

UNC-Charlotte Student Risk Management Presentation

Peter Romary, GKMA; LL.B; JD

Peter Romary

- Partner, QVerity
- Former State Department Accredited Diplomat
- Teaching Associate Professor, East Carolina University
- Past President North Carolina 3-A Judicial District Bar; Chair, 3-A Judicial District Bar Grievance Committee
- National Law Journal "Top 40 Trial Lawyers under 40", 2002
- Received some of the highest honors from 14 states, including the Order of the Long Leaf Pine (NC) and Order of the Silver Crescent (SC). Recipient of the Ellis Island Medal of Honor; National Law Journal Pro Bono Award (2002); Recipient of Papally blessed Knighthood; NC Bar Association Pro Bono Attorney Award (1999).
- Lectured throughout the U.S. and overseas to groups including attorneys, risk managers, military and law enforcement on risk and threat management; conflict resolution; practical skills and other legal topics.

Agenda

- Personal Risk Management Overview
- Threat Management
- Domestic Violence
- Stalking
- Sexual Assault and Rape
- Alcohol and Drug Issues
- Internet Issues

THREAT MANAGEMENT
The Role of the Campus Community

THREAT: A DEFINITION (FBI / NCAVC)

➤ **What is a Threat?**

- A threat is an expression of intent to do harm or act out violently against someone or something. A threat can be spoken, written, or symbolic.

NOTE: Threat assessment rests on two critical principles: first, all threats and all subjects are not equal; second, most subjects are unlikely to carry out their threat. However, all threats must be taken seriously and evaluated.

**WHAT IS THREAT ASSESSMENT /
MANAGEMENT?**

- “A process of evaluating a threat, and the circumstances surrounding the threat, to uncover any facts or evidence that indicate that the threat is likely to be carried out....[this can be] triggered by some form of student threat behavior”

Dr. Dewey Cornell

WHAT IS THREAT ASSESSMENT / MANAGEMENT?

- Threat Management is exactly what it says. You are managing the situation: the subject who may pose the threat; the environment and the potential target if identified.

THREAT ASSESSMENT

- Threat Assessment is NOT about profiling
- Do not focus so much on who will be the next “targeted shooter”.
- Instead focus on individuals in need of help and guidance, those in despair, in trouble and those who have lost hope and connect them with resources. Help get them support.

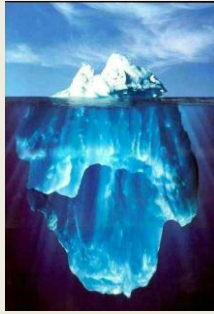
WHY THREAT ASSESSMENT?

- A Threat Assessment Model is necessary to:
 - Reduce Risk of Violence
 - Ensure Prepared Response
 - Reduce Liability Exposure
 - Instill Public Confidence

Beyond The Tip of the Iceberg

Beyond Mass Shootings:

- A broad range of issues impact the safety & well-being of campuses.
 - Harassment & Bullying
 - Bias-related incidents
 - Stalking
 - Domestic violence
 - Sexual assault
 - Substance abuse
 - Mental illness
 - Suicide



Copyright: Sigma Threat Management Associates, 2012

Facts About Targeted Violence

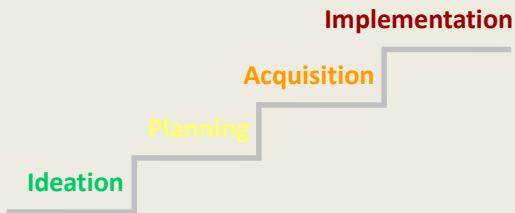
Perpetrators of serious campus violence don't "just snap."

These incidents are not impulsive or random.

- Most consider, plan, and prepare before engaging in violent behavior;
- Most discuss their plans with others before the attack.

Copyright: Sigma Threat Management Associates, 2012

Pathway to Violence



Copyright: Sigma Threat Management Associates, 2012

Facts About Targeted Violence

We cannot know whether to be concerned by a person's appearance – but we can tell by their behavior.

- There is no useful profile of a campus or workplace shooter; but...
- Most concern several others with troubling behavior before their attacks. They are already on multiple "radar screens."
- Most are suicidal or at a point of desperation prior to their attacks.

Copyright: Sigma Threat Management Associates, 2012

What is Threat Assessment?

Process designed to:

- **Identify** persons of concern.
- **Investigate** persons and situations that have come to attention.
- **Assess** the information gathered.
- If necessary, **manage** persons and situations to reduce threat posed.

Copyright: Sigma Threat Management Associates, 2012

Importance of Reporting

- Bystanders can play a critical role in prevention
- Role of threat assessment team is not punitive
- Goals are to maintain safety and connect person with necessary help
- Earlier reporting allows greater range of options
- Reporting allows something to be done

"If you see something, say something."

Source: NYC Metropolitan Transportation Authority

Copyright: Sigma Threat Management Associates, 2012

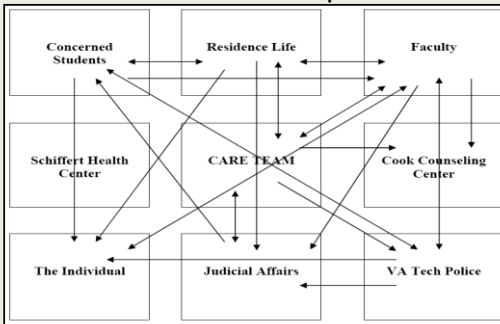
What / Where to Report

What to report:

- Any concerns about potential violence
- Any threats
- Any concerns about potential suicide/self-harm
- Behavior that is disruptive to the learning, living or working environment
- Behavior that seems troubling or disturbing

Copyright: Sigma Threat Management Associates, 2012

Where to Report?



SOURCE: DIG Report #140-07: Investigation of the April 16, 2007 Critical Incident at Virginia Tech. Prepared by: Office of the Inspector General for Mental Health, Mental Retardation and Substance Abuse Services - Commonwealth of Virginia

Where to Report? Virginia Tech Process Today. (Designed

and Implemented by Gene Deisinger / Randazzo)



Where We Should Be Looking?

(Deisinger, Randazzo & Romary)

Helpful Internet sites include:

- Google.com
- Bebo.com
- MySpace.com
- Xanga.com
- Facebook.com
- Hatemyprofessor.com
- Snopes.com
- YouTube.com
- Archive.com
- thehoodup.com
- Tumblr
- Reddit
- craigslist.com (search the relevant city/town)
- Twitter.com
- Deviantart.com
- JuicyCampus.com
- Blackplanet.com
- RateMyProfessor.com
- MiGente.com
- Cuil.com
- Technorati.com (searches blogs)
- Snapchat
- Instagram

Be Wary of Checklists– Be Wary of Profiling!

- Individual **Profile** for WORKPLACE VIOLENCE
 - Male (80+%);
 - White (75%) / Majority race (85%+);
 - Age: 30-45
 - Military / Weapons experience;
 - Power & control oriented;
 - Obsessed / Identifies with violence.

Summary

- Prevention is possible.
- Reporting concerns is a critical component of safety.
- Early reporting allows for more options to help.
- Effective threat assessment & management is a collaborative effort.
- Everyone on campus / at workplace / in school / in community can help maintain safety and get help to those who need it.

Copyright: Sigma Threat Management Associates, 2012



DOMESTIC VIOLENCE

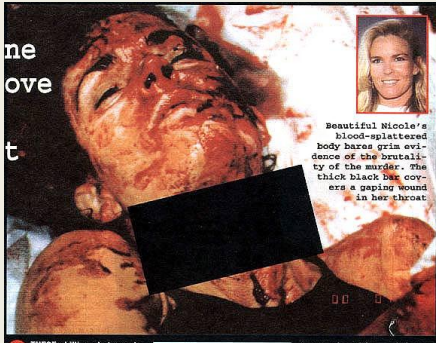
WHAT IS DOMESTIC VIOLENCE?

The Overview.

- “Domestic Violence is when two people get into an intimate relationship and one person uses a pattern of coercion and control against the other person during the relationship and/or after the relationship has terminated. It often includes physical, sexual, emotional, or economic abuse.”

NCCADV

Nicole Brown Simpson: How it ended.



Domestic Violence: Up Close



DOMESTIC VIOLENCE

❖ Why learn?

- Nationally, 75% of battered women say their children are physically or sexually abused. (turningpointservices.org)
- More than half of the child abductions in this country occur within the context of domestic violence.
- On average, battered women leave 7 times before they leave for good
- Homicide is the number one cause of death for women in the workplace.
- Domestic violence is the 2nd most common crime in the USA.

Yvette Cade
Set on Fire by her Husband!



Domestic Violence Impacts Workplace

- When a woman transmits an intent to leave the home she is most at risk within the 30-90 days AFTER she transmits / articulates the intent to leave.
- Most at risk (highest risk first)
 - Home
 - Work
 - Travel to and from work

- **Red Flags and Warning Signs:
Domestic Violence**

Red Flags and Warning Signs
DV

- Jealousy
- Controlling behavior
- Unrealistic expectations
- Quick involvement
- Isolation
- Blames others for problems
- Blames others for feelings
- Hypersensitivity

Red Flags and Warning Signs
DV

- Cruelty to animals or children
- Use of force in sex
- Verbal abuse
- Rigid sex roles
- Dr. Jekyll / Mr. Hyde
- Past battering
- Threats of violence
- Breaks objects / uses force in arguments

Personal Safety Planning / Protective
Actions

- Four places you could go if you leave your home.
- People who might help you if you left. Think about people who will keep a bag for you. Think about people who might lend you money. Make plans for your pets.
- Keeping change for phone calls or getting a cell phone.
- Opening a bank account or getting a credit card in your name.

Personal Safety Planning / Protective Actions

- How you might leave. Try doing things that get you out of the house - taking out the trash, walking the family pet, or going to the store. Practice how you would leave.
- How you could take your children with you safely. There are times when taking your children with you may put all of your lives in danger. You need to protect yourself to be able to protect your children.
- Putting together a bag of things you use everyday. Hide it where it is easy for you to get.

Personal Safety Planning: Things To Take With You

- Children (if it is safe)
- Money
- Keys to car, house, work
- Extra clothes
- Medicine & Prescription Information
- Important papers for you and your children
- Birth certificates

Personal Safety Planning: Things To Take With You

- Social security cards
- School and medical records
- Bank information, credit cards
- Driver's license // Car registration
- Welfare identification
- Passports, green cards, work permits
- Lease/rental agreement

Personal Safety Planning: Things To Take With You

- Mortgage payment book, unpaid bills
- Insurance papers
- PO, divorce papers, custody orders
- Address book
- Pictures, jewelry, things that mean a lot to you
- Items for your children (toys, blankets, etc.)

DV Protection

- North Carolina NCGS 50-B
- Provides for ex-parte and “permanent” orders
- Subjective test for “fear”
- Criminal prosecution also available

❖ Under NCGS 50-B the following acts are considered domestic violence (for purposes of issuing an order):

- Attempting to or intentionally causing bodily injury
- Placing someone or a member of someone’s family or household in fear of imminent serious bodily injury (**SUBJECTIVE**)
- Committing any act defined in GS 14-27.2 through 14-27.7 (rape & sexual offenses)
- Placing someone in fear of continued harassment that rises to level as to inflict substantial emotional distress. Harassment is defined the same as in stalking law.

❖ **Violation of a DVPO (incl. ex-parte):**

- Typically a Class A-1 Misdemeanor
- If two (2) prior convictions for violating protective orders then violation is a felony
- If violation is committed while in possession of a deadly weapon then felony

STALKING, SEXUAL ASSAULT AND RAPE

STALKING DEFINITION

- Stalking. – Following on more than one occasion or otherwise harassing another person without legal purpose with the intent to do any of the following:
 - a. Place the person in reasonable fear either for the person's safety or the safety of the person's immediate family or close personal associates.
 - b. Cause that person to suffer substantial emotional distress by placing that person in fear of death, bodily injury, or continued harassment and that in fact causes that person substantial emotional distress.

RAPE

- “DATE” Rape is a term utilized by the media to describe the vicious crime of rape when the perpetrators know each other.
- Approximately 70% of Drug Rape assaults are committed by someone known to the victim.



SEXUAL ASSAULT AND “DATE” RAPE

- Drug Rape Drugs can be colorless, odorless, tasteless and dissolve in seconds.
- If your drink has been spiked you may not notice the change ... even in non-alcoholic drinks like coke or mineral water.
- Drug Rape by drink spiking is the least reported crime because victims are often not aware of what actually happened to them.
- Some of these drugs can act very quickly - between 15 and 20 minutes.

Rape

- Overdoses with Drug Rape Drugs can be lethal.
- 15% of drink spiking cases involve men that result in such crimes as kidnapping, robbery and other bodily harm.



DRUGS USED FOR "DATE" RAPE

- The most common drugs are Rohypnol (also known as "roofies") and GHB.
- Rohypnol typically incapacitates a victim particularly when used in conjunction with alcohol and is capable of causing amnesia.
- GHB was banned in the US by the FDA in 1990 but until that time it was used as a sleep aid.
- These drugs can produce disorientation, a loss of consciousness and an inability to recall events. Victims may not even be aware that they have ingested drugs or that they have been raped.

SAFETY TIPS

- Bring your own beverages to parties.
- Never leave beverages unattended.
- Never drink from punch bowls or water cooler.
- Never accept unsealed beverages from strangers or from people you don't know well.
- Only accept drinks from waiters, waitresses or bartenders.
- If someone offers to buy you a drink, go up to the bar with that person to accept the drink.

SAFETY TIPS CONT'D

- Do not share or exchange drinks.
- Put your hand over your drink when talking with people.
- Designate a trusted person to stay sober.
- Be aware of someone who wants you to go outside for some "fresh air", especially if it is someone you just met.
- Watch your friends; if they appear to be intoxicated in a disproportionate amount of time, take them to a safe place immediately.
- If you feel heavily intoxicated after having only 1 or 2 alcoholic drinks, or after having non-alcoholic drinks, go to a safe place and get help immediately.

STALKING SEXUAL ASSAULT LEGAL PROTECTION

- NCGS 50-C Protective Order
- Provides for ex-parte and "permanent" order
- Violation of order is contempt
- Criminal prosecution also available

• **ALCOHOL LAWS AND ISSUES**

- From a safety perspective alcohol use and abuse is a HUGE risk management issue.
- Statistics show that 90% of violence on College Campuses involve alcohol.
- Also, not as many people are drinking as often (or even at all) as you may think.

BAC Women

ALCOHOL IMPAIRMENT CHART

APPROXIMATE BLOOD ALCOHOL PERCENTAGE

Drinks	Body Weight in Pounds										CHL 1 CLERK TECHNICAL LEAD
	90	100	120	140	160	180	200	220	240		
0	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	
1	.05	.05	.04	.03	.03	.03	.02	.02	.02	.02	Impaired - Driving Skills
2	.10	.09	.08	.07	.06	.05	.05	.04	.04	.04	Alcohol - Possible - Criminal Penalties
3	.15	.14	.11	.10	.09	.08	.07	.06	.06	.06	
4	.20	.18	.15	.13	.11	.10	.09	.08	.08	.08	
5	.25	.23	.19	.16	.14	.12	.11	.10	.09	.09	
6	.30	.27	.23	.19	.17	.15	.14	.12	.11	.11	Legally - Intoxicated - Criminal - Penalties
7	.35	.32	.27	.23	.20	.18	.16	.14	.13	.13	
8	.40	.36	.30	.26	.23	.20	.18	.17	.15	.15	
9	.45	.41	.34	.29	.26	.23	.20	.19	.17	.17	
10	.51	.45	.38	.32	.28	.25	.23	.21	.19	.19	

Your body can get rid of one drink per hour.
Each 1% oz. of 80 proof liquor, 12 oz. of beer or 5 oz. of table wine = 1 drink.

BAC Men

ALCOHOL IMPAIRMENT CHART

APPROXIMATE BLOOD ALCOHOL PERCENTAGE

Drinks	Body Weight In Pounds								
	100	120	140	160	180	200	220	240	
0	.00	.00	.00	.00	.00	.00	.00	.00	ONLY SAFE DRIVING LIMIT
1	.04	.03	.03	.02	.02	.02	.02	.02	Impairment Begins
2	.08	.06	.05	.05	.04	.04	.03	.03	Driving Skills Affected
3	.11	.09	.08	.07	.06	.06	.05	.05	Possible Criminal Penalties
4	.15	.12	.11	.09	.08	.08	.07	.06	
5	.19	.16	.13	.12	.11	.11	.09	.09	
6	.23	.19	.16	.13	.13	.11	.10	.09	
7	.26	.22	.18	.16	.15	.13	.12	.11	Legally Intoxicated
8	.30	.25	.21	.19	.17	.15	.14	.13	Criminal Penalties
9	.34	.28	.24	.21	.19	.17	.15	.14	
10	.38	.31	.27	.23	.21	.19	.17	.16	

Your body can get rid of one drink per hour.
Each 1 1/2 oz. of 80 proof liquor, 12 oz. of beer or 5 oz. of table wine = 1 drink.

ALCOHOL LAWS

- In North Carolina it is a crime to possess, purchase or consume alcohol if you are under the age of 21.
- If 18 or below = Class 1 Misdemeanor
- If 19 or 20 = Class 3 Misdemeanor
- Permit is required to purchase a KEG---BEWARE KEG PARTIES**

ALCOHOL LAWS

- Possession of a Fake ID is typically a misdemeanor but has, in rare circumstances, been charged as a FELONY (Identity Theft).
- Purchasing alcohol for someone under 21 is a MISDEMEANOR.
- Driving under the age of 21 with ANY alcohol in your system is a MISDEMEANOR (that causes loss of license)
- Over 21 the "legal limit" is believed by many to be 0.08 OR any amount of certain drugs. HOWEVER.....with any amount of alcohol, if you are "impaired" it is DWI

ALCOHOL LAWS

- Possession of a Fake ID is typically a misdemeanor but has, in rare circumstances, been charged as a FELONY (Identity Theft).
- Purchasing alcohol for someone under 21 is a MISDEMEANOR.
- Driving under the age of 21 with ANY alcohol in your system is a MISDEMEANOR (that causes loss of license)
- Over 21 the "legal limit" is believed by many to be 0.08 OR any amount of certain drugs. HOWEVER.....with any amount of alcohol, if you are "impaired" it is DWI

ALCOHOL LAWS

- Get a TICKET or get arrested DO NOT JUST PAY IT OFF---- call us!!!—"paying off a drinking ticket means you have plead guilty to a crime and you will have a criminal record.
- Consider requesting DEFERRED PROSECUTION--- community service and alcohol class for DISMISSAL

- DRUGS

DRUG LAWS

- Possession of Marijuana is typically a MISDEMEANOR (Class 3 or 1 depending on weight)—larger amounts = FELONY
- Possession of Drug Paraphernalia is a CLASS 1 Misdemeanor
- Possession of MOST other drugs is a serious misdemeanor or FELONY (and that includes prescription drugs for which you don't have a prescription)
- FEDERAL LAWS HAVE DIFFERENT, FAR HARSHER PUNISHMENTS

DRUG LAWS

- Sale of drugs or supplying drugs is almost always a FELONY in NC.
- This means that even if you have a prescription for a drug and I have a prescription for a drug you CANNOT legally give me some of yours!!
- So "neither a borrower or a lender be" (Shakespeare on drug possession in NC)

- **INTERNET SAFETY AND IDENTITY THEFT**

Where We Should Be Looking?

(Deisinger, Randazzo & Romary)

Helpful Internet sites include:

- Google.com
- Bebo.com
- MySpace.com
- Xanga.com
- Facebook.com
- HateMyProfessor.com
- Snopes.com
- YouTube.com
- Archive.com
- Snapchat
- thehoodup.com
- AMA
- craigslist.com (search the relevant city/town)
- Mylife.com
- Twitter.com
- Deviantart.com
- JuicyCampus.com
- Blackplanet.com
- Reddit.com
- RateMyProfessor.com
- MiGente.com
- Instagram
- Cull.com
- Storify.com
- Technorati.com (searches blogs)

SOCIAL NETWORKING SAFETY

- Students are pictured drinking alcohol while underage.
- Students join groups that promote illegal activity or have controversial discussion boards
- Drug use (DA's often check these sites when people are charged with crimes).
- Sexual activity (pictures or video)
- These pictures are available for future employers and school administrators (employers routinely look online).
- Cross-referencing Facebook profiles with character-based scholarships has been done at Schools.
- While social networking sites offer advanced security protocols, they are rarely utilized and can be easily penetrated.

SOCIAL NETWORKING SAFETY

- Murder of a VCU student by someone who she met on MySpace.
- University of Mississippi- three students violating judicial code by creating a group related to desire to have sex with a university professor

SOCIAL NETWORK SAFETY

- Be wary of “social network waiver” in interviews
- Check your credit report
- Be aware of the “Patriot Act” rights of government if you apply for a job
- What would grandmother be ashamed of?

Conclusion

- Contact:
peter.romary@qverity.com
romaryp@ecu.edu

QUESTIONS???
