a School Threat Database until He's 30," *Orlando Sentinel*, February 28, 2020, https://www.orlandosentinel.com/news/os-ne-kindergartener-threat-assessment-parents-concerned-20200228-urku62uoxnfynggevwabwa6rku-story.html.

[218] Toohey.

[219] Toohey.

situation—simply voicing threatening words should not amount to entering a child into a law enforcement database for years and potentially staining the child's records for what is otherwise considered normal childhood behavior. Sharing student records with law enforcement should be a practice only implemented when credible safety risks are present.

Concerns over law enforcement overreach have been compounded by the current anti-law enforcement climate, following the killing of George Floyd by a police officer, which intensified the level of distrust in criminal justice practices.[220] Significant consideration should be given to promote privacy and eliminate discrimination—or the perception of discrimination—because, without trust, students, parents, and the general public will be less likely to report concerning or threatening behaviors for fear of bringing unjust treatment to individuals who display them. The distrust issue is not unique to law enforcement, as evident by a history of disparities in the application of school disciplinary actions in the American public education system.[221] A Government Accountability Office study of the 2013–2014 school year found that minority students were subjected to disciplinary consequences at alarming rates:

> These disparities were widespread and persisted regardless of the type of disciplinary action, level of school poverty, or type of public school attended. For example, Black students accounted for 15.5 percent of all public school students, but represented about 39 percent of students suspended from school—an overrepresentation of about 23 percentage points.[222]

The use of predictive terminology in describing the role of fusion centers has already prompted a response from privacy rights groups about practices "similar to the 2002 Steven Spielberg film, Minority Report," which solved cases before the criminal act was committed, "based on pre-knowledge provided by psychics."[223] As previously stated,

---

[220] Stacy Fernandez and Jolie McCullough, "Police Brutality in Texas: Texas Cities Took Quick Actions after George Floyd's Death. Advocates Doubt They'll Have a Big Impact," *Texas Tribune*, June 18, 2020, https://www.texastribune.org/2020/06/18/texas-police-george-floyd/.

[221] Jacqueline M. Nowicki, *K-12 Education: Discipline Disparities for Black Students, Boys, and Students with Disabilities*, GAO-18-258 (Washington, DC: Government Accountability Office, 2018), 1, https://www.gao.gov/products/GAO-18-258.

[222] Nowicki, 1.

[223] Abamu, "Secret 'Fusion Centers.'"

behavioral threat assessment does not incorporate predictive analysis, and such assumptions help illustrate the need to educate the community, law enforcement, and government officials regarding what behavioral threat assessment is. Amelia Vance, senior counsel and director of education privacy at the Future of Privacy Forum, highlights the importance of applying effective behavioral threat assessment practices:

> You have students who have gone through the threat assessment process, which is intended to make things better for students . . . but what we've seen is, in some cases, these threat assessments are discriminating against students with autism or students with disabilities. . . . Those students aren't threats, they're simply students who need additional help.[224]

Vance's statement offers a valuable message about the role of law enforcement in behavioral threat assessment practices: threat assessment is not a replacement for legal consequences but a careful review of facts that includes other perspectives from different professionals who may help explain what is causing the threatening behavior. The complexities of human conduct require thorough analysis, and applying the same tool, which often equates with trying to match a threat with a criminal nexus, may not be the most effective way to deal with risk behavior.[225]

In addition to understanding the role of fusion centers as well as their symbiosis and challenges with behavioral threat assessment, ensuring that the privacy rights of students are protected is an essential component to information sharing practices. FERPA and HIPPA regulations were put in place to ensure privacy rights were protected; however, a broad understanding is necessary for the administration of the behavioral threat assessment process.

---

[224] Amelia Vance, "ICYMI: FPF's Amelia Vance Raises Concerns about School Surveillance Technologies on WOSU," Future of Privacy Forum, August 28, 2019, https://fpf.org/2019/08/28/icymi-privacy-expert-raises-concerns-about-school-surveillance-technologies/.

[225] Dewey G. Cornell et al., *Prevention v. Punishment: Threat Assessment, School Suspensions, and Racial Disparities* (Charlottesville: University of Virginia and Legal Aid Justice Center, 2013), https://www.justice4all.org/wp-content/uploads/2013/12/Prevention-v-Punishment-Report-FINAL.pdf.

3. Privacy Considerations: FERPA and HIPAA

Hindsight after a tragedy has shown that often one or more individuals surrounding the perpetrator had some foreknowledge of concerning behaviors that may serve as violence indicators. When school administrators, counselors, or teachers were the ones who noticed these behaviors, the reason they did not report such behaviors often entangled with a misunderstanding of privacy laws, namely FERPA and HIPAA. These regulations are important protections that must be understood and given the appropriate weight in the circumstances involving safety and security. Rather than being impediments to behavior threat assessment, FERPA and HIPAA help guide threat assessment practitioners in developing policies that promote privacy without compromising safety.

FERPA is a federal law that was created to govern access to student education records.[226] These rights govern academic transcripts, disciplinary records, standardized test results, health records, family records, and services provided for students with disabilities. In standard settings, only "school officials with a legitimate educational interest" are authorized to view FERPA-protected education records.[227] However, FERPA recognizes that FERPA-protected information "can be released without prior consent in an emergency when the information is necessary to protect the health or safety of the student or other persons."[228] The information may be shared only with persons who can do something about the safety concern, "appropriate parties" who may include law enforcement and healthcare professionals.[229]

---

[226] "Parents' Guide to the Family Educational Rights and Privacy Act: Rights Regarding Children's Education Records," Department of Education, October 2007, https://www2.ed.gov/policy/gen/guid/fpco/brochures/parents.html.

[227] Department of Education, 1.

[228] "When Is It Permissible to Utilize FERPA's Health or Safety Emergency Exception for Disclosures?," Department of Education, accessed June 21, 2020, https://studentprivacy.ed.gov/faq/when-it-permissible-utilize-ferpa%E2%80%99s-health-or-safety-emergency-exception-disclosures.

[229] "Who Are Considered 'Appropriate Parties' That May Receive Information under the Health or Safety Emergency Exception?," Department of Education, accessed June 21, 2020, https://studentprivacy.ed.gov/faq/who-are-considered-%E2%80%9Cappropriate-parties%E2%80%9D-may-receive-information-under-health-or-safety.

HIPAA "is a federal law that protects the privacy of individually identifiable health information."[230] In many cases, the privacy of student health records is protected by FERPA rather than HIPAA because the latter applies to health care providers. A school may be defined as a health care provider, according to HIPAA, depending on the level of services provided to the student.[231] A critical consideration when conducting school-based behavioral threat assessment is that—as with FERPA—HIPAA does not impede behavioral threat assessment practices.[232] HIPAA also contains a safety exception that authorizes the disclosure of protected health information to law enforcement if the release of such information is needed to prevent or reduce the safety risks of the protected individual or others.[233] The Department of Education addresses privacy rights considerations, including applicable exceptions for behavioral threat assessment teams, explicitly. On its website, the Department of Education cites examples of acceptable and unacceptable information sharing scenarios. The use of scenarios makes the information digestible to larger segments of the community as legal statutes can be challenging to understand.[234]

Despite such concepts being clearly defined, many educators continue to make assumptions about the application of privacy rights in the face of safety concerns. In 2018, Colorado Attorney General Cynthia Coffman recognized the importance of privacy rights awareness:

---

[230] "Summary of the HIPAA Security Rule," Department of Health and Human Services, accessed August 16, 2020, https://www.hhs.gov/hipaa/for-professionals/security/laws-regulations/index.html.

[231] Sandra Barboza et al., "HIPAA Goes to School: Clarifying Privacy Laws in the Education Environment," *Internet Journal of Law, Healthcare and Ethics* 6, no. 2 (2008), http://ispub.com/IJLHE/6/2/3751.

[232] Barboza et al.

[233] Barboza et al.

[234] "Does FERPA Permit the Sharing of Education Records with Outside Law Enforcement Officials, Mental Health Officials, and Other Experts in the Community Who Serve on a School's Threat Assessment Team?," Department of Education, accessed June 26, 2020, https://studentprivacy.ed.gov/faq/does-ferpa-permit-sharing-education-records-outside-law-enforcement-officials-mental-health.

> Reports analyzing recent campus shootings observe that educators in Colorado and elsewhere often misunderstand the scope and meaning of FERPA. Teachers and administrators fear that by responding proactively to threats of school violence, they may run afoul of federal privacy laws. This [Coffman's] Opinion seeks to dispel these misunderstandings and to prevent unfounded privacy concerns from hampering school violence prevention.[235]

The ability to share information based on a safety nexus should not be a foreign process to Texas law enforcement and educators. Texas legislation mandates notifications of certain violations, both criminal and administrative, to promote safe school environments through awareness. The Texas Code of Criminal Procedure, art. 15.27, mandates notification to school officials within 24 hours if a student is arrested for a felony, assaultive behavior, or other offense, including drug, violence, or weapons charges. School districts are required to notify educators and support staff who have regular contact with the student.[236]

The Texas Education Code, § 37.006–37.007, mandates that educators and support staff receive notification of students under their supervision who are subject to expulsion or temporary placement on a disciplinary alternative program for false alarms; threats against a school; crimes within 300 feet of a school, including felony, violence, sex, and drug charges; retaliation against a school staff member; weapons charges on school property; and certain alcohol-related offenses.[237] School districts can be sanctioned for failing to notify staff members, and staff members are bound to maintain confidentiality regarding student arrest notifications per their Texas State Board of Education certification.[238]

The above examples are provided to highlight two laws that currently promote safety in Texas: 1) school districts may provide information to specified staff under FERPA

---

[235] Gen. Guidance Regarding the Family Educ. Rights Privacy Act, Op. Colo. Att'y Gen., No. 18–01 (2018), 1, https://www.cde.state.co.us/dataprivacyandsecurity/ag-ferpaandschoolsafety.

[236] Tex. Code Crim. Proc. Ann. art. 15.27 (2019), https://statutes.capitol.texas.gov/Docs/CR/htm/CR.15.htm.

[237] Tex. Educ. Code Ann. § 37.006 (2019), https://statutes.capitol.texas.gov/Docs/ED/htm/ED.37.htm; Tex. Educ. Code Ann. § 37.007 (2015), https://statutes.capitol.texas.gov/Docs/ED/htm/ED.37.htm.

[238] Tex. Educ. Code Ann. § 37.006 (2019); Tex. Educ. Code Ann. § 37.007 (2015).

and HIPAA safety exceptions if a risk to the safety of the individuals or others can be articulated, and 2) law enforcement is required to provide student arrest information to schools, and schools are required to share disciplinary issues with staff when discipline involves certain violations that trigger expulsion or alternative placement. Both policies are designed to promote classroom safety. Nevertheless, no laws, legislation, or codes currently mandate the sharing of concerning behaviors or threat assessment data that do not amount to criminal offenses.

If educators, parents, and students view school-based behavioral threat assessment as a proactive process that identifies causes of concerning behaviors so that supportive strategies to prevent violence can be developed, the result may be increased reporting of concerning behaviors, which will help eliminate silos of information that are not typically identified until after tragedy strikes. O'Toole has described the importance of educating students in recognizing and reporting threats of violence to avoid "code of silence" behavior for fear of being labeled a "snitch."[239]

C. CONCLUSION

This chapter detailed measures implemented in Texas to increase the safety and security posture of public schools in the state. It revealed that despite significant progress in both preventive and responsive measures, gaps remain, particularly in the implementation and execution of threat assessment functions. These gaps are created by the state's current hands-off approach in the development of processes, case management, and information-sharing functions, which are currently left by individual school districts to develop. With various threat screening processes being used by different districts, attaining an accurate assessment of the efficacy of behavioral threat assessment and management functions as a violence prevention tool will be a challenging task for the Texas School Safety Center. As it currently stands, the emphasis is placed on initiating programs rather than initiating *effective* programs, which in the past has resulted in tragedy. Additional opportunities exist in defining the role fusion centers should have in promoting

[239] O'Toole, *The School Shooter*.

school safety. In this context, this chapter argues that fusion centers should not conflate "predictive" practices with behavioral threat assessment functions, and creating large databases with student threat assessment and disciplinary records will likely corrode public trust and community involvement. Defining the role of fusion centers in behavioral threat assessment and management more objectively will help clarify a significant gap in what their mission, scope, and limitations should be in supporting school safety and security. Another reason to set clear policies and boundaries is to balance strong safety measures with privacy rights and civil liberties. Framing policy and processes using a holistic approach will help promote legitimacy in the development of school safety and security frameworks. To attain this balance, school-based behavioral threat assessment teams should have a clear understanding of FERPA and HIPAA safety exception clauses. This chapter has highlighted that failing to do so will likely impede communication, which in turn leads to inaction.

By acknowledging existing opportunities through research and analysis and the implications of reactive school safety measures, Chapter V sheds light on sensible recommendations that should be leveraged to enhance proactive school safety and security measures.

V. RECOMMENDATIONS AND CONCLUSIONS

> I wish everyone would realize that if students and staff do not make it home alive to their families at the end of the day, nothing else matters. Implementing school security best practices—starting with the basics—has to be a priority.
>
> —Max Schachter[240]

This thesis sought to identify proper behavioral threat assessment and information sharing practices to promote school safety and security without compromising existing privacy rights. It found that for behavioral threat assessment and management to be an effective violence prevention strategy, school officials and legislators should develop programs and implement training and measurement tools that focus on efficacy rather than compliance or broad measures that consequentially affect children who do not pose a threat. This thesis determined that behavioral threat assessment practices should leverage the collective power of multiple stakeholders, ensure accurate understanding of existing privacy rights to guide information sharing practices, develop proper case management protocols, and implement policies that ensure beneficial information is not lost as a child moves from school to school.

Through a review of Texas and federal legislation, this thesis found both valuable elements as well as opportunities to enhance safety and security measures aimed at preventing school violence. Texas took an essential step in increasing proactive school safety and security, which is evident in mandated school-based behavioral threat assessment and management practices within the state's public education system.[241] Texas also implemented a standardized training program that contains a tracking mechanism to assess who completed the training and which school districts are compliant with this mandate.[242] Furthermore, the Texas School Safety Center announced a plan to collect

---

[240] Max Schachter, "Examining State and Federal Recommendations for Enhancing School Safety against Targeted Violence," Senate Committee on Homeland Security and Government Affairs, July 25, 2019, 2, https://www.hsgac.senate.gov/imo/media/doc/Testimony-Schachter-2019-07-25.pdf.

[241] Blaschke, "Texas School Safety Center."

[242] Texas School Safety Center, "Threat Assessment Toolkit."

baseline threat assessment data to assess training, program implementation, and the number of threats assessed using behavioral threat assessment and management.[243] Currently, there are no reporting systems or legislative mandates in Texas for assessing the efficacy of behavioral threat assessment in preventing violence. The Texas School Safety Center has not announced whether data efficacy reporting will be introduced in the future; however, having performance mechanisms to assess program efficacy will help identify opportunities to improve and expand school-based behavioral threat assessment and management practices. Despite making significant strides in proactive school safety and security, to date, little guidance has been provided regarding how to conduct proper case management and information sharing processes.[244] Through research, this thesis has identified existing gaps that should be addressed sooner rather than later because failure to do so will likely impact desired outcomes.

The primary audiences for the recommendations provided in this chapter are Texas legislators, school district leadership, governing bodies, mental health professionals, and school safety and security professionals. Nevertheless, several recommendations outlined in this chapter may be applied at a national level. Ultimately, this thesis has drawn valuable lessons about school violence prevention by assessing contributing factors to school violence and the ways in which different states and school districts responded to school violence.

The recommendations in this chapter are not intended to be all-encompassing. Instead, this chapter outlines a roadmap that can be used to increase the safety and security posture of schools. The recommendations are divided into three segments: local-level recommendations, which should be considered by school district leadership and school safety and security professionals; Texas legislation amendments, which should be considered by Texas legislators and the Texas Education Agency; and federal-level legislation adoption, which should be considered by the U.S. House of Representatives.

---

[243] "86th Legislative Session Updates: Threat Assessment," Texas School Safety Center, February 27, 2020, https://locker.txssc.txstate.edu/a8824b99a9127fda6731c1476ac4e17b/Leg-Updates-Threat-Assessment.pdf.

[244] Texas School Safety Center, "Model Policies and Procedures."

A. TEXAS LOCAL-LEVEL RECOMMENDATIONS

1. Behavioral Threat Assessment and Management

This preventive process is a mandatory component of school safety in Texas, and this research has shed light on the importance of developing programs that emphasize prevention rather than response. With behavioral threat assessment and management being a mandate in Texas, school districts should focus on developing effective programs rather than working merely to meet legislative compliance. For example, the school district in Broward County had implemented a behavioral threat assessment process, but after the Marjory Stoneman Douglas High School shooting, investigators learned of confusion among the staff, and threat managers were unfamiliar with their own processes.[245] The tragedy at Marjory Stoneman Douglas High School exemplifies the need for school administrators and individuals assigned to threat management teams to receive ongoing training and develop mechanisms designed to assess the efficacy of their initiatives. Additionally, training should not be reserved for threat managers. School districts should provide tools to encourage reporting of concerning behaviors anonymously; all staff members should be trained in how to recognize and report risk behavior, and community members and parents must also be trained and encouraged to report risk behavior.[246] By leveraging the collective power of staff, parents, students, and the community, school districts increase their chances to move individuals from escalating on the pathway to targeted violence. The goal is to de-escalate concerning behaviors by leveraging available support functions, including behavioral therapists, social-emotional learning tools, counseling services, positive relationships, and, when appropriate, psychiatric therapy support. By matching management strategies with the level of risk, effective behavioral threat assessment practices can be done with fidelity and without stigmatizing or labeling children. Using existing privacy rights and civil liberties as a guiding compass is a sound rule to follow.

---

[245] Marjory Stoneman Douglas High School Public Safety Commission, *Initial Report of the Marjory Stoneman Douglas High School Public Safety Commission* (Tallahassee: Florida Department of Law Enforcement, 2019), http://www.fdle.state.fl.us/msdhs/commissionreport.pdf.

[246] National Threat Assessment Center, *Enhancing School Safety*.

2. Whole-Community Approach to Prevent Violence

By educating entire communities, the opportunities to detect and act promptly increase. For example, a grandmother in Washington state was able to prevent a school shooting—the day before the shooting at Marjory Stoneman Douglas High School—after discovering school shooting plans in her grandson's journal and a rifle she did not know he possessed.[247] The would-be shooter had been planning to conduct a school shooting at Aces High School, and some of his journal entries highlighted the desire to inflict violence:

> I need to make this shooting/bombing at Kamiak infamous. I need to get the biggest fatality number I possibly can. I need to make this count. I've been reviewing many mass shootings/bombings (and attempted bombings), I'm learning from past shooters/bombers mistakes, so I don't make the same ones.[248]

In addition to having ideations of violence, the would-be shooter escalated his behaviors by conducting research and acquiring weapons to prepare for the attack.[249] After recognizing risk behaviors and discovering weapons, the grandmother called the police.[250]

The process of involving all stakeholders creates a whole-community approach, which can effectively identify concerning behaviors early on.[251] This type of approach is particularly appropriate for schools, where the student population consists of children with developing brains, hormonal changes, peer pressure, bullying, and exposure to substance abuse. Other stressors—including broken families, exposure to domestic violence, sexual abuse, and significant social-economic disparities—create an environment that, to specific groups, is conducive to violence.[252] A critical function of a robust behavioral threat

---

[247] Phil McCausland and Associated Press, "Day before Parkland, Grandmother Foiled Grandson's Alleged School Shooting Plans," NBC News, February 15, 2018, https://www.nbcnews.com/news/us-news/day-prior-parkland-grandmother-foiled-grandson-s-alleged-school-shooting-n848426.

[248] McCausland and Associated Press.

[249] McCausland and Associated Press.

[250] McCausland and Associated Press.

[251] National Threat Assessment Center, *Enhancing School Safety*.

[252] Suzanne Perkins and Sandra Graham-Bermann, "Violence Exposure and the Development of School-Related Functioning: Mental Health, Neurocognition, and Learning," *Aggression and Violent Behavior* 17, no. 1 (2012): 89–98, https://doi.org/10.1016/j.avb.2011.10.001.

assessment process is to determine whether a threat exists, not whether a threat was made. A school threat risk assessment is done by balancing all stressors and mitigating factors to assess whether an individual poses a threat. Threat managers should not look at single factors to determine risk. Brannan, Darken, and Strindberg describe the importance of context in analyzing terrorism: "While one context may be more important than another, there is almost never just a single context that is relevant to understanding an act of terrorism."[253] The same is true about a threat manager's role in analyzing what constitutes a threat versus a perceived threat.

In addition to preventive methods, school districts should implement a robust school safety and security framework that contains multiple layers of security aimed at protecting students from a variety of threats. Following the Marjory Stoneman Douglas shooting, David Ropeik noted,

> The chance of a child being shot and killed in a public school is extraordinarily low. Not zero—no risk is. But it's far lower than many people assume, especially in the glare of heart-wrenching news coverage after an event like Parkland. And it's far lower than almost any other mortality risk a kid faces, including traveling to and from school, catching a potentially deadly disease while in school or suffering a life-threatening injury playing interscholastic sports.[254]

Parents expect their children to be safe when they send them to school, and relying on luck or low probabilities to protect children is not a defensible strategy. The research in this thesis identified that school leaders from campuses where school shootings occurred believed their school districts were safe places before tragedy arrived. The same low-probability argument can be made about commercial air travel, which, compared to other forms of transportation, remains very safe, but what reduces the risk of air travel are robust safety and security measures.[255]

---

[253] David Brannan, Kristin Darken, and Anders Strindberg, *A Practitioner's Way Forward: Terrorism Analysis* (Salinas, CA: Agile Press, 2014).

[254] Ropeik, "School Shootings Are Extraordinarily Rare."

[255] Ian Savage, "Comparing the Fatality Risks in United States Transportation across Modes and over Time," *Research in Transportation Economics* 43, no. 1 (July 2013): 9–22, https://doi.org/10.1016/j.retrec.2012.12.011.

It is important to note that despite being an effective strategy, behavioral threat assessment and management are not a singular solution to school safety and security. As previously stated, school safety is a complex issue, and a multifaceted approach that contains multiple layers should be implemented to drive objectives. The incidents outlined in Chapter II of this thesis demonstrated multiple systemic failures that extended beyond threat assessment. Although outside the scope of this thesis, equal importance should be given to other measures, including implementing physical security, fostering a collaborative safety and security culture, and working with emergency management and law enforcement as components of a defined framework. If done correctly, along with behavioral threat assessment and management, the collective use of these measures will help promote an effective school safety and security ecosystem where each initiative is collectively balanced to build strength.

B. TEXAS SENATE BILL 11 AMENDMENTS

This thesis suggests that two amendments to S.B. 11 be considered.

1. Threat Assessment Case Management Amendment

The Texas School Safety Center published a tool kit guide, as discussed in Chapter I. A section in this document highlights the importance of case management: "Develop and implement a case management plan to reduce risk."[256] Despite outlining this guidance, the Texas School Safety Center offers no actionable representation of what an effective case management process looks like or how to gauge whether counseling and other risk behavior management strategies and interventions are working. Having accurate data that assess the impact of risk behavior management tools—such as social-emotional learning programs, safety plans, schedule changes, counseling services, and partnerships with parents in managing threats—is paramount. Failure to do so will, at best, skew data. At worst, it will lead to the mismanagement of risk reduction strategies, which will do little to prevent violence. Reid Meloy and Jens Hoffmann describe the fluid nature of behavioral threat

[256] Texas School Safety Center, "Model Policies and Procedures."

assessment with the following recommendation for school-based behavioral threat assessment teams:

> Given the dynamic process of unfolding cases, an important observation to keep in mind is that cases do not usually end but rather become dormant. This necessitates the creation of mechanisms for monitoring the episodic nature of risk, including subject escalation, de-escalation, institutionalization, involvement in legal proceedings, and release over time.[257]

Behavioral threat assessment should not be viewed as a compliance checkmark but rather a fluid process unique to each individual case. What works for some may not work for all. Through reporting mechanisms, documentation, case management districts can promote legitimacy in their threat assessment programs.

The legislative framework for behavioral threat assessment and case management in Texas should, at a minimum, include the following:

1. A reporting function that is public-facing and promotes anonymous reporting;
2. A workflow process that reaches the campus-level threat assessment team and the district-level threat assessment team for accountability and support purposes;
3. A built-in follow-up cycle that warns campus and district-level teams of pending tasks and needed documentation;
4. A records management process that allows campus-level teams to report if applied strategies are positively or negatively affecting risk behaviors;
5. The ability to attach documents and support evidence to the records management system; and
6. An inactive status, once the case is closed, whereby district-level team members can view files only for specified reasons.

[257] Meloy and Hoffmann, *International Handbook of Threat Assessment*, 138.

Documentation is not a new concept to educators, and their familiarity with documenting, measuring, and using data to make decisions should be leveraged. The education system requires extensive documentation for attendance, academic performance; individualized education programs; and admission, review, and dismissal actions. Behavioral threat assessment should not be excluded from having a defined framework that governs how schools institute proper case management functions.

Promoting symbiosis between existing school practices and individualized threat assessments is essential, and case management will help support individualized practices instead of a compliance bundle program. Talish Bond, a school psychologist, highlights the need for individualizing behavioral threat assessment programs: "My hope is the response to threats becomes more nuanced and more individualized, just like students with [individualized education programs]: Each one is unique to that child."[258]

2. Information Sharing Amendment

This thesis already described privacy safety exceptions contained in FERPA and HIPAA and how failure to communicate with law enforcement and other stakeholders when safety concerns are present can become contributing factors to violence, as exemplified in the Virginia Tech case in Chapter II. The focus of this recommendation is narrower and prioritizes school-to-school information sharing within Texas. Rather than sharing all threat assessment information with fusion centers and law enforcement, school threat assessment teams should share information only with a safety nexus. Creating information-sharing practices that are too broad will likely squander relationships of trust with parents and the community that are necessary components for holistic threat assessment practices. Florida's large school safety database, as described in Chapter IV, exemplifies concerns and public outcries that can be expected from sweeping policies.[259]

---

[258] Stephen Sawchuk, "What Schools Need to Know about Threat Assessment Techniques," *Education Week*, September 4, 2019, https://www.edweek.org/ew/articles/2019/09/04/what-schools-need-to-know-about-threat.html.

[259] Ora Tanner, "Parents and Students Deserve Answers on the State's Massive 'Safety Portal' Database," *Tampa Bay Times*, August 15, 2019, https://www.tampabay.com/opinion/2019/08/15/parents-and-students-deserve-answers-on-the-states-massive-safety-portal-data-base-column/.

Instead of enacting broad measures, this thesis recommends narrower policies that keep data within schools. Effective behavioral threat assessment information sharing measures can be achieved through the following processes.

a. Fusion Centers, Law Enforcement, and Threat Assessment Teams

As previously outlined in this thesis, the Texas school safety plan recommends the use of fusion centers to promote school safety.[260] Rather than having information flow from schools to fusion centers, the information cycle should flow from fusion centers to schools unless a safety exception, as outlined per FERPA and HIPPA, arises. This recommendation is appropriate because fusion centers have the ability to monitor social media information and online forums, and they receive reports of concerning behaviors from various sources. Law enforcement officials should provide support to threat assessment teams, and the level of collaboration can be specified by threat assessment mutual agreements or memorandum of understanding documents that describe law enforcement's role and scope with school districts. Partnerships with law enforcement can be beneficial in assisting school threat assessment teams with additional information about a potential threat and in evaluating what constitutes criminal acts and public safety risks. The same governing mutual agreement can be used by law enforcement to govern and define the scope of information sharing between law enforcement and the school district to promote mutual assurances of expectations as they relate to records, privacy, and information sharing.

b. School-to-School Information Sharing

The legislative recommendation for this section highlights the need to develop information sharing between threat assessment teams and external districts in hopes of preventing concerning behaviors from escalating to violence and criminal behavior. The educational sector already contains notification mechanisms for criminal violations and certain conduct that amounts to expulsion or alternative campus placement. With threat assessment being a new process in the Texas education system, it is essential to develop

[260] Office of the Texas Governor, "Governor Abbott Releases Report."

policies and laws that govern the sharing of threat assessment data—particularly as it relates to intervention plans so that other schools and districts can be made aware of what has been effective and what has not been effective in managing concerning behaviors. Based on the existential need to promote safety through the identification of concerning behaviors and by developing mitigating strategies, threat assessment requires the open flow of communication between all stakeholders. Connecting the dots is important in threat assessment, and the hope is to develop mitigating strategies that are unique to individual needs instead of hoping that consequential policies will fix all problems. This operational need validates the mandate for information sharing. The same classroom safety justification for making appropriate staff aware of arrests and certain expulsions can be applied to sharing threat assessment data. The Texas Education Agency should consider an active role in promoting school to school information sharing practices. Outlined below is a process recommendation governing thereat assessment information sharing practices.

Threat assessment data should be shared from school to school and from district to district under the following framework:

- In deferment cases, the school threat assessment team has concluded that the subject of the threat assessment does not pose a threat. This information will not be shared from school to school (same district) nor from district to district.
- If a school threat assessment team concludes that the subject of the threat assessment poses a threat, this information will be shared from school to school (same district) and from district to district.
- The state will abide by confidentiality requirements and policies that keep students who have been the subject of a threat assessment from being discriminated against or labeled.

The notification component is not intended to label or stigmatize a child but rather to provide other school districts with valuable information about management strategies, triggers, and stabilizing factors. By having this type of information, the learning curve is

reduced, and other schools can avoid known pitfalls by leveraging proven strategies to promote safety while providing the student with practical coping skills.

C. FEDERAL LEGISLATION: THE TAPS ACT

The TAPS Act standardizes behavioral threat assessment and management processes across federal and local governments. It provides training, resources, and support needed to create community-based, multidisciplinary behavioral threat assessment processes, and management teams to recognize and manage threats before a tragedy. The act frames a whole-of-government approach, which could assist in disrupting operational silos among government agencies by promoting standardized processes and information sharing, as well as developing relationships of trust between the mental health community, law enforcement, and the local population. Because the gun debate leads to inaction and inaction facilitates violence, this thesis recommends the adoption of this comprehensive legislation as a national strategy to prevent acts of targeted violence.

D. CONCLUSION

School violence is a widespread, complex problem that affects our entire nation. In addition to generating domestic fears, the highly publicized nature of school shootings broadcasts our nation's school safety vulnerabilities to a worldwide community. If children with little training and experience can create so much publicity and mayhem, it would not be too challenging for a group of trained adversaries of the United States to exploit existing gaps in school safety and security by launching simplistic but far-reaching acts of violence against U.S. schools. The amount of pain, the sense of insecurity and vulnerability, and the economic ramifications would be extremely detrimental to the American way of life. Emma Bradford and Margaret Wilson highlight such a concern with soft targets when they compare the challenges of securing schools to more hardened locations such as "airports, military installations, and government embassies."[261]

[261] Emma Bradford and Margaret A. Wilson, "When Terrorists Target Schools: An Exploratory Analysis of Attacks on Educational Institutions," *Journal of Police and Criminal Psychology* 28, no. 2 (2013): 127–38, https://doi.org/10.1007/s11896-013-9128-8.

This thesis, with its limited scope, highlights the importance of behavioral threat assessment and management—a proactive, data-driven, cost-effective way to prevent violence. Suggestions to build robust school safety and security programs have been provided, and legislative action at the state and national levels are recommended. This thesis has also identified essential components that have been overlooked, particularly as they relate to information sharing and case management of behavioral threat assessment cases—gaps that the Texas School Safety Center, the Texas Education Agency, and Texas Legislators should correct.

By identifying existing opportunities, offering solutions, and recommending relevant legislation, this thesis helps educational institutions and homeland security stakeholders prioritize resources to build effective school safety and security programs. It may never be possible to prevent violent attacks from happening in schools entirely, but schools must mitigate the risk through both proactive and protective means. This research concludes that there is no single solution to school safety and security. The focus must be placed in developing a layered security protocol that leverages entire communities to make violence prevention an attainable goal.

Many states are enacting laws demanding higher scrutiny in school safety and security initiatives. Still, few accountability mechanisms and funding resources are being provided to build effective programs that increase safety and security without compromising what should be welcoming learning environments. Determining how to enact and enforce such programs effectively and without sacrificing funding for competing priorities is an area that requires further research.

LIST OF REFERENCES

Abamu, Jenny. "Secret 'Fusion Centers' and the Search for the Next School Shooter." EdSurge, July 11, 2018. https://www.edsurge.com/news/2018-07-11-secret-fusion-centers-and-the-search-for-the-next-school-shooter.

Abbott, Greg. *Improving School Safety in Texas*. Austin: Office of the Texas Governor, 2019. https://gov.texas.gov/uploads/files/press/Aug_2019_School_Safety_Update.pdf.

———. *School and Firearm Safety Action Plan*. Austin: Office of the Texas Governor, 2018.

ABC News. "Columbine High School Principal Speaks in Wake of 1999 Shooting." April 23, 1999. Video, 2:40. https://abcnews.go.com/video/embed?id=54554729#amp=1.

Alathari, Lina, Diana Drysdale, Steven Driscoll, Ashley Blair, Arna Carlock, Aaron Cotkin, Brianna Johnston et al. *Protecting America's Schools: A U.S. Secret Service Analysis of Targeted School Violence*. Washington, DC: National Threat Assessment Center, 2019. https://www.secretservice.gov/data/protection/ntac/Protecting_Americas_Schools.pdf.

American Psychological Association Zero Tolerance Task Force. "Are Zero Tolerance Policies Effective in the Schools?: An Evidentiary Review and Recommendations." *American Psychologist* 63, no. 9 (December 2008): 852–62. https://doi.org/10.1037/0003-066X.63.9.852.

Association of Threat Assessment Professionals. "ATAP TAPS ACTion Center." Accessed August 29, 2020. https://www.atapworldwide.org/page/TAPS.

Banks, Gabrielle, and Brian Rogers. "Teen Suspect in Santa Fe Shooting Promoted 'Born to Kill' Shirt, German Nationalist Symbols on Facebook." *Houston Chronicle*, May 18, 2018. https://www.chron.com/news/houston-texas/houston/article/Teen-suspect-in-Santa-Fe-shooting-promoted-12926019.php.

Barboza, Sandra, Susan Epps, Randy Byington, and Shane Keene. "HIPAA Goes to School: Clarifying Privacy Laws in the Education Environment." *Internet Journal of Law, Healthcare and Ethics* 6, no. 2 (2008). http://ispub.com/IJLHE/6/2/3751.

Bardach, Eugene. *A Practical Guide for Policy Analysis: The Eightfold Path to More Effective Problem Solving*. 4th ed. Thousand Oaks: SAGE Publications, 2012.

Blaschke, Jayme. “Texas School Safety Center to Contribute to Gov. Abbott’s Action Plan.” Texas State University, May 30, 2018. https://www.txstate.edu/news/news_releases/news_archive/2018/May-2018/TxSSC053018.html.

Borum, Randy, Robert Fein, Bryan Vossekuil, and John Berglund. “Threat Assessment: Defining an Approach to Assessing Risk for Targeted Violence.” *Behavioral Sciences and the Law* 17 (1999): 323–37.

Boudry, Maarten. “The Myth of Senseless Violence and the Problem of Terrorism.” In *The Palgrave Handbook of Philosophy and Public Policy*, edited by David Boonin, 147–160. Cham, Switzerland: Springer, 2018. https://biblio.ugent.be/publication/8620706.

Bradford, Emma, and Margaret A. Wilson. “When Terrorists Target Schools: An Exploratory Analysis of Attacks on Educational Institutions.” *Journal of Police and Criminal Psychology* 28, no. 2 (2013): 127–38. https://doi.org/10.1007/s11896-013-9128-8.

Brannan, David, Kristin Darken, and Anders Strindberg. *A Practitioner’s Way Forward: Terrorism Analysis*. Salinas, CA: Agile Press, 2014.

Brueck, Hilary. “Switzerland Has a Stunningly High Rate of Gun Ownership—Here’s Why It Doesn’t Have Mass Shootings.” Business Insider, August 5, 2019. https://www.businessinsider.com/switzerland-gun-laws-rates-of-gun-deaths-2018-2.

Brusca, Richard, and Colin Ram. “A Failure to Communicate: Did Privacy Laws Contribute to the Virginia Tech Tragedy?” *Washington and Lee Journal of Civil Rights and Social Justice* 17, no. 1 (Fall 2010): 141–68.

Calamur, Krishnadev. “The Swiss Have Liberal Gun Laws, Too.” *The Atlantic*, February 16, 2018. https://www.theatlantic.com/international/archive/2018/02/swiss-guns/553448/.

California State Threat Assessment System. *Information Privacy Policy*. Sacramento: California State Threat Assessment System, 2014. https://ncric.ca.gov/html/CaliforniaSTTASPrivacyPolicy.pdf.

Camp, Randy, Chuck Massucci, and John Suess. “Cruz’s Cell Phone Content and Internet Searches.” Presentation, Marjory Stoneman Douglas High School Public Safety Commission, November 8, 2018.

Choi, David. “Navy SEAL Who Oversaw bin Laden Raid Says America’s Biggest National Security Issue Is the K-12 Education System.” Business Insider, July 8, 2020. https://www.businessinsider.com/navy-seal-william-mcraven-education-biggest-security-issue-2020-7.

Collins, Sara. “Proposed Florida School Safety Policies Undermine Student Privacy.” Student Privacy Compass, March 26, 2019. http://studentprivacycompass.org/collins1/.

Colorado Office of the Attorney General. “Safe2Tell Colorado: How It Works.” Accessed July 18, 2020. https://safe2tell.org/how-it-works.

Colorado School Safety Resource Center. *10 Years after Columbine: Highlights of School Safety Efforts in Colorado*. Lakewood: Colorado Department of Public Safety, 2009.

———. “Claire Davis School Safety Act.” July 27, 2017. https://www.colorado.gov/pacific/cssrc/claire-davis-school-safety-act.

Columbine Review Commission. *The Report of Governor Bill Owens’ Columbine Review Commission*. Denver: Columbine Review Commission, 2001. https://schoolshooters.info/sites/default/files/Columbine%20-%20Governor’s%20Commission%20Report.pdf.

Connelly, Richard. “How Many Texans Own Guns? A Whole Freakin’ Lot, Poll Shows.” *Houston Press*, March 5, 2013. https://www.houstonpress.com/news/abbott-says-protect-yourself-and-never-mind-that-covid-19-surge-11477670.

Cornell, Dewey G., and Matthew J. Mayer. “We Could Prevent School Shootings If We Really Wanted To.” NBC News, December 8, 2019. https://www.nbcnews.com/think/opinion/school-shootings-could-be-prevented-if-we-intervened-cases-troubled-ncna1097376.

Cornell, Dewey G., Peter L. Sheras, Sebastian Kaplan, David McConville, Julea Douglass, Andrea Elkon, Lela McKnight, Chris Branson, and Joanna Cole. “Guidelines for Student Threat Assessment: Field-Test Findings.” *School Psychology Review* 33, no. 4 (2004): 527–46.

Cornell, Dewey G., Crystal Shin, Angela Ciolfi, and Kristin Sanken. *Prevention v. Punishment: Threat Assessment, School Suspensions, and Racial Disparities*. Charlottesville: University of Virginia and Legal Aid Justice Center, 2013. https://www.justice4all.org/wp-content/uploads/2013/12/Prevention-v-Punishment-Report-FINAL.pdf.

Crews, Gordon A., ed. *Handbook of Research on Mass Shootings and Multiple Victim Violence*. Hershey, PA: IGI Global, 2020. https://www-igi-global-com.libproxy.nps.edu/gateway/book/226279.

Critical Incident Analysis Group. “A Radical New Look at Mass Shooters. Why They Do It and How to Stop Them.” University of Virginia School of Medicine. Accessed June 26, 2020. https://med.virginia.edu/ciag/a-radical-new-look-at-mass-shooters-why-they-do-it-and-how-to-stop-them/.

Cullen, Dave. “From Columbine to Parkland: How We Got the Story Wrong on Mass Shootings.” *The Guardian*, February 9, 2019. https://www.theguardian.com/books/2019/feb/10/columbine-parkland-gun-crime-dave-cullen.

Daniels, Jeffrey A. *A Preliminary Report on the Police Foundation’s Averted School Violence Database*. Washington, DC: Office of Community Oriented Policing Services, 2019.

Deane, Patrick. “‘Within a Field That Never Closes’: The Reader in W. H. Auden’s ‘New Year Letter.’” *Contemporary Literature* 32, no. 2 (1991): 184, https://doi.org/10.2307/1208360.

DeHaven, Kaitlyn. “Texas School Safety Laws Implementation Lags, May Be Pushed to 2020–2021.” Campus Security & Life Safety, July 30, 2019. https://campuslifesecurity.com/articles/2019/07/30/texas-school-safety-laws-implementation-lags-may-be-pushed-to-2020-2021.aspx.

Department of Education. “Does FERPA Distinguish between School Resource Officers (SROs) and Other Local Police Officers Who Work in a School?” Accessed January 18, 2020. https://studentprivacy.ed.gov/frequently-asked-questions?audience=30&topic=All&page=2.

———. “Does FERPA Permit the Sharing of Education Records with Outside Law Enforcement Officials, Mental Health Officials, and Other Experts in the Community Who Serve on a School’s Threat Assessment Team?” Accessed June 26, 2020. https://studentprivacy.ed.gov/faq/does-ferpa-permit-sharing-education-records-outside-law-enforcement-officials-mental-health.

———. “When Is It Permissible to Utilize FERPA’s Health or Safety Emergency Exception for Disclosures?” Accessed June 21, 2020. https://studentprivacy.ed.gov/faq/when-it-permissible-utilize-ferpa%E2%80%99s-health-or-safety-emergency-exception-disclosures.

———. “Who Are Considered ‘Appropriate Parties’ That May Receive Information under the Health or Safety Emergency Exception?” Accessed June 21, 2020. https://studentprivacy.ed.gov/faq/who-are-considered-%E2%80%9Cappropriate-parties%E2%80%9D-may-receive-information-under-health-or-safety.

Department of Health and Human Services. “Summary of the HIPAA Security Rule.” Accessed August 16, 2020. https://www.hhs.gov/hipaa/for-professionals/security/laws-regulations/index.html.

Department of Health and Human Services and Department of Education. *Joint Guidance on the Application of the Family Educational Rights and Privacy Act (FERPA) and the Health Insurance Portability and Accountability Act of 1996 (HIPAA) to Student Health Records*. Washington, DC: Department of Health and Human Services, 2008.

Department of Health and Human Services, Department of Education, and Department of Justice. *Report to the President on Issues Raised by the Virginia Tech Tragedy*. Washington, DC: Department of Health and Human Services, Department of Education, and Department of Justice, June 13, 2007. https://www.justice.gov/archive/opa/pr/2007/June/vt_report_061307.pdf.

Department of Homeland Security. *2017 National Network of Fusion Centers: Final Report*. Washington, DC: Department of Homeland Security, 2018. https://www.hsdl.org/?abstract&did=817528.

———. *Department of Homeland Security Information Sharing Strategy*. Washington, DC: Department of Homeland Security, 2008.

———. *Department of Homeland Security Strategic Framework for Countering Terrorism and Targeted Violence*. Washington, DC: Department of Homeland Security, September 2019. https://www.dhs.gov/sites/default/files/publications/19_0920_plcy_strategic-framework-countering-terrorism-targeted-violence.pdf.

———. "Fusion Centers." September 19, 2019. https://www.dhs.gov/fusion-centers.

———. "Parents' Guide to the Family Educational Rights and Privacy Act: Rights Regarding Children's Education Records." October 2007. https://www2.ed.gov/policy/gen/guid/fpco/brochures/parents.html.

Devine, Rory. "SDPD Seeing Rise in 'Ghost Gun' Seizures." NBC 7 San Diego, August 15, 2019. https://www.nbcsandiego.com/news/local/sdpd-seeing-rise-in-ghost-gun-seizures/129380/.

Endrass, Jérôme, Astrid Rossegger, Frank Urbaniok, Arja Laubacher, Christine Schnyder Pierce, and Konstantin Moskvitin. "Procedures for Preventing Juvenile Violence in Switzerland: The Zurich Model." *New Directions for Youth Development*, no. 129 (Spring 2011): 79–87. https://doi.org/10.1002/yd.388.

Exstrom, Michelle. "School Safety: Overview and Legislative Tracking." National Conference of State Legislatures, May 8, 2019. http://www.ncsl.org/research/education/school-safety.aspx.

Federal Bureau of Investigation. *A Study of Pre-Attack Behaviors of Active Shooters in the United States between 2000 and 2013*. Washington, DC: Federal Bureau of Investigation, 2018. https://www.fbi.gov/file-repository/pre-attack-behaviors-of-active-shooters-in-us-2000-2013.pdf/view.

Federal Bureau of Investigation Language Services Section. "Transcript of January 5, 2018, Public Access Line Tip Regarding Nikolas Cruz." Pocatello, ID: Federal Bureau of Investigation Language Services Section, 2018. https://vault.fbi.gov/transcript-of-january-5-2018-public-access-line-pal-tip-regarding-nikolas-cruz/transcript-of-january-5-2018-public-access-line-pal-tip-regarding-nikolas-cruz-part-01-of-01.pdf.

Federal Commission on School Safety. *Final Report of the Federal Commission on School Safety*. Washington, DC: Federal Commission on School Safety, 2018. https://www2.ed.gov/documents/school-safety/school-safety-report.pdf.

Fernandez, Stacy, and Jolie McCullough. "Police Brutality in Texas: Texas Cities Took Quick Actions after George Floyd's Death. Advocates Doubt They'll Have a Big Impact." *Texas Tribune*, June 18, 2020. https://www.texastribune.org/2020/06/18/texas-police-george-floyd/.

FindLaw. "Texas Gun Control Laws." Last updated January 10, 2020. https://statelaws.findlaw.com/texas-law/texas-gun-control-laws.html.

Florida Department of Education. "Marjory Stoneman Douglas High School Public Safety Act (MSDHSPSA)." Accessed August 15, 2020. http://www.fldoe.org/safe-schools/.

———. "SB 7026: Public Safety." Tallahassee: Florida Department of Education, 2018. http://www.fldoe.org/core/fileparse.php/12031/urlt/SB-7026-Public-Safety.pdf.

Frymer, Benjamin. "The Media Spectacle of Columbine: Alienated Youth as an Object of Fear." *American Behavioral Scientist* 52, no. 10 (2009): 1387–1404. https://doi.org/10.1177/0002764209332554.

Gadow, Dianne L. "It's Time—Strengthening Partnerships throughout the Juvenile Justice System." *Corrections Today* 70, no. 1 (February 2008): 6.

Gilliland, Donald. "How a Proactive, Preventive Approach Can Stem the Tide of School Shootings." *The Hill*, July 28, 2018. https://thehill.com/opinion/criminal-justice/399260-how-a-proactive-preventive-approach-can-stem-the-tide-of-school.

Hanrahan, Jake. "3D-Printed Guns Are Back, and This Time They Are Unstoppable." *Wired* (UK), May 20, 2019. https://www.wired.co.uk/article/3d-printed-guns-blueprints.

History. "This Day in History: Twenty-Three Diners Massacred at Texas Restaurant." Last updated October 15, 2019. https://www.history.com/this-day-in-history/twenty-three-diners-massacred-at-texas-restaurant.

Hitt, Brandi. "'Ghost Guns' Investigation: Law Enforcement Seeing Unserialized Firearms on Daily Basis in SoCal." ABC 7 Los Angeles, January 31, 2020. https://abc7.com/5893043/.

Iowa Department of Homeland Security. "The School Shooter: A Quick Reference Guide." Accessed February 9, 2020. https://www.homelandsecurity.iowa.gov/documents/misc/FBI_School_Shooter_Guide.pdf.

Ireland, Robert M. "Acquitted Yet Scorned: The Ward Trial and the Traditions of Antebellum Kentucky Criminal Justice." *Register of the Kentucky Historical Society* 84, no. 2 (1986): 107–45. https://www.jstor.org/stable/23380287.

Jervis, Rick. "'We're Not Protecting Our Children': Santa Fe Shooting Survivors Demand Answers, Independent Review." *USA Today*, June 6, 2019. https://www.usatoday.com/story/news/2019/06/06/school-shooting-santa-fe-survivors-say-police-wont-give-them-details/1213742001/.

K12 Academics. "History of School Shootings in the United States." July 26, 2018. https://www.k12academics.com/school-shootings/history-school-shootings-united-states.

K-12 School Shooting Database. "Shooting Incidents Graphs 2010-Present Archives." Accessed July 24, 2020. https://www.chds.us/ssdb/category/shooting-incidents-2010-present/.

Kanan, Linda M. "When Students Make Threats." *Education Digest*, November 2010.

Kirby, Emma Jane. "Switzerland Guns: Living with Firearms the Swiss Way." BBC News, February 11, 2013. https://www.bbc.com/news/magazine-21379912.

Knoll, James L., and J. Reid Meloy. "Mass Murder and the Violent Paranoid Spectrum." *Psychiatric Annals* 44, no. 5 (May 2014): 236–43. http://drreidmeloy.com/wp-content/uploads/2015/12/2014_MassMurderAndT.pdf.

Krempholtz, Emily. "Tons of Guns, but No Mass Shootings: What We Can Learn from the Swiss." Buzzworthy, March 27, 2020. https://www.buzzworthy.com/switzerland-gun-laws/.

Langman, Peter. "Role Models, Contagions, and Copycats: An Exploration of the Influence of Prior Killers on Subsequent Attacks." Langman Psychological Associates, June 22, 2017.

Lopez, German. "2018 Was by Far the Worst Year on Record for Gun Violence in Schools." Vox, December 10, 2018. https://www.vox.com/2018/12/10/18134232/gun-violence-schools-mass-shootings.

Maciag, Mike. “The Daily Crisis Cops Aren’t Trained to Handle.” *Governing*, May 2016. https://www.governing.com/topics/public-justice-safety/gov-mental-health-crisis-training-police.html.

Marjory Stoneman Douglas High School Public Safety Commission. *Final Report of the Marjory Stoneman Douglas High School Public Safety Commission*. Tallahassee: Florida Department of Law Enforcement, 2019. http://www.fdle.state.fl.us/MSDHS/MSD-Report-2-Public-Version.pdf.

———. *Initial Report of the Marjory Stoneman Douglas High School Public Safety Commission*. Tallahassee: Florida Department of Law Enforcement, 2019. http://www.fdle.state.fl.us/msdhs/commissionreport.pdf.

Maxime, Farnel. “Zero-Tolerance Policies and the School to Prison Pipeline.” Shared Justice, January 18, 2018. http://www.sharedjustice.org/domestic-justice/2017/12/21/zero-tolerance-policies-and-the-school-to-prison-pipeline.

McCausland, Phil, and Associated Press. “Day before Parkland, Grandmother Foiled Grandson’s Alleged School Shooting Plans.” NBC News, February 15, 2018. https://www.nbcnews.com/news/us-news/day-prior-parkland-grandmother-foiled-grandson-s-alleged-school-shooting-n848426.

McGaughy, Lauren. “NRA Celebrates ‘Highly Successful’ Year in Texas as New Gun Bills Signed into Law.” *Dallas Morning News*, June 17, 2019. https://www.dallasnews.com/news/politics/2019/06/18/nra-celebrates-highly-successful-year-in-texas-as-new-gun-bills-signed-into-law/.

Meloy, J. Reid, and Jens Hoffmann. *International Handbook of Threat Assessment*. New York: Oxford University Press, 2014.

Miller, Anna. “Threat Assessment in Action.” *Monitor on Psychology* 45, no. 2 (February 2014). https://www.apa.org/monitor/2014/02/cover-threat.

Morag, Nadav. *Comparative Homeland Security: Global Lessons*. Hoboken, NJ: Wiley, 2011. https://doi.org/10.1002/9781118048252.

Morral, Andrew. “Gun Policy in America: An Overview.” RAND Corporation, April 22, 2020. https://www.rand.org/research/gun-policy/key-findings/gun-policy-in-america.html.

National Institute of Justice. “The Value of Threat Assessment Teams.” Accessed July 11, 2020. https://nij.ojp.gov/topics/articles/value-threat-assessment-teams.

National Threat Assessment Center. *Enhancing School Safety Using a Threat Assessment Model: An Operational Guide for Preventing Targeted School Violence*. Washington, DC: Secret Service, July 2018. https://www.secretservice.gov/data/protection/ntac/USSS_NTAC_Enhancing_School_Safety_Guide_7.11.18.pdf.

———. *Mass Attacks in Public Spaces -2017*. Washington, DC: Secret Service, March 2018. https://www.secretservice.gov/forms/USSS_NTAC-Mass_Attacks_in_Public_Spaces-2017.pdf.

Northern California Regional Intelligence Center. "Mike Sena Congressional Testimony." Accessed June 20, 2020. Video, 6:12. https://ncric.ca.gov/default.aspx?menuitemid=586&menugroup=NCRIC+Public+Home.

———. "Protecting Our Communities through Information Sharing, Analysis and Collaboration." Accessed June 20, 2020. https://ncric.ca.gov/.

Nowicki, Jacqueline M. *K-12 Education: Discipline Disparities for Black Students, Boys, and Students with Disabilities*. GAO-18-258. Washington, DC: Government Accountability Office, 2018. https://www.gao.gov/products/GAO-18-258.

Office of the Texas Governor. "Governor Abbott Issues Eight Executive Orders in Response to El Paso and Odessa Shootings." September 5, 2019. https://gov.texas.gov/news/post/governor-abbott-issues-eight-executive-orders-in-response-to-el-paso-and-odessa-shootings.

———. "Governor Abbott Releases Report Highlighting Progress on School Safety Initiatives in Texas." August 27, 2019. https://gov.texas.gov/news/post/governor-abbott-releases-report-highlighting-progress-on-school-safety-initiatives-in-texas.

Official website of U.S. Congressman Brian Babin. "TAPS Act." Accessed May 31, 2020. https://babin.house.gov/taps/.

O'Matz, Megan. "Teachers Feared Parkland Shooter a Year and a Half before the Massacre." *South Florida Sun Sentinel*, February 22, 2019. https://www.sun-sentinel.com/local/broward/parkland/florida-school-shooting/fl-ne-nikolas-cruz-threat-assessment-20190124-story.html.

Oregon Task Force on School Safety. *A Statewide Threat Assessment System for Oregon Public Schools*. Salem: Oregon Task Force on School Safety, 2015. https://olis.leg.state.or.us/liz/2017R1/Downloads/CommitteeMeetingDocument/98554.

O'Toole, Mary. *The School Shooter: A Threat Assessment Perspective*. Quantico, VA: Federal Bureau of Investigation, 2000.

Park, Madison. "20 Years Ago, Another Kentucky School Was Attacked. Locals Have Never Forgotten It." CNN, January 24, 2018. https://www.cnn.com/2018/01/24/us/school-shooting-kentucky-west-paducah/index.html.

Perkins, Suzanne, and Sandra Graham-Bermann. "Violence Exposure and the Development of School-Related Functioning: Mental Health, Neurocognition, and Learning." *Aggression and Violent Behavior* 17, no. 1 (2012): 89–98. https://doi.org/10.1016/j.avb.2011.10.001.

Philipps, Dave. “What University of Texas Campus Is Saying about Concealed Guns.” *New York Times*, August 27, 2016. https://www.nytimes.com/2016/08/28/us/university-of-texas-campus-concealed-guns.html.

Poppe, Ryan. “Guns Influence Culture and Laws in Texas.” Texas Public Radio, July 29, 2016. https://www.tpr.org/post/guns-influence-culture-and-laws-texas.

National Rifle Association. “Swiss Gun Rights Supporters Refuse to Capitulate to International Gun Controllers.” May 11, 2018. https://www.nraila.org/articles/20180511/swiss-gun-rights-supporters-refuse-to-capitulate-to-international-gun-controllers.

Reeves, Melissa A. Louvar, and Stephen E. Brock. “School Behavioral Threat Assessment and Management.” *Contemporary School Psychology* 22, no. 2 (2018): 148–62. https://doi.org/10.1007/s40688-017-0158-6.

Reid Meloy, J., Jens Hoffmann, Angela Guldimann, and David James. “The Role of Warning Behaviors in Threat Assessment: An Exploration and Suggested Typology: Warning Behaviors in Threat Assessment.” *Behavioral Sciences & the Law* 30, no. 3 (May 2012): 256–79. https://doi.org/10.1002/bsl.999.

Rockefeller Institute of Government. “Mass Shooting Factsheet.” Accessed May 26, 2020. https://rockinst.org/gun-violence/mass-shooting-factsheet/.

Rogers, Alex. “Congress Rarely Acts on Gun Control Despite Mass Shootings.” CNN, August 5, 2019. https://www.cnn.com/2019/08/04/politics/congress-reaction-mass-shootings/index.html.

Rohrer, Gray. “Gun Debate Dominates Campaign Talk for Governor, Cabinet.” *Orlando Sentinel*. March 23, 2018. https://www.orlandosentinel.com/politics/os-gun-politics-florida-20180322-story.html.

Ropeik, David. “School Shootings Are Extraordinarily Rare. Why Is Fear of Them Driving Policy?” *Washington Post*, March 8, 2018. https://www.washingtonpost.com/outlook/school-shootings-are-extraordinarily-rare-why-is-fear-of-them-driving-policy/2018/03/08/f4ead9f2-2247-11e8-94da-ebf9d112159c_story.html.

Samuels, Alex. “Gov. Greg Abbott Signs Several School Safety Bills in Wake of Shooting at Santa Fe High.” *Texas Tribune*, June 6, 2019. https://www.texastribune.org/2019/06/06/texas-santa-fe-mass-shooting-mental-health-school-safety/.

———. “Santa Fe Official Testifies in Somber Committee Hearing on School Safety Bills.” *Texas Tribune*, March 5, 2019. https://www.texastribune.org/2019/03/05/texas-lawmakers-guns-school-safety-santa-fe/.

Santa Cruz County. *Assessing the Threat of Violence in Our Public Schools: Is Enough Being Done?* Santa Cruz: Santa Cruz County, June 13, 2017. http://www.co.santa-cruz.ca.us/Portals/0/County/GrandJury/GJ2017_final/SchoolThreatAssessment.pdf.

Savage, Ian. "Comparing the Fatality Risks in United States Transportation across Modes and over Time." *Research in Transportation Economics* 43, no. 1 (July 2013): 9–22. https://doi.org/10.1016/j.retrec.2012.12.011.

Sawchuk, Stephen. "What Schools Need to Know about Threat Assessment Techniques." *Education Week*, September 4, 2019. https://www.edweek.org/ew/articles/2019/09/04/what-schools-need-to-know-about-threat.html.

Scalora, Mario J., and William Zimmerman. "Then and Now: Tracking a Federal Agency's Threat Assessment Activity through Two Decades with an Eye toward the Future." *Journal of Threat Assessment and Management* 2, no. 3–4 (2015): 268–74. https://doi.org/10.1037/tam0000057.

Schachter, Max. "Examining State and Federal Recommendations for Enhancing School Safety against Targeted Violence." Senate Committee on Homeland Security and Government Affairs, July 25, 2019. https://www.hsgac.senate.gov/imo/media/doc/Testimony-Schachter-2019-07-25.pdf.

Schwenk, Katya. "Florida's Statewide Student Data Project Alarms Privacy Groups." Edscoop, July 10, 2019. https://edscoop.com/floridas-statewide-student-data-project-alarms-privacy-groups/.

———. "Florida 'Student Safety' Database Fell Short, Commission Says." EdScoop, August 16, 2019. https://edscoop.com/florida-student-safety-database-public-safety-commission/.

Shepard, Alicia C. "The Columbine Shooting: Live Television Coverage." Columbia University. Accessed April 2, 2020. http://www.columbia.edu/itc/journalism/j6075/edit/readings/columbine.html.

Shepard, Sydny. "Marshall County to Upgrade School Security before Next School Year." Campus Security & Life Safety, June 7, 2018. https://campuslifesecurity.com/articles/2018/06/07/marshall-county-schools-to-upgrade-security-before-next-school-year.aspx.

SIGMA Threat Management Associates. "School Threat Management." Accessed June 19, 2020. http://www.sigmatma.com/k-12-schools/.

Southern Poverty Law Center. "Safe for Whom? How the MSD Commission Is Putting Florida's Children in Danger." October 10, 2019. https://www.splcenter.org/20191010/safe-whom-how-msd-commission-putting-floridas-children-danger.

South Florida Sun Sentinel. "Unprepared and Overwhelmed." December 28, 2018. https://projects.sun-sentinel.com/2018/sfl-parkland-school-shooting-critical-moments.

Stanton, Sam, Darrell Smith, and Elliot Wailoo. "California's AG Investigates Cases of Police Database Misuse." *Governing*, November 13, 2019. https://www.governing.com/news/headlines/Californias-AG-Investigates-Cases-of-Police-Database-Misuse.html.

Statista. "Number of Registered Weapons in the U.S. in 2019, by State." September 5, 2019. https://www.statista.com/statistics/215655/number-of-registered-weapons-in-the-us-by-state/.

Tanner, Ora. "Parents and Students Deserve Answers on the State's Massive 'Safety Portal' Database." *Tampa Bay Times*, August 15, 2019. https://www.tampabay.com/opinion/2019/08/15/parents-and-students-deserve-answers-on-the-states-massive-safety-portal-data-base-column/.

Temkin, Deborah, Victoria Stuart-Cassel, Lao, Kristy, Brissa Nunez, Sarah Kelley, and Claire Kelley. "The Evolution of State School Safety Laws Since the Columbine School Shooting." Child Trends, February 12, 2020. https://www.childtrends.org/publications/evolution-state-school-safety-laws-columbine.

Texas Association of School Boards. "School Safety after Senate Bill 11." Austin, Texas Association of School Boards, 2019. https://www.tasb.org/services/legal-services/tasb-school-law-esource/business/documents/school-safety-after-senate-bill-11.pdf.

Texas Classroom Teachers Association. "SB 11." Accessed June 20, 2020. https://tcta.org/node/15179-sb_11.

Texas School Safety Center. "86th Legislative Session Updates: Threat Assessment." February 27, 2020. https://locker.txssc.txstate.edu/a8824b99a9127fda6731c1476ac4e17b/Leg-Updates-Threat-Assessment.pdf.

———. "About Us: What We Do." Accessed August 16, 2020. https://txssc.txstate.edu/about/.

———. "Model Policies and Procedures to Establish and Train on Threat Assessment." San Marcos: Texas School Safety Center, 2020. https://locker.txssc.txstate.edu/f40474bcbab5f025bb1570f1bfbf9f06/Model-Policies-and-Procedures-to-Establish-and-Train-on-Threat-Assessment.pdf.

———. *Texas School Safety Practices Survey 2015–2016*. San Marcos: Texas School Safety Center, 2015. https://locker.txssc.txstate.edu/f460091c5eda8166c7e8c0a450569bdc/2016-School-Safety-Practices-Survery-Report.pdf.

———. “Threat Assessment Toolkit.” Accessed June 20, 2020. https://txssc.txstate.edu/tools/tam-toolkit/.

Toohey, Grace. “Boy, 5, Told Classmate ‘I Wish Someone Killed You.’ He’ll Be in a School Threat Database until He’s 30.” *Orlando Sentinel*, February 28, 2020. https://www.orlandosentinel.com/news/os-ne-kindergartener-threat-assessment-parents-concerned-20200228-urku62uoxnfynggevwabwa6rku-story.html.

University of Virginia. “Zero Tolerance.” Accessed August 15, 2020. https://curry.virginia.edu/faculty-research/centers-labs-projects/research-labs/youth-violence-project/violence-schools-and-1.

Vance, Amelia. “ICYMI: FPF’s Amelia Vance Raises Concerns about School Surveillance Technologies on WOSU.” Future of Privacy Forum, August 28, 2019. https://fpf.org/2019/08/28/icymi-privacy-expert-raises-concerns-about-school-surveillance-technologies/.

———. “School Safety Measures Must Have Evidence, Be Specific, & Have Privacy and Equity Guardrails.” Student Privacy Compass, July 24, 2019. http://student privacycompass.org/hsgacletter/.

Van Dreal, John. “A Multidisciplinary Approach to School Safety.” REL Northwest, October 10, 2019. https://ies.ed.gov/ncee/edlabs/regions/northwest/blog/school-safety.asp.

Virginia Commonwealth University. “Why Education Matters to Health: Exploring the Causes.” February 13, 2015. https://societyhealth.vcu.edu/work/the-projects/why-education-matters-to-health-exploring-the-causes.html.

Virginia Tech Review Panel. *Mass Shootings at Virginia Tech: Report of the Review Panel*. Richmond: Commonwealth of Virginia, 2007.

Vossekuil, Bryan, Robert A. Fein, Marisa Reddy, Randy Borum, and William Modzeleski. *The Final Report and Findings of the Safe School Initiative: Implications for the Prevention of School Attacks in the United States*. Washington, DC: Secret Service and Department of Education, 2004. https://www2.ed.gov/admins/lead/safety/preventingattacksreport.pdf.

WAVR-21. “Pathway to Violence.” Accessed July 13, 2020. https://www.wavr21.com/pathway-to-violence-2/.

Weaver, Jay, and Greg Gordon. “FBI Call Center: Where an Ominous Tip about a Suspected School Shooter Went to Die.” *Miami Herald*, February 25, 2018. https://www.miamiherald.com/news/nation-world/article201902214.html.

Wolchover, Natalie. “Why Gun Control Is So Contentious in the U.S.” *Scientific American*, July 23, 2012. https://www.scientificamerican.com/article/why-gun-control-is-so-con/.

Woodward, William, and Sarah Goodrum. *Report on the Arapahoe High School Shooting: Lessons Learned on Information Sharing, Threat Assessment, and Systems Integrity*. Denver: Denver Foundation, 2016.

INITIAL DISTRIBUTION LIST

1. Defense Technical Information Center
   Ft. Belvoir, Virginia

2. Dudley Knox Library
   Naval Postgraduate School
   Monterey, California