



*Appendix A: Threat Assessment, Counter Measures,  
Awareness, Resources, and Case Studies*

# Violence in the Federal Workplace: A Guide for Prevention and Response

April 2013



Interagency  
Security  
Committee

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# 1.0 Risk Management Process

The nature of criminal and terrorist threats to Federal facilities and employees has changed substantially over time, and it is management's job to ensure the effectiveness of protective measures changes as well. Employees want to know what the agency is doing to protect them and their facilities and what measures to take to protect themselves. Since it is impossible to know with any certainty whether a threat is going to be carried out, the agency should always approach facility and employee security in a serious manner and prepare as though a potential or known threat will evolve into a hostile act.

Physical security of nonmilitary Federal employees, contractors, visitors and facilities, has improved since the April 1995 attack on the Alfred P. Murrah Federal Building in Oklahoma City with the creation of the Interagency Security Committee (ISC). President Clinton issued Executive Order 12977<sup>1</sup> establishing the ISC that is today a component within the Department of Homeland Security. The ISC is a permanent body with representatives from over 50 Federal agencies and departments working together to address continuing government-wide security needs for Federal facilities. It establishes minimum security standards and oversees implementation of countermeasures to address current and future risks; thus, helping ensure the safety and security of nonmilitary Federal facilities and the individuals within them from all-hazards.

The ISC designed a process to identify an achievable level of protection commensurate with the level of risk posed to a nonmilitary Federal facility in the United States. The process involves:

- Determining the appropriate Facility Security Level (FSL);
- Identifying the baseline Level of Protection (LOP) and countermeasures;
- Identifying and assessing risks;
- Determining the LOP required to address risks or the highest achievable LOP;
- Implementing countermeasures; and
- Measuring performance.

A facility with a high FSL will naturally require a greater level of protection, while a facility with a lower FSL faces a lower risk and does not require the same LOP as a facility with a higher FSL. Furthermore, the ISC developed the *Design-Basis Threat Report*<sup>2</sup> for official use only (FOUO), a standalone threat document to be included in the ISC risk management process. The DBT establishes a profile of the types, composition, and capabilities of adversaries. The DBT establishes the characteristics of the threat environment to be used in conjunction with ISC security standards. The design-basis threat (DBT) supports the calculation of the threat, vulnerability, and consequence to a facility when calculating risk to a Federal facility and determining the appropriate LOP. In addition, the DBT determines specific adversary characteristics that performance standards and countermeasures are designed to overcome.

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<sup>1</sup> Executive Order No. 12977 (1995), "Interagency Security Committee."

<sup>2</sup> Interagency Security Committee, *Design-Basis Threat: An Interagency Security Committee Report (U)*, 6<sup>th</sup> Ed., Washington D.C., 2012.

The ISC produced standards documents to aid security managers and facility security committees through the risk management process. In addition to reports and guidelines related to risk and threat assessment and the facility risk management process, the ISC also publishes best practices guidelines for things such as safe mail screening, and proper training and equipping of security personnel. The ISC designated the majority of these documents as FOUO to prevent distribution to malicious actors. For this reason, authorized users may access the standards as they are published through the Homeland Security Information Network or by contacting the ISC at ISCAccess@dhs.gov.

## 2.0 Workplace Violence Risk/Threat Assessment

A workplace “risk assessment” examines the physical facilities, the surrounding environment, and every function or job performed onsite to identify and quantify both real and perceived security risks. The assessment process involves:

- Reviewing injury data and policies;
- Reviewing incident reports and records (including safety and security);
- Requests for staff input; and
- Performing a thorough inspection of the physical property.

The final product of a workplace risk assessment identifies both the risks and the methods used to reduce or eliminate the risks. In addition, the assessment assists in establishing and/or maintaining a performance measurement cycle to enhance decision-making on the allocation of resources in the attempt to prevent attacks upon personnel and/or facilities.

A risk assessment for workplace violence evaluates who may be exposed, when and how often the exposure is likely to occur, and under what conditions. The purpose of the assessment is to enable the employer to implement any measures necessary to protect the agency’s workforce. Rating the assessed risks as high or low will help determine priorities for implementing risk management strategies. For example, the risk of violence may be considered high if it happens frequently (e.g., customer service disputes) or if the consequences are potentially severe (e.g., armed robbery).

Some common components of a workplace violence risk assessment include:

### 2.1 Staff Input

- Interview staff in the agency to determine if and under what circumstances violence occurred in the past.
- Ask employees about their safety concerns and how they dealt with incidents or threats of violence.
- Gather information through confidential surveys; this may be the most effective method to compile complete and unbiased information.
- Survey employees to get their ideas on the occurrence and potential for violent incidents; help identify jobs, locations, or work situations where the risk of violence appears highest; and to identify or confirm the need for improved security measures.
- Repeat surveys at regular intervals or as necessary.



NOTE: Employee information and feedback is the most important component of the risk assessment process.

## 2.2 Current Practice Review

- Thoroughly review the agency's current safety programs and procedures such as:
  - Occupant emergency plans;
  - Harassment policies;
  - Hiring and termination practices; and
  - Task-specific safety procedures.
- Check to be certain the following items are adequate:
  - Inputs and process measures of budgetary resources;
  - Human capital;
  - Materials and services; and
  - Facilities and equipment.
- Check to be certain the risk management functions and activities undertaken are correctly geared toward achieving the objective.

## 2.3 Data Analysis

Use security reports and information from the staff interviews/surveys to determine who is exposed to potential violence, the type of interpersonal interactions or tasks that may lead to violent incidents, the circumstances of such incidents, and the usual or likely outcome. Ensure the outcomes or results represent the impact of the organization upon its customers or problems in such a way as to achieve the desired workplace conditions and prevent undesired conditions or incidents.

## 2.4 Strategy Development

Choose strategies that best manage the risks identified for the agency. Some strategies may include:

- Develop or revise general- and task-specific safety procedures; and
- Revise staff training and consider scheduling a special session to discuss issues found in the risk assessment.

The DBT provides specific details as to the characteristics of each event that might take place at a Federal facility. They are based on a worst-reasonable-case basis. A baseline threat rating is provided, and target attractiveness characteristics that may make a facility more or less attractive as a target are enumerated as appropriate. Each event provides sufficient information from which the threat, consequences, and vulnerability can be extrapolated while conducting a risk assessment. In addition, in estimating the threat level, specific information unique to the facility or the locale may be used. Local crime statistics, the tactics of adversary groups known to be operating in a particular area, and other actionable intelligence that suggests a different threat level may modify the threat from the baseline. Event documents may be updated or replaced, and undesirable events may be added in order to maintain the applicability of the DBT.

## 3.0 Threat Assessment Team

Many Federal agencies established threat assessment teams, a multi-disciplinary group of individuals trained to assist in assessing the potential for workplace violence incidents and the best methods for preventing their escalation. These teams often go through specialized training that usually includes table top exercises designed to simulate potential workplace violence or facility preparedness scenarios. The threat assessment team should also schedule initial and recurring risk assessments and the accompanying FSL determination. Tracking and measuring the completed assessments against planned activities for the time frame demonstrates management's continuous commitment to maintaining a systemic physical security program. The combination of attention to personal and physical asset security shows the threat assessment team is an integral part of an advanced workplace violence prevention program.

## 4.0 Countermeasures

Many countermeasures form the front-line defense for preventing violence from occurring in the workplace. Examples include:

- Building access controls;
- Alarm systems;
- Video surveillance systems;
- Magnetometers and x-ray machines;
- Security/police presence; and
- Unique badges/photo identification.

In some cases, the on-site Federal law enforcement or security entity charged with protecting a facility may provide assistance with restraining orders/documents involving domestic violence situations, helping to keep employees and visitors safe from known threats. However, no single countermeasure can effectively negate all risks. The degree of measures' effectiveness can be enhanced with regular testing to determine how well they work. Testing encompasses such elements as determining if equipment is calibrated properly, security guards are knowledgeable in post-order procedures, and if intrusion detection systems are activating properly. Testing could also include planned exercises to try and breach security to ensure existing countermeasures are capable of securing the facility against an established set of testing protocols.

The most important countermeasure is intelligence/information and remains the foundation for effective risk assessment and facility protection issues. All employees are responsible for maintaining an awareness of their surroundings to include co-workers and patrons. Any warning signs an employee notices in co-workers or patrons should be appropriately reported and investigated.

## 5.0 Awareness

### 5.1 Threat Awareness

Many Federal agencies have awareness programs in place to educate the Federal workforce about preventing workplace violence. Employees should not only recognize the four classic types of workplace violence described previously (i.e., criminal intent, customer/client, employee-on-employee, and personal relationship), but should also be aware of other possible precursor behaviors to violent acts in the workplace. Workplace aggression may involve more subtle acts of incivility or emotional abuse, or may take the more overt form of intimidation or hostility. These types of negative behaviors may pose a risk to others, especially if they occur frequently over a given period of time. This persistent, systematic mistreatment of an individual or individuals in the workplace is referred to as workplace bullying. Employees also need to be aware of potential issues that could result in workplace violence such as problems among employees or behaviors suggesting a possible violence issue. For example, victims of domestic violence may have frequent, unexplained absences or wear seasonally inappropriate clothing to cover injuries. Perpetrators of domestic violence may commit cyber-stalking by obsessively telephoning, texting, or e-mailing their target throughout the work day.

In addition to examining threat assessment at the individual level, an effective workplace violence prevention and response plan must address threats at the agency and/or facility level and prepare in accordance with the facility's established FSL. For detailed information regarding the FSL determination process, including the scoring system and criteria used in assessing scores, see *Facility Security Level Determinations for Federal Facilities*.<sup>3</sup>

Threat to tenant agencies is considered from a perspective of target attractiveness. The facility should be viewed in terms of whether the nature of public contact required in or resulting from the conduct of business is adversarial, and any history of adversarial acts committed at the facility, against facility tenants, or against the tenant agencies elsewhere. The highest score applicable to any tenant in a multi-tenant facility will be considered when determining the FSL, even though it may be possible to limit the implementation of countermeasures for that threat to a specific tenant's space or part of the facility.

As with the impact of commercial tenants on the facility's symbolism score, the potential threat to non-Federal tenants in a mixed-tenant or mixed-multi-tenant facility could result in a collateral risk to Federal tenants. Thus, in considering the criteria, the threat to all tenants in a facility—including non-Federal tenants—should be considered and the highest score used for the rating.

It is not possible for this document to take into account all the conditions that may affect the FSL determination for all the different Federal departments and agencies. Certain factors, such as a short duration of occupancy, may reduce the "value" of a facility in terms of investment or mission; therefore, such a factor could justify a reduction of the FSL. Such factors are in essence

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<sup>3</sup> Interagency Security Committee, (FOUO) *Facility Security Level Determinations for Federal Facilities: An Interagency Security Committee Standard*, Washington D.C.: Department of Homeland Security, 2008.

indicative of a reduced value of the facility itself and a corresponding reduction in the consequences of its loss.

Other factors may suggest an increase in the FSL, such as the potential for cascading effects or downstream impacts on interdependent infrastructure, or costs associated with the reconstitution of the facility. Accordingly, the FSL may be raised or lowered one level at the discretion of the deciding authority based on intangible factors. However, the intangible factor should not be used to raise or lower the FSL in response to a particular threat act. The FSL characterizes the entire facility; concerns about specific threats should be addressed with specific countermeasures, even if they are over and above those required as the baseline for a particular security level.

Short-term incidents could also temporarily affect the factors evaluated here. Unless these incidents happen on a recurring basis, they should not affect the FSL determination. Instead, contingency plans should be developed to implement temporary measures until the incident has passed.

## 5.2 Active Shooter Preparedness

[Note: The following section was drawn largely from the DHS website regarding Active Shooters (<http://www.dhs.gov/active-shooter-preparedness>).]

The Department of Homeland Security (DHS) aims to enhance preparedness through a "whole community" approach by providing training, products, and resources to a broad range of stakeholders on issues such as active shooter awareness, incident response, and workplace violence. In many cases, there is no pattern or method to the selection of victims by an active shooter, and these situations are by their very nature are unpredictable and evolve quickly. DHS offers free courses, materials, and workshops to better prepare the public to deal with an active shooter situation and to raise awareness of behaviors that represent pre-incident indicators and characteristics of active shooters.

Topics and resources covered include:

- Active Shooter: What Can You Do Course
- Active Shooter Webinar
- Active Shooter Workshop Series
- Active Shooter: How to Respond Resource Materials
- Options for Consideration Active Shooter Training Video
- U.S. Secret Service (USSS) Active Shooter Related Research
- Active Shooter Resources for Law Enforcement and Trainers: Request for Access to Joint Countering Violent Extremism (CVE) Portal

### 5.2.1 Active Shooter: What You Can Do Course

DHS developed an Independent Study Course titled *Active Shooter: What You Can Do*. This course was developed to provide the public with guidance on how to prepare for and respond to active shooter crisis situations.

Upon completion of *Active Shooter: What You Can Do*, employees and managers will be able to:

- Describe the actions to take when confronted with an active shooter and to assist responding law enforcement officials;
- Recognize potential workplace violence indicators;
- Describe actions to take to prevent and prepare for potential active shooter incidents; and
- Describe how to manage the consequences of an active shooter incident.

The online training is available through the Federal Emergency Management Agency Emergency Management Institute (<http://training.fema.gov/EMIWeb/IS/IS907.asp>) and additional training for law enforcement is available at Federal Emergency Management Agency Law Enforcement Active Shooter Emergency Response (<http://www.ncbrt.lsu.edu/catalog/performance/laser.aspx>).

### 5.2.2 Active Shooter Webinar

A 90-minute Webinar (<http://connect.hsin.gov/asaware2011>) can help the private and public sector understand the importance of developing an emergency response plan and the need to train employees on how to respond if confronted with an active shooter. The presentation describes the three types of active shooters: workplace/school, criminal, and ideological--and how their planning cycles and behaviors differ.

### 5.2.3 Active Shooter Workshop Series

Active Shooter workshops already took place in a number of U.S. cities and will continue to be held in a number of locations in the future. These scenario-based workshops feature facilitated discussions to engage private sector professionals and law enforcement representatives from Federal, state, and local agencies to learn how to prepare for, and respond to, an active shooter situation. Through the course of the exercise, participants evaluate current response concepts, plans, and capabilities for coordinated responses to active shooter incidents.

If you are interested in future workshops, please contact [ASworkshop@hq.dhs.gov](mailto:ASworkshop@hq.dhs.gov).

### 5.2.4 Active Shooter: How to Respond Resource Materials

DHS developed a series of materials to assist businesses, government offices, and schools in preparing for and responding to an active shooter. These products include a desk reference guide, a reference poster, and a pocket-size reference card.

Issues covered in the active shooter materials include the following:

- Profile of an active shooter;
- Responding to an active shooter or other workplace violence situation;
- Training for an active shooter situation and creating an emergency action plan; and
- Tips for recognizing signs of potential workplace violence.

Available Materials:

- Active Shooter Booklet ([http://www.dhs.gov/xlibrary/assets/active\\_shooter\\_booklet.pdf](http://www.dhs.gov/xlibrary/assets/active_shooter_booklet.pdf))

- Active Shooter Poster  
([http://www.dhs.gov/xlibrary/assets/active\\_shooter\\_poster.pdf](http://www.dhs.gov/xlibrary/assets/active_shooter_poster.pdf))
- Active Shooter Poster (Spanish)  
(<http://www.dhs.gov/xlibrary/assets/active-shooter-poster-spanish.pdf>)
- Active Shooter Pocket Card  
([http://www.dhs.gov/xlibrary/assets/active\\_shooter\\_pocket\\_card.pdf](http://www.dhs.gov/xlibrary/assets/active_shooter_pocket_card.pdf))
- Active Shooter Pocket Card (Spanish)  
(<http://www.dhs.gov/xlibrary/assets/active-shooter-pocket-spanish.pdf>)

### 5.2.5 Options for Consideration Active Shooter Training Video

The Options for Consideration (<http://www.dhs.gov/video/options-consideration-active-shooter-training-video>) video demonstrates possible actions to take if confronted with an active shooter scenario. The instructive video reviews the choices of evacuating, hiding, or, as an option of last resort, challenging the shooter. The video also shows how to assist authorities once law enforcement enters the scene.

You may also access the video on YouTube.

### 5.2.6 U.S. Secret Service Active Shooter Related Research

The U.S. Secret Service (USSS) makes available a number of resources regarding active shooters:

- Campus Attacks: Targeted Violence Affecting Institutions of Higher Education  
(<http://www.secretservice.gov/ntac/CampusAttacks041610.pdf>)
- Prior Knowledge of Potential School-Based Violence: Information Students Learn May Prevent a Targeted Attack  
([http://www.secretservice.gov/ntac/bystander\\_study.pdf](http://www.secretservice.gov/ntac/bystander_study.pdf))
- Assassination in the United States: An Operational Study of Recent Assassins, Attackers, and Near Lethal Approaches  
([http://www.secretservice.gov/ntac/ntac\\_jfs.pdf](http://www.secretservice.gov/ntac/ntac_jfs.pdf))
- Protective Intelligence & Threat Assessment Investigations: A Guide for State and Local Law Enforcement Officials  
([http://www.secretservice.gov/ntac/PI\\_Guide.pdf](http://www.secretservice.gov/ntac/PI_Guide.pdf) )
- Threat Assessment: An Approach to Prevent Targeted Violence  
([http://www.secretservice.gov/ntac/ntac\\_threat.pdf](http://www.secretservice.gov/ntac/ntac_threat.pdf))
- Threat Assessment: Defining an Approach for Evaluating Risk of Targeted Violence  
([http://www.secretservice.gov/ntac/ntac\\_bsl99.pdf](http://www.secretservice.gov/ntac/ntac_bsl99.pdf))

For more information on USSS programs, please visit <http://www.secretservice.gov/ntac.shtml>.

### **5.2.7 Active Shooter Resources for Law Enforcement and Trainers: Request for Access to Joint Countering Violent Extremism Portal**

DHS, in partnership with the Federal Bureau of Investigation (FBI) and the International Association of Chiefs of Police, has launched a CVE Training Resource web portal on the Homeland Security Information Network (HSIN). The purpose is to provide federal, state, local, tribal, territorial, and correctional law enforcement with the most current CVE training materials, case studies, analytic products, and other resources. The materials on the portal are restricted for law enforcement training use only and will contain unclassified/FOUO/law enforcement sensitive information.

To request access to the Joint CVE Portal, send an email to [CVETPortal@HQ.DHS.gov](mailto:CVETPortal@HQ.DHS.gov). In the subject line, write “Request for Access to Joint CVE Portal.” In the body of the email, please provide your full name, email address, business phone, and organization/agency.

## 6.0 Resources

### 6.1 Federal Government Offices

#### **Office of Personnel Management (OPM)**

Agencies Employee Relations and Health Services Center  
1900 E Street, NW  
Washington, DC 20415  
(202) 606-1858

OPM's Employee Relations and Health Services Center provides advice and assistance to Federal agencies on issues relating to employee relations and Employee Assistance Program policy, including workplace violence, traumatic incidents, reasonable accommodation, and discipline. OPM publications include:

- *A Manager's Handbook: Handling Traumatic Events* is available through the OPM rider system.
- *Significant Cases*, a bi-monthly summary of important decisions of the courts, the U. S. Merit Systems Protection Board, and the Federal Labor Relations Authority is available through the OPM rider system.
- *Alternative Dispute Resolution: A Resource Guide* is available by calling the phone number listed above.

#### **Department of Health and Human Services (HHS) Centers for Disease Control and Prevention**

National Institute for Occupational Safety and Health (NIOSH)  
Robert A. Taft Laboratories  
4676 Columbia Parkway  
Cincinnati, OH 45226-1998  
(800) 356-4674

NIOSH issued a publication on workplace violence, *Violence in the Workplace: Risk Factors and Prevention Strategies*, (NIOSH Current Intelligence Bulletin No. 57 Publication Number 96-100), June 1996. To obtain a copy, call the toll free number or access through the Internet at <http://www.cdc.gov/niosh/violrisk.html>.

Callers may also use the toll free number to find a directory of topics of publications and databases that may be ordered. Recorded summaries providing overviews and relevant statistics about selected topics are also available. Use the automated fax information service to receive documents within 15 minutes. Technical information specialists may also be reached on this number from 9:00 AM to 4:00 PM Eastern time, Monday through Friday. Callers may also learn about NIOSH training resources or request a NIOSH workplace health hazard evaluation. Access through the Internet at [www.cdc.gov/niosh/homepage.html](http://www.cdc.gov/niosh/homepage.html).



**Department of Justice**

National Institute of Justice  
National Criminal Justice Reference Service  
Bureau of Justice Assistance Clearinghouse (BJAC)  
P. O. Box 6000  
Rockville, MD 20849-6000  
(800) 851-3420

Calling the toll free number offers several information options including a fax-on-demand service for documents, being able to speak with a specialist, or learning about how to access an electronic newsletter through their web and email address. The caller can also learn about their Research and Information Center located in Rockville, Maryland. BJAC also has a catalog of National Institute of Justice documents. Many of the documents included in the catalog pertain to workplace violence, for example: *Violence and Theft in the Workplace*; *The Cycle of Violence*; *Psychoactive Substances and Violence*; and *Crime Prevention through Environmental Design in Parking Facilities* can be accessed through the Internet at <https://www.ncjrs.gov/>.

**Department of Labor**

Occupational Safety and Health Administration (OSHA)  
200 Constitution Avenue, NW, Room N3107  
Washington, DC 20210  
General information: (202) 219-8031  
Publications: (202) 219-4667

OSHA's published *Guidelines for Preventing Workplace Violence for Health Care and Social Service Workers*, U. S. Department of Labor, Occupational Safety and Health Administration, (OSHA 3148), 1996. Copies may be obtained from the Government Printing Office by calling (202) 512-1800 or access through the Internet at <http://www.osha.gov/Publications/OSHA3148/osha3148.html>.

Contact OSHA's Office of Federal Agency Programs (FAP) at (202) 219-9329 to obtain information on OSHA record-keeping and reporting requirements for Federal agencies (OSHA Instruction FAP 1.3).

**Department of Labor**

Women's Bureau  
200 Constitution Avenue, NW - Room S-3002  
Washington, DC 20210  
(202) 693-6710

The Women's Bureau issued *Domestic Violence: A Workplace Issue*, October 1996, Document Number 96-3.

## 6.2 Federal Government Online Resources

**Bureau of Labor Statistics**, *Census of Fatal Occupational Injuries* is available Online: <http://www.bls.gov/iif/#tables>.

**Bureau of Justice Statistics**, *National Crime Victimization Survey: Violence in the Workplace 1993-99*, December 2001." Available Online: <http://bjs.ojp.usdoj.gov/content/pub/pdf/vw99.pdf>.

**Department of Agriculture (USDA)**, *the USDA Handbook on Workplace Violence Prevention and Response*, December 1998.

**Department of Health and Human Services (HHS)**, Centers for Disease Control and Prevention, *Emergency Preparedness and Response*. Available Online: <http://www.bt.cdc.gov/planning/shelteringfacts.asp> .

**Department of Labor**, *Recommendations for Workplace Violence Prevention Programs in Late Night Retail Establishments*. (OSHA 3153 - 2009): Available online: <http://www.osha.gov/Publications/osha3153.pdf>.

**Executive Order 10450**, *Security Requirements for Government Employment*. April 27, 1953. Available Online: <http://www.archives.gov/federal-register/codification/executive-order/10450.html>.

**Executive Order 12196**, *Occupational Safety and Health Programs for Federal employees*. February 26, 1980. Available Online: <http://www.archives.gov/federal-register/codification/executive-order/12196.html>.

**Executive Order 12977**, *Interagency Security Committee*. October 19, 1995. Available Online: [http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=1995\\_register&docid=fr24oc95-145.pdf](http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=1995_register&docid=fr24oc95-145.pdf).

**Federal Bureau of Investigations (FBI)**, *Workplace Violence - Issues in Response*, Critical Incident Response Group, National Center for the Analysis of Violent Crime, FBI Academy, Quantico, VA. March 2004. Available Online: <http://www.fbi.gov/stats-services/publications/workplace-violence>.

**General Services Administration**. Federal Protective Service, *Occupant Emergency Plan Guide*. November 2007. Available Online: [http://www.gsa.gov/graphics/pbs/OEP\\_Guide.pdf](http://www.gsa.gov/graphics/pbs/OEP_Guide.pdf).

**Homeland Security Presidential Directive – 12**, *Policy for a Common Identification Standard for Federal Employees and Contractors*. August 27, 2004. Available Online: [http://www.dhs.gov/xabout/laws/gc\\_1217616624097.shtm](http://www.dhs.gov/xabout/laws/gc_1217616624097.shtm).

**Merit Systems Protection Board**, *the Probationary Period: A Critical Assessment Opportunity*. August 2005. Available Online: <http://www.mspb.gov/netsearch/viewdocs.aspx?docnumber=224555&version=224774&application=ACROBAT>.

**NIOSH**, Publication No. 2006-144: *Workplace Violence Prevention Strategies and Research Needs*. Available Online: <http://www.cdc.gov/niosh/docs/2006-144/>.

**OPM**, *Dealing with Workplace Violence a Guide for Agency Planners*. February 1998.

Available Online:

[http://www.opm.gov/Employment\\_and\\_Benefits/WorkLife/OfficialDocuments/handbooksguides/WorkplaceViolence/index.asp](http://www.opm.gov/Employment_and_Benefits/WorkLife/OfficialDocuments/handbooksguides/WorkplaceViolence/index.asp).

**Occupational Safety and Health Act of 1970** - Public Law 91-596. December 29, 1970.

Available Online:

[http://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=OSHACT&p\\_id=2743](http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=OSHACT&p_id=2743).

## 6.3 Non-Federal Government Organizations

The following list is not exhaustive of the organizations available, nor does the list constitute an endorsement by OPM or the Interagency Security Committee.

### **American Psychiatric Association (APA)**

1000 Wilson Boulevard, suite 1825

Arlington, VA 22209

The APA publishes a free fact sheet, *Violence and Mental Illness*, Document Number 6109. To obtain a copy, call the APA's fast fax automatic document retrieval service at (888) 267-5400 or access through the Internet at [www.psych.org/](http://www.psych.org/) (listed under Resources for the General Public, Fact Sheet Series).

### **American Psychological Association**

750 First Street, NE

Washington, DC 20002

(202) 336-5500

Information on violence is available on the association's website at [www.apa.org/](http://www.apa.org/).

### **International Association of Chiefs of Police (IACP)**

515 North Washington Street

Alexandria, VA 22314-2357

The IACP has published a booklet, *Combating Workplace Violence: Guidelines for Employers and Law Enforcement*. To obtain a copy, write to the IACP at the address above or access the Internet at <http://www.theiacp.org/Portals/0/pdfs/Publications/combatingworkplaceviolence.pdf>.

### **International Critical Incident Stress Foundation**

3290 Pine Orchard Lane, Suite 106

Ellicott City, MD 21042

(410) 750-9600

The International Critical Incident Stress Foundation provides information and training on critical incident stress management.

**National Crime Prevention Council (NCPC)**

2001 Jefferson Davis Highway, Suite 901  
Arlington, VA 22202  
(202) 466-6272

NCPC provides information on the prevention of crime and violence.

**National Domestic Violence Hotline**

(800) 799-SAFE  
(800) 787-3224 (TTY)

This nationwide hotline offers crisis intervention, problem-solving skills, information, and referral to service agency providers.

**National Organization for Victim Assistance Organizations**

510 King Street, Suite 424  
Alexandria, VA 22314  
(800) TRY-NOVA

The organization refers callers to local victim assistance organizations.

**National Center for Victims of Crime**

(202) 467-8700  
2000 M Street, NW, Suite 480  
Washington, DC 20036

**The National Center for Victims of Crime**, accessible through the Internet at <http://www.ncvc.org>, provides information and referrals to local victim assistance organizations.

**National Resource Center on Workplace Response to Domestic and Sexual Violence**, <http://www.workplacesrespond.org>.

## 6.4 Non-Federal Government Online Resources

**American Society of Industrial Security**, *Workplace Violence Prevention and Response Guidelines*. March 2005.

**California Division of Occupational Safety and Health**, *Guidelines for Workplace Security*. 1995. Available Online: [http://www.dir.ca.gov/dosh/dosh\\_publications/worksecurity.html](http://www.dir.ca.gov/dosh/dosh_publications/worksecurity.html).

**FedSmith.com**, Steve Oppermann, *Workplace Bullying: Psychological Violence?* December 2008. Available Online: <http://www.fedsmith.com/article/1780/workplace-bullying-psychological-violence.html>.

**University of Iowa**, *Workplace Violence: A Report to the Nation*. February 2001. Available Online: <http://www.public-health.uiowa.edu/iprc/resources/workplace-violence-report.pdf>.

**Victims of Crime Act Victim Assistance and Victims Compensation**. <http://www.ojp.usdoj.gov/ovc/map.html>.

## 6.5 Computer Systems

**Partnership Against Violence Network (PAVNET)**, accessible through the Internet at [www.pavnet.org](http://www.pavnet.org), is a clearinghouse with over 500 entries on violence. Government and non-government organizations addressing the subject of violence are listed. Information in PAVNET includes:

- Funding grants;
- Research projects;
- Grass-roots efforts to address violence; and
- Curriculum development.

NOTE: Under Federal law, the OPM is prohibited from ranking, endorsing, or promoting agencies or organizations listed on its Website.

## 7.0 Case Studies

*The call comes in. Someone has been shot -- there is a fight going on -- someone has been threatened -- someone has been stalked by an ex-boyfriend -- someone is threatening suicide -- someone wants to put a stop to the "bullying" behavior that's been going on in his office.*

These are just a few examples of the types of incidents reported.

How each agency responds to these reports will vary, not only among agencies but also within each agency since circumstances surrounding each situation are different. Even in highly-structured agencies with well-designed procedures in place, the response will necessarily depend on:

- The nature of the incident;
- The circumstances surrounding the incident;
- Personnel available to respond; and
- Personnel with the skills to deal with the particular situation.

A lesson learned from many years of experience is that the most effective way to manage these situations is to take a team approach, rather than having one office handle a situation alone. In three separate cases of workplace homicides, the situation escalated either because personnel specialists did not inform security about a problem employee, co-workers were not warned about the threatening behavior of an ex-employee, or an agency specialist felt they had to handle the situation on their own.

Agencies should have plans in place ahead of time so that emergency and non-emergency situations can be addressed as soon as possible. However, it is also necessary to build the maximum amount of flexibility possible into any plan.

### 7.1 Section 1: Basic Concepts

Since agencies and situations differ, specific steps or procedures to follow on a government-wide basis would be inappropriate and impractical. However, there are some basic concepts that all agencies should keep in mind when formulating their strategy to address workplace violence:

- Respond promptly to immediate dangers to personnel and the workplace;
- Investigate threats and other reported incidents;
- Take threats and threatening behavior seriously;
- Address issues even if they may appear to be frivolous allegations;
- Take disciplinary actions when warranted;
- Support victims and other affected workers after an incident; and
- Attempt to bring the work environment back to normal after an incident.

### 7.2 Section 2: How to Use the Case Studies

The case studies presented in this section are derived from real life situations experienced in Federal agencies. These are intended to provide assistance to agency planners as they develop workplace violence prevention and response programs, in addition to assessing their readiness to

handle these types of situations. It should be noted the circumstances are modified in some of the case studies to make them better learning tools.

As you read the case studies, keep in mind there is no single correct way to address each situation. The case studies should not be taken as specific models of how to manage certain types of situations. Use these as a starting point for a discussion and exploration of how a team approach can be instituted and adapted to the specific needs and requirements of an agency.

Although these case studies are derived from real life situations, the characters in them are fictional and have been created for educational purposes. No reference to any individual, living or dead, is intended or should be inferred.

### **7.2.1 Questions for Discussion**

The case studies are intended to raise questions such as:

- Do we agree with the approach the agency took in the case study?
- If not, why would that approach not work for us?
- Do we have adequate resources to handle such a situation?

### **7.2.2 Questions for Program Evaluation**

Establish a system to evaluate the effectiveness of your response in actual situations that arise so you can change procedures if necessary. Ask the following questions after reviewing each of the case studies and after planning how your agency would respond to the same or a similar situation:

1. Does our workplace violence prevention and response program have a process for evaluating the effectiveness of the team's approach following an incident?
2. Would our written policy statement and procedures limit our ability to easily adopt a more effective course of action in the future, if an evaluation of our response showed that a change in procedures was necessary?
3. Do we have plans to test our response procedures and capabilities through practice exercises and preparedness drills and change procedures if necessary?

## 7.3 Case Study 1: Stalking

### 7.3.1 Incident

A supervisor called the employee relations office to request a meeting of the workplace violence team for assistance in handling a situation. He was counseling one of his employees about her frequent unscheduled absences, when she told him a chilling story of what she had been going through for the past year. She broke up with her boyfriend a year earlier, and he stalked her ever since. He called her several times a week, and she would hang up immediately. He would show up wherever she went on the weekends and would stare at her from a distance. He often parked his car down the block from her home and sat there. He made it known he had a gun.

### 7.3.2 Response

This agency's plan called for the initial involvement of security, Employee Assistance Program (EAP), and employee relations in cases involving stalking. The security officer, the EAP counselor, and employee relations specialist met first with the supervisor, and then with the employee and supervisor together. At the meeting with the employee, after learning as much of the background as possible, they gave her some initial suggestions:

- Contact her local police and file a report;
- Ask them to assess her security at home and make recommendations for improvements;
- Log all future contacts with the stalker and clearly record the date, time, and nature of the contact;
- Let voicemail screen incoming phone calls;
- Contact her phone company to report the situation;
- Give permission to let her co-workers know what was going on (she would not agree to do this); and
- Vary daily routine :
  - Go to different shop;
  - Take different routes;
  - Run errands at different times; and
  - Report to work on a variable schedule.

The team then created the following plan:

- a. **Employee Relations Specialist:** acted as coordinator of the response effort. He made a written report of the situation and kept it updated. He kept the team members, the supervisor, and the employee apprised of what the others were doing to resolve the situation. He also looked into the feasibility of relocating the employee to another worksite.
- b. **Security Officer:** reported the situation to the local police immediately. With the employee's consent, she also called the police where the employee lived to learn what steps they could take to help the employee. She offered to coordinate and exchange information with them. The security officer arranged for increased surveillance of the building and circulated photos of the stalker to all building guards with instructions to detain him if he showed up at the building. She brought a tape recorder to the employee's desk and showed her the best way to tape any future voice mail messages from the



stalker. She also contacted the agency's phone company to arrange for its involvement in the case.

- c. **EAP Counselor:** provided support and counseling for both the employee and the supervisor throughout the time this was going on. He suggested local organizations that could help the employee. He also tried to convince her to tell co-workers about the situation.
- d. **The Union:** arranged to sponsor a session on stalking in order to raise the consciousness of agency employees about the problem in general.

After a week, when the employee finally agreed to tell co-workers what was going on, the EAP counselor and security officer jointly held a meeting with the whole work group to discuss any fears or concerns they had, and give advice on how they could help with the situation.

### 7.3.3 Resolution

In this case, the employee's co-workers were supportive and wanted to help. They volunteered to watch out for the stalker and to follow other security measures recommended by the security specialist. The stalker ended up in jail because he tried to break into the employee's home while armed with a gun. The security officer believed the local police were able to be more responsive in this situation because they had been working together with agency security on the case.

### 7.3.4 Questions for the Agency Planning Group

1. Do you agree with the agency's approach in this case?
2. What would you do in a similar situation if your agency does not have security guards?
3. What would you do if co-workers were too afraid of the stalker to work in the same office with the employee?
4. What would you do if/when the stalker gets out of jail on bail or probation?
5. Would your Office of the Inspector General (OIG) have gotten involved in this case (e.g., coordinated agency efforts with local law enforcement agencies)?

## 7.4 Case Study 2: Domestic Violence

### 7.4.1 Incident

The employee relations specialist received a phone call from an employee. The employee reported she just finished a long conversation with a co-worker who was a part-time employee and friend. Her co-worker revealed she was a victim of domestic violence. She learned the woman's husband began abusing her after their first child was born. Her husband was careful to injure her only in ways that did not leave visible signs, and she felt sure no one would ever believe her word against his. The family's assets, even her car, were all in his name, and her part-time salary would not have been enough to support her and the children. Further, he had threatened to kill her if she ever left him or revealed the abuse. After talking with the employee, the co-worker agreed to let the situation be reported to the workplace violence team.

### 7.4.2 Response

**Employee Relations Specialist:** agreed to meet with both employees immediately. At the employee relations specialist's suggestion, the abused woman asked to have her friend along and gave permission to explain the situation to the two employees' supervisor. After interviewing the abused woman in a caring, supportive way to get basic information, the employee relations specialist asked other team members, the security director, and the EAP counselor to join her in analyzing the situation. She then met with the abused employee, her friend, and her supervisor to report on the team's recommendations.

**EAP Counselor:** arranged for the abused woman to see another counselor, who had an open appointment that same day for counseling and referral to the community agencies that could help her. The counselor also referred her to a comprehensive shelter for victims of abuse. She explained the comprehensive services the shelter could offer her:

- A safe place to stay with her children;
- Advice on how to get out of her home situation safely;
- Legal advice; and
- Additional helpful information.

**Abused Woman:** was afraid to change the status quo. After several meetings with the EAP counselor and encouraging talks with her friend, she agreed to talk with the shelter staff. Her friend/co-worker drove her to the meeting. They worked with her to develop a safe plan for leaving home with her children. She also asked the workplace violence team to coordinate with the shelter staff.

**Security Director and Supervisor:** identified the period immediately after she left home would be a high risk period and arranged for a guard to be at the workplace during that time.

Photographs of the husband were supplied to the guard force. With the woman's consent, both the supervisor and security director discussed the situation with co-workers, shared the picture with them, and explained what they should do in various contingencies. At the meeting one co-worker began complaining about the danger to her. The friend argued persuasively, *this could happen to any of us. Would you rather we stick together, or leave one another to suffer alone?* This rallied the group, and the co-worker decided to go along with the others.

The supervisor agreed to use flextime and flexi-place options to make the employee more difficult to find. Not only would she be working a different schedule, but she would also report to a suburban telecommuting center instead of the agency's central office.

The supervisor explained to the employee that she would like very much to have her on board full time, as she was an excellent worker, but there was no position available. However, she encouraged her to seek a full time job and made phone calls to colleagues in other departments to develop job leads for her. One of her professional associates offered to allow the employee to use their organization's career transition center that had excellent job search resources and was located in a different part of town from her normal worksite.

### **7.4.3 Resolution**

The employee executed her plan for leaving home and moved to the shelter with her children. She worked with an attorney to obtain financial support and to begin divorce proceedings. She often had times of doubt and fear but found the shelter staff very supportive. Her co-workers encouraged her to call daily with reports on her progress.

The husband appeared at the office only once, a few days after his wife moved into the shelter. He shouted threats at the security guard, who calmly called for back-up from the local police. Fearing for his reputation, he fled the scene before police could arrive. The guard force continued to monitor any efforts by the husband to gain entry to the building.

Six months later, the employee obtained a full-time position at a nearby office within the same agency. She discovered they also had a workplace violence team and made them aware of her situation, just in case she should need their help. She and her children moved into an apartment. At the recommendation of the EAP counselor, the children began seeing a child psychologist to help them make sense of an upsetting situation, and she began attending a support group for battered women. Her friend from her former office helped her with encouragement, support, and suggestions on how to handle the stresses of single parenthood.

### **7.4.4 Questions for the Agency Planning Group**

1. Are your team members knowledgeable about domestic violence?
2. What do you think about the role of the friend? How would you encourage agency employees to support co-workers in these types of situations?
3. Does your agency have access to career transition services to help in these types of situations?
4. Has your planning group identified someone knowledgeable about restraining/protective orders to discuss with the employee the pros and cons of obtaining one?

## 7.5 Case Study 3: Threat

### 7.5.1 Incident

When on a break with one of his colleagues from down the hall, an employee was reported to have said,

“I like the way some employees handle problems with their supervisors: they eliminate them. One of these days I’m going to bring in my gun and take care of my problem.”

The employee who heard the statement reported it to his supervisor, who in turn reported it to his supervisor, who then called a member of the workplace violence team.

### 7.5.2 Response

In the case of a reported threat where there does not appear to be an imminent danger, the agency’s plan called for the employee relations specialist to conduct an immediate preliminary investigation and for the team to meet with the supervisor immediately afterward to look at the available evidence and strategize a preliminary response.

**Employee Relations Specialist:** interviewed the employee who heard the threat, that employee’s supervisor, the supervisor of the employee who made the threat, and subsequently the employee who allegedly made the threat. The employee who made the threat denied saying any such thing. There were no other witnesses.

**Supervisor (of the employee who allegedly made the threat):** reported that, several months earlier, the same employee had responded to his casual question about weekend plans by saying, “I’m going to spend the weekend in my basement with my guns practicing my revenge.” At that time, the supervisor had warned the employee that such talk was unacceptable at work and referred the employee to EAP. Both supervisors expressed concern for their staff’s safety. Based on comments from supervisors and the employee who made the threat, the employee relations specialist recommended that a more thorough investigation be done.

**Follow-up Meeting:** findings were discussed, and the following people were present:

- First-level supervisor of the employee who allegedly made the threat;
- Second-level supervisor of the employee who allegedly made the threat;
- Associate director of the agency;
- Agency security officer;
- Employee relations specialist;
- EAP counselor; and
- Attorney with the OGC

One of the team members recommended the employee be given a counseling memo and referred to EAP. However, the consensus of the others, based on the employee relations specialist’s oral report, was to recommend to the supervisor that the employee be placed on excused absence pending an investigation and that he be escorted from the premises.

**Security and the Employee’s Second-level Supervisor:** went together to give the employee a letter that stated, “This is to inform you that effective immediately, you will be placed on paid, non-duty status pending an agency determination regarding your actions. You are required to

provide a phone number where you can be reached during working hours.” They also took away his identification badge and office keys and escorted him to the building exit.

**OIG and Legal Investigation:** OIG arranged for a criminal investigation to be conducted. The criminal investigator interviewed all of the employee's co-workers and two other employees who the co-workers indicated had knowledge of this employee's prior statements about his supervisors. He then interviewed the suspended employee.

The criminal investigator checked to see if the employee had a police record; he did not. The investigator also checked his workplace to see if he had any weapons at the office or if he had any written material of a threatening nature. The search of his workplace found nothing of consequence.

The investigative report showed that the employee told his co-workers on several occasions that he had no respect for his supervisor, and that he thought that threatening him was an effective way to solve his problems with him. Signed witness statements indicated that he bragged about knowing how to get his way with his boss.

The prosecutor's office, after receiving the investigative report, made a determination that it would not prosecute the case and informed management that they could proceed with administrative action. The team recommended a proposed removal action since the evidence showed that the employee was using threats to intimidate his supervisor.

### 7.5.3 Resolution

The second-level supervisor proposed a removal action based on a charge of "threatening a supervisor.” A top manager who was not directly involved in the case initially insisted that the agency enter into a settlement agreement that would give the employee a clean SF—50. Based on the particular facts in this case, the team convinced him that he would not be solving any problems by settling the case in this way and would be, in fact, just transferring the problem to another unsuspecting employer. The top manager finally agreed and the employee was removed from Federal service. Even though the agency did not settle the case and did, in fact, effect a removal action, the employee was soon hired by another agency.

|   |
|---|
| <p>The new agency never checked his references and began experiencing the same type of intimidating behavior from the employee.</p> |
|---|

### 7.5.4 Questions for the Agency Planning Group

1. What would your agency have done about checking references before hiring this employee?
2. What do you think would have been the risks of settling the case with a clean SF—50?
3. How would your agency have handled the case if the key witness (i.e., the employee who heard the threat) had demonstrated certain behavior that cast doubt on his credibility?

## 7.6 Case Study 4: Veiled Threats

### 7.6.1 Incident

A workplace violence team member took a phone call from a supervisor who said, “One of my employees said this morning that he knows where my kids go to school. I know this may not sound like much, but if you saw the look in his eyes and heard the anger in his voice, you'd know why I need your help in figuring out what to do.”

### 7.6.2 Response

**Team Member:** who took the call heard more details about the incident and then set up a meeting with the supervisor who made the call, a security specialist, an employee relations specialist, and an EAP counselor.

**Supervisor:** told the team that the employee in question engaged in intimidating behavior toward him for a year since becoming his supervisor. The supervisor spoke with him on several occasions to let him know that his behavior was unacceptable. He also gave the employee a written warning along with a written referral to the EAP.

**Federal Protective Service (FPS) and Law Enforcement:** Because the office was in a General Services Administration controlled building, the security specialist called the regional FPS office. FPS contacted the threat assessment unit of the state police, who agreed to assign a threat assessment consultant to assist the agency. In a phone consultation with the team, the threat assessment consultant suggested the team arrange for an immediate investigation by an investigator who was experienced in workplace violence cases. The investigator should explore the following areas:

1. What further background information could be learned about the relationship between the supervisor and employee?
2. What was the relationship between the supervisor and his other employees and co-workers?
3. Was there evidence of problems of a similar nature with the employee's previous supervisors? If so, how were they resolved or handled? If there were problems with previous supervisors, were they similar to or different from the current situation?
4. What were the alleged employee's relationships with co-workers? Might there have been other potential victims? Were there also interpersonal problems between the employee and other employees?
5. Were there unusually stressful problems in the life of the employee (e.g., divorce, financial reversal, or any other recent significant traumatic event)?
6. Did anyone else feel threatened based on their interaction with the employee?
7. Did the employee have access to weapons? Had he recently acquired weapons?

The threat assessment consultant scheduled another telephone consultation with the team for three days later. He also suggested the investigator refrain from interviewing the alleged perpetrator until after the next phone consultation.

**Legal Investigation and Threat Assessment Team:** was conducted immediately by a professional investigator and the team reviewed the investigative report prior to the next phone conversation with the threat assessment consultant. The report contained statements by the employee's supervisor about veiled threats the employee had made, such as, "If you give me that assignment, you'll be sorry. I know where you live, and I see you every day on your way to work." Also, the employee lived at the opposite end of town from the supervisor.

The investigative report included a transcript and a tape recording of two voicemail messages that the supervisor found intimidating: one in which the employee said he needed annual leave that day to go for target practice, and another where the employee said he could not come to work that day because he had to go hunting. Again, the supervisor's statement showed he considered the employee's tone of voice to be intimidating and said, on the day previous to each of these phone calls, the employee acted as though he was angry about new assignments the supervisor gave him. The supervisor said he took several precautions as a result of the threats.

For example, he told his children to take precautions, installed dead bolt locks at his home, and asked the local police to do a security survey of his home. In addition to the investigative report, the security office obtained a police record on the employee showing a misdemeanor conviction for spousal abuse several years earlier.

Participating in the phone consultation with the threat assessment consultant was the workplace violence team, the second-line supervisor, and the director of the office. The purpose of the consultation was to:

- Analyze the information contained in the investigative report;
- Determine what additional information was needed;
- Determine whether to interview the alleged perpetrator;
- Help the team members organize their thinking about how to proceed with the case; and
- Discuss a range of options that could be taken.

The threat assessment consultant recommended the investigator interview three co-workers, the employee's ex-wife, and subsequently the employee. The purpose of the interview with the employee would be to corroborate what was said by the others and get his explanation of why he made the statements. The interviewer would also communicate to him that this kind of conduct had been noticed, troubled people, and was not condoned. The consultant recommended additional security measures for the interview, including having a security officer in the next room. The threat assessment consultant also gave the team guidance in the preservation of evidence such as written materials, tape recordings, and documentation of all contacts.

During the interview, the employee made what the investigator believed were several additional veiled threats against the supervisor. He even behaved in a way that led the investigator to be concerned about his own safety.

Based on the findings of the investigation, the threat assessment consultant concluded the employee presented a real possibility of carrying out some of the threats toward the supervisor's family. He expressed concern the situation could escalate if the employee continued to work in the same office. Management decided to place the employee on excused absence for the safety of the threatened supervisor.

The threat assessment consultant worked with team members to develop a plan for ongoing security. For example, he suggested the team identify one member to coordinate case management, recommended monitoring any further communication between the employee and other agency employees (e.g., phone calls, e-mail messages, and any sighting at residences were to be reported to the case manager). He recommended security officials be in the area, though not visible, whenever meetings were held with the employee. The threat assessment consultant remained available for telephone consultation as the team carried out the plan.

### **7.6.3 Resolution**

Though the agency had concerns that any agency action might trigger retaliation against the supervisor's family, the agency went ahead and removed the employee based on a charge of threatening behavior. The agency's analysis considered the credibility of the supervisor, employee, and the information and evidence gathered. The employee did not appeal the removal action.

The agency security officer gave the supervisor advice on personal safety and discussed with him the pros and cons of obtaining a restraining order for his family. The security officer also helped the supervisor get in touch with the local office of victim assistance for additional ideas on ways to protect his family. The threat assessment consultant also spoke with the supervisor and suggested he may want to go to the school, school bus driver, and neighbors and make them aware of the problem and the employee's appearance (show them his picture). The reason for involving the school and neighbors would be to encourage them to report any suspicious activities to the police. The security officer talked to the supervisor about police involvement and discussed filing criminal charges. If the police said the situation was not serious enough to file criminal charges, he suggested finding out from the police what actions would warrant an arrest. For example, the supervisor could discuss with police a pattern of behavior that might be considered serious enough to pursue action under the state's stalking or harassment statute.

### **7.6.4 Questions for the Agency Planning Group**

1. If this incident were reported at your agency, would you have used a criminal investigator or administrative investigator to conduct the initial investigation?



2. If your agency has a criminal investigative service, have you discussed the feasibility of involving agency criminal investigators at an early stage in the process of dealing with threatening behavior (i.e., in situations where threatening behavior does not yet rise to the level of a crime)?
3. Has your agency identified a threat assessment professional to whom you could turn for assistance if the need arose?
4. How does your agency keep up with Merit Systems Protection Board case law on charges and threats?
5. If this happened at your agency, and the threatening behavior continued, what would you do to protect the supervisor and his family?

## 7.7 Case Study 5: Threat

### 7.7.1 Incident

A visibly upset male employee cornered a female employee in her office. Quietly and slowly he said she would pay with her life for going over his head to ask about his work. The male employee then stared at his co-worker with his hands clenched rigidly at his side before leaving the office and slamming the door behind him. The female employee, fearful and shaken, reported this to her supervisor, who immediately reported the incident to the Director of Employee Relations.

### 7.7.2 Response

The agency's response plan called for involvement of employee relations, security, and EAP in cases involving threats. Immediately following the report to the response team, the security officer contacted the female employee to assist her in filing a police report on the threat and to discuss safety measures she should take. The victim was also referred to EAP, where she received brief counseling and educational materials on handling severe stress.

An investigation was immediately conducted by OIG. In her statement, the female employee repeated what she reported to the supervisor earlier about the threat. In his statement, the male employee stated that, on the day in question, he was upset about what he felt were some underhanded activities by the female employee, and his only recollection about the conversation was that he made a general statement to her like "You'll pay." He stated this was not a threat, but just an expression. The investigation showed the employee had several previous incidents of intimidating behavior that resulted in disciplinary actions.

### 7.7.3 Resolution

After reviewing the results of the investigation, the supervisor proposed a removal action, finding the female employee's version of the incident more credible. In his response to the proposed notice, the employee brought in medical documentation that said he had a psychiatric disability of post-traumatic stress disorder causing his misconduct, and he requested a reasonable accommodation. The deciding official consulted with an agency attorney and employee relations specialist who explained that nothing in the Rehabilitation Act prohibits an agency from maintaining a workplace free of violence or threats of violence. Further, they explained a request for reasonable accommodation does not excuse employee misconduct nor does it shield an employee from discipline. The deciding official determined removal was the appropriate discipline in this case. The employee did not appeal the action.

### 7.7.4 Questions for the Agency Planning Group

1. Do you agree with the agency's approach in this case?
2. If this situation occurred at your agency, would you have involved law enforcement in the process?
3. Who would conduct the investigation at your agency?
4. What else would your agency have done to protect the employee?
5. Would you have requested more medical documentation from the employee?
6. What risks must be balanced when selecting a penalty?

## 7.8 Case Study 6: Threat Made during an EAP Counseling Session

### 7.8.1 Incident

When the employee first contacted the in-house EAP counselor several months earlier, he said he was referred by his supervisor because of frequent tardiness and his inability to complete assignments on time. He complained of lack of interest in his job and inability to sleep. The counselor referred the employee to a psychiatrist for evaluation. The employee agreed to sign releases so the counselor could contact both his supervisor and the psychiatrist. The psychiatrist diagnosed depression, prescribed an anti-depressant, and referred the employee for psychotherapy.

Several weeks later, the supervisor called the EAP counselor to report that the employee often came in looking disheveled; co-workers complained his speech and manner were sometimes bizarre; and he bragged of drinking large amounts of alcohol each evening. The counselor immediately called the employee and asked him to come in for a follow-up visit. He agreed and appeared late that afternoon in a euphoric state. He said he never felt better in his life and decided against psychotherapy. The counselor encouraged him to return to the psychiatrist for re-evaluation, but the employee refused.

The employee was in a talkative mood and began to reminisce about his Federal career: first his early successes, then recent disappointments such as being passed over repeatedly for promotions and failure to receive any type of recognition. As he continued, he revealed in a matter-of-fact tone he had been spending his evenings planning revenge on his managers, because they had treated him unfairly for many years and deserved to be punished. He believed he had planned the "perfect murder" and that he would never be caught. Thinking that he was venting frustrations, the counselor questioned the employee further and quickly realized he was very serious. She urged him to call his psychiatrist immediately, and he again refused but said he would "think about calling" in a day or two.

### 7.8.2 Response

As soon as the employee left the EAP counselor's office, the counselor called the psychiatrist and asked whether he viewed the employee's statement as a threat. The psychiatrist said he believed it was a serious threat and recommended immediate action be taken. The EAP counselor called the police and agency officials and informed them about the situation. The following morning when the employee reported to the office, he was met by the local police. A police officer brought him to the community's emergency services clinic for an evaluation and subsequently transported him to the hospital. He remained in the hospital for several weeks.

### 7.8.3 Resolution

Following discharge from the hospital, the employee remained at home for several more weeks, during which time agency management held many discussions with his treating and consulting physicians. It was finally decided and agreed upon by the team that the employee would be allowed to return to work and not be removed from his position on the following conditions as long as he remained an employee of the agency:

- Continue in psychotherapy;

- Remain on medication as prescribed;
- Refrain from alcohol and other drug abuse; and
- Be seen on a regular basis by a psychiatric consultant to the agency.

Although co-workers were concerned about the employee's strange behavior and saw him removed from the premises by the police, several visited him in the hospital and were supportive of his return to the office. He worked his remaining years with no further problems, then retired and moved to another state.

#### **7.8.4 Questions for the Agency Planning Group**

1. Do you agree with the agency's approach in handling this case?
2. Would you have let the employee back to work after his hospitalization?
3. What information would you need to make this determination?
4. What safety precautions would your agency take if you did/did not take him back?
5. What should the EAP counselor have done if the employee denied making the threat?
6. Would your agency have proposed disciplinary action prior to the last chance agreement?

## 7.9 Case Study 7: Threats Made by a Former Employee

### 7.9.1 Incident

The first incident report that came into the agency's newly formed workplace violence team was from a field office. Two months after an employee retired on disability retirement, he began threatening his former supervisor. He knocked on his former supervisor's apartment door late one evening. He left threatening statements on the supervisor's home answering machine such as, "I just wanted to let you know I bought a gun." On one occasion, a psychiatrist called the supervisor as well as the agency's security office and told them that the former employee threatened to murder him. The psychiatrist said the threat should be taken seriously especially due to the heavy drinking of the former employee. A co-worker received an anonymous letter stating, "It is not over with [name of supervisor]." Each time a threat was reported, the agency's security office would take extra measures to protect the supervisor while at the workplace, and the supervisor would report the incident to the local police. Each time, the supervisor was informed that the police were unable to take action on the threats because they did not rise to a criminal level. The supervisor spoke with the county magistrate about a restraining order; however, once again, was told the threats did not rise to the level required to obtain a restraining order.

### 7.9.2 Response

The workplace violence team held a conference call with the security officer, director of the office, the supervisor, and the security chief of the field office. Roles were discussed and each person was informed they should perform their allotted actions.

#### **Security Officer:**

- Confirmed the whereabouts of the former employee and periodically reconfirmed his whereabouts;
- Met with local police to determine whether the former employee's behavior constituted a crime in the jurisdiction and whether other applicable charges (e.g., stalking or harassment) might be considered;
- Asked if the police department had a threat assessment unit or access to one at the state level;
- Asked police about contacting the U. S. Postal Service for assistance in tracing the anonymous letter (18 U.S.C. §876);
- Met with the psychiatrist who called the agency, and asked him to send a letter to the chief of police reporting the threats;
- Informed the psychiatrist about the former employee's behavior and discussed whether or not involuntary hospitalization might be an option;
- Attempted to establish an ongoing dialogue with the psychiatrist and tried to get a commitment to share information about the case to the extent allowed by confidentiality;
- Provided periodic updates to the supervisor on the status of the case, actions taken, and actions being contemplated; and
- Provided support and advice to the supervisor including telephone numbers and points of contact for the local telephone company, local law enforcement, and local victim assistance organizations.

**Director of the Field Office:**

- Met with security and police to consider options (and their ramifications) for encouraging the former employee to cease and abstain from his threatening activities; and
- Provided support to the supervisor by encouraging the supervisor to utilize the Employee Assistance Program.

**Supervisor:**

- Kept detailed notes about each contact with the former employee;
- Gave copies of all the notes to the police. (They explained to the supervisor that in all probability, each time he went to the police, it was treated like a new report, and thus, as individual incidents, they had not risen to the level of a crime.);
- Contacted the phone company to alert them to the situation;
- Tape recorded all messages left on the answering machine; and
- Contacted the local office of victim assistance for additional ideas.

**7.9.3 Resolution**

Contact with the local police confirmed each report was treated as a new case. When presented with the cumulative evidence, in fact, the former employee's behavior did rise to the level of stalking under state law. The police visited the former employee and warned him that further threats could result in an arrest. At the supervisor's request, the county magistrate issued a restraining order prohibiting personal contact and any communication. Two months after the restraining order was issued, the former employee was arrested for breaking the restraining order. The agency security office and the supervisor kept in contact with the police about the case to reduce any further risk of violence.

**7.9.4 Questions for the Agency Planning Group**

1. Do you think the agency's approach in this case was adequate protect the supervisor?
2. Have you already established liaison with appropriate law enforcement authorities to ensure that situations such as this get the proper attention from the beginning?
3. What would your agency do if the psychiatrist refused to get involved? Are there any laws in your state requiring mental health professionals to protect potential victims when threats have been made?
4. How would you continue to monitor the former employee's activities after he is released from jail?
5. What would your agency do if the case continued without the former employee being arrested?

## 7.10 Case Study 8: Threats from Non-Employees

### 7.10.1 Incident

The agency's new workplace violence team received a call from a small field office. The field office staff consisted of three employees, two of whom spent much of their workday outside of the office. All three employees had close calls in the past in dealing with violent individuals. On two occasions, clients who came into the office lost their tempers because they received answers they did not like. Several times the employees who conducted their business outside the office were the targets of threats and aggressive behavior. "How can you help us out here in the field?" they asked the workplace violence team.

### 7.10.2 Response

Presented with this problem, the workplace violence team consulted with the following organizations:

- Local law enforcement agency in the jurisdiction where the field office was located;
- Several Federal law enforcement agencies, including FPS;
- Other Federal government agencies that had small field offices and workers in the field;
- The National Center for Victims of Crime; and
- State police prevention units located near the agency field offices.

### 7.10.3 Resolution

The agency implemented the following plan not only for the office that made the initial request, but for many of their other field offices as well.

- Install a panic button connected to a security service in the office ;
- Install a video camera (with an audio component) in the public service area;
- Reconfigure office furniture, especially in public service areas, to maximize security;
- Train all employees in personal safety techniques;
- Provide back-up for employees in the field when a threatening situation is suspected;
- Provide copies of the laws regarding harassment, threats, and stalking in their states;
- Provide lists of state and local organizations that can assist in preventing violence;
- Develop and maintain liaison with state and local law enforcement agencies;
- Establish a system of daily, periodic check-ins for employees in the field; and
- Provide cellular phones, personal alarms, and other safety devices as appropriate.

### 7.10.4 Questions for the Agency Planning Group

1. Do you agree with the agency's approach in this case?
2. What more could be done?

## 7.11 Case Study 9: Intimidation without Previous Behavior

### 7.11.1 Incident

A supervisor reported to a human resources (HR) specialist that one of his employees (alleged victim) recently stated another employee (alleged perpetrator) was intimidating him with "in your face" behavior. The alleged perpetrator engaged in several intimidating behaviors: standing over the alleged victim's desk in what was perceived as menacing, physically crowded the victim out of an elevator, and making menacing gestures. The supervisor stated the alleged perpetrator was an average performer, somewhat of a loner, but there were no behavior problems the supervisor was aware of until the employee came to him expressing fear. The supervisor said the reporting employee did not want the supervisor to say anything to anyone, so the supervisor observed the situation for a couple of days. When he did not observe any of the behaviors described, he spoke with the alleged victim again and told him he would consult with the crisis management team.

### 7.11.2 Response

In cases involving reports of intimidation, this agency's crisis response plan called for involvement of HR and EAP (with the clear understanding the agency would contact other resources as needed). The HR specialist's first action was to set up a meeting for the next day with the supervisor, an EAP counselor, and another HR specialist who was skilled in conflict resolution.

Several options were discussed at that meeting. One was to initiate an immediate investigation into the allegations that involved interviewing the alleged victim, any witnesses identified by the alleged victim, and the alleged perpetrator. Another suggestion offered by the EAP counselor was that, in view of the alleged victim's reluctance to speak up about the incident, they could arrange a training session for the entire office on conflict resolution that would allow the EAP counselor to observe the dynamics of the entire work group. The EAP counselor noted conflict resolution classes were regularly scheduled at the agency. The supervisor also admitted he was aware of a lot of tensions in the office and would like EAP's assistance in resolving whatever was causing them.

After discussing the options, the supervisor and the team decided to try the conflict resolution training session before initiating an investigation. At the training session, during some of the exercises, it became clear the alleged victim not only contributed significantly to the conflicts and tension with the alleged perpetrator, but also with other employees and in the office in general. The alleged perpetrator seemed to react assertively, but not inappropriately, to the alleged victim's attempts to annoy him.

### 7.11.3 Resolution

Office tensions were reduced to minimum as a result of the training session and follow-up work by EAP. The employee who initially reported the intimidation to his supervisor not only realized what he was doing to contribute to office tensions, but he also actively sought help to change his approach and began to conduct himself more effectively with his co-workers. He appreciated getting the situation resolved in a low-key way that did not cause him embarrassment and began to work cooperatively with the alleged perpetrator. The alleged perpetrator never learned about



the original complaint, but he did learn from the training session more effective ways to conduct himself with his co-workers. The agency reported that both employees became productive team players.

#### **7.11.4 Questions for the Agency Planning Group**

1. Do you agree with the agency's approach in this situation?
2. Can you think of other situations that could be addressed effectively through an intervention with the work group?
3. In what kinds of situations would this approach be counter-productive?
4. Can you envision a scenario where using the group conflict resolution session to get at any individualized problem might have a negative, rather than a positive, effect?
5. Has your agency conducted employee training on such topics as conflict resolution, stress management, and dealing with hostile persons?

## 7.12 Case Study 10: Intimidation with Previous Behavior

### 7.12.1 Incident

An employee called a member of the agency crisis team for advice, saying that a co-worker was picking on her and expressing fear that something serious might happen. For several weeks, a co-worker had been making statements such as, “You actually took credit for my work and you're spreading rumors that I'm no good. If you ever get credit for my work again, that will be the last time you take credit for anybody's work. I'll make sure of that.” She also said her computer files had been altered on several occasions and she suspected it was the same co-worker. When she reported the situation to her supervisor, he tried to convince her there was no real danger and she was blowing things out of proportion; however, she continued to worry. She said she spoke with her union representative who suggested she contact the agency's workplace violence team.

### 7.12.2 Response

The agency's plan called for the initial involvement of employee relations and EAP in situations involving intimidation. The employee relations specialist and the EAP counselor met with the supervisor of the employee who reported the incident.

**Supervisor:** told the employee relations specialist and the EAP counselor he was aware of the situation, but the woman who reported it tended to exaggerate. He knew the alleged perpetrator well as he had supervised him for years, stating: “He just talks that way; he's not really dangerous.” He gave examples of how the alleged perpetrator is all talk and not likely to act out. One example occurred several months earlier when he talked to the alleged perpetrator about his poor performance. The employee became agitated and accused the supervisor of being unfair, siding with the other employees, and believing the rumors the co-workers were spreading about him. He stood up and in an angry voice said, “You better start treating me fairly or you're going to be the one with the problem.” The supervisor reasoned that, since he had always been that way, the employee was not a real threat to anyone.

During the initial meeting, the team asked the supervisor to sign a written statement about these incidents and recommended he take disciplinary action. However, the supervisor was reluctant to sign a statement or to initiate disciplinary action and could not be persuaded by their recommendations to do so.

**Employee Relations Specialist:** conducted an investigation. Interviews with other co-workers confirmed the intimidating behavior on the part of the alleged perpetrator and several co-workers said they felt threatened by him. None were willing to sign affidavits. The investigator also found a witness to the incident where the supervisor was threatened. As the alleged perpetrator left the supervisor's office and passed by the secretary's desk, he said, “He's an (expletive) and he better watch himself.” However, the secretary was also unwilling to sign an affidavit.

After confirming the validity of the allegations, but with the supervisor refusing to take action and the only affidavit being from the employee who originally reported the situation, the team considered courses of action:

- Arrange for the reassignment of the victim to a less threatening work situation;
- Report the situation to the second-line supervisor;

- Recommend the second-line supervisor propose disciplinary action against the alleged perpetrator; and
- Locate an investigator with experience in workplace violence cases.

**Legal Investigation:** the investigator would conduct interviews with the reluctant witnesses and be given a letter of authorization from the director of the office stating the requirement that employees must cooperate in the investigation or face disciplinary action.

The team located an investigator who was experienced in workplace violence cases from a nearby Federal agency and worked out an interagency agreement to obtain his services. During the investigation, he showed the letter of authorization to only one employee and to the supervisor as he was able to persuade the others to sign written affidavits without resorting to showing them the letter. The results of the investigation showed evidence of intimidating behavior by the alleged perpetrator.

The agency security specialist met with the alleged perpetrator to inform him to have no further contact with the victim. He also met with the victim to give her advice on how to handle a situation like this if it were to happen again. In addition, he recommended a procedure to the team that would monitor computer use in the division.

This action resulted in evidence showing that the employee was, in fact, altering computer files.

### 7.12.3 Resolution

The first-line supervisor was given a written reprimand by the second-line supervisor for failing to take proper action in a timely manner and for failing to ensure a safe work environment. He was counseled about the poor performance of his supervisory duties. The alleged perpetrator was charged with both disruptive behavior and gaining malicious access to a non-authorized computer. Based on this information, he was removed from Federal service.

### 7.12.4 Questions for the Agency Planning Group

1. Would supervisory training likely have resulted in quicker action against the alleged perpetrator?
2. Do you have other approaches for convincing a recalcitrant supervisor to take action?
3. Do you have other approaches for convincing reluctant witnesses to give written statements?
4. Are you up-to-date on the case law associated with requiring the subject of an investigation to give statements?
5. If you had not been able to convince the reluctant witnesses to give written statements, and you only had the one affidavit to support the one incident, do you think this would have provided your agency with enough evidence to take disciplinary action? If so, what type of penalty would likely be given in this case?

## 7.13 Case Study 11: Frightening Behavior Due to Personal Problems

### 7.13.1 Incident

A supervisor contacted the Employee Relations Office because one of his employees was making the other employees in the office uncomfortable. He said the employee did not seem engaged in any actionable misconduct. However, due to the agency's new workplace violence policy and training he had received, he thought he should at least mention the situation. The employee was recently divorced and went through a difficult time for over two years. He also made it clear he was having financial problems that caused him to be more stressed. He was irritable and aggressive in his speech much of the time. He would routinely talk about the number of guns he owned in general conversation where he would mention someone else was causing all of his problems.

### 7.13.2 Response

At the first meeting with the supervisor, the employee relations specialist and the EAP counselor suggested that, since this was a long-running situation rather than an immediate crisis, the supervisor had time to do some fact-finding. They gave him several suggestions on what to do while safeguarding the privacy of the employee (e.g., request a confidential conversation with previous supervisors, go back for more information to co-workers who registered complaints, and review his personnel records). Two days later they had another meeting to discuss the case and strategize a plan of action.

The supervisor's initial fact-finding showed the employee's co-workers attributed his aggressive behavior to the difficult divorce situation; however, they were afraid of him. The supervisor did not learn any more specifics about why they were afraid, except that he was short-tempered, ill-mannered, and spoke a lot about his guns. Although, according to the co-workers, he spoke of his guns in a matter-of-fact rather than in an intimidating manner.

After getting ideas from the employee relations specialist and the EAP counselor, the supervisor sat down with the employee and discussed his behavior. He told the employee his peers were uncomfortable and that it must stop. He referred the employee to EAP, setting a time and date to meet with the counselor.

### 7.13.3 Resolution

As a result of counseling by the supervisor and by the EAP counselor, the employee changed his behavior. He was unaware his behavior was scaring people. He learned new ways from EAP to interact with people. EAP referred him to a therapist in the community to address underlying personal problems. The supervisor continued to monitor the employee's conduct.

### 7.13.4 Questions for the Agency Planning Group

1. Do you agree with the agency's approach in this case?
2. Can you think of other situations that would lend themselves to this kind of low-key approach?
3. Does your agency have effective EAP training so that supervisors are comfortable in turning to the EAP for advice?

## 7.14 Case Study 12: Frightening Behavior Due to Mental Conditions

### 7.14.1 Incident

Several employees in an office went to their supervisor to report an unusual situation that occurred the previous day. An agency employee from a different building was seen going in and out of their office over a seven-hour period. She remarked to several people "the government" kept her prisoner, inserted microphones in her head to hear what she was thinking, and tampered with her computer to feed her evil thoughts. She also said her doctors diagnosed her as paranoid schizophrenic, but that they are wrong about her. She made inflammatory remarks about co-workers, and made threatening statements such as, "Anyone in my old job who got in my way came down with mysterious illnesses."

### 7.14.2 Response

**Employee Relations Specialist:** immediately informed the employee's supervisor about the incident. She learned from the employee's supervisor the employee performed adequately until a few months ago, but had always seemed withdrawn and eccentric. However, her behavior had changed. She often roamed around the office, spending an hour or more with any employee she could corner. It was later learned she had stopped taking her medication. Several employees reported to the supervisor they were afraid she might hurt them because of her inflammatory statements. She also learned a former supervisor previously gave the employee a reprimand and two counseling memoranda for inappropriate language and absence from the worksite in addition to offering her leave for treatment as a reasonable accommodation.

Upon the recommendation of the employee relations specialist, the employee was placed on excused absence pending further agency inquiry and response with a requirement to call in daily. The employee relations specialist, a trained investigator, conducted interviews with the employees who filed the reports and with the employee's co-workers. She found most of the employees were afraid of the woman because of her inflammatory statements.

The employee relations specialist then set up a meeting with the woman's first-and second-line supervisor, the director of personnel, legal office, director of security, the agency's medical officer, and EAP counselor. The following options were raised:

- Propose an indefinite suspension pending an investigation (option rejected because the agency already had all the information it needed about the incident);
- Reassign or demote the employee to another office (option rejected because the reported conduct was too serious);
- Propose a suspension based on her day-long frightening and disruptive comments and conduct (option rejected because the reported conduct was too serious);
- Order a medical examination to determine whether the employee was fit for duty (option rejected because the employee was not in a position with medical standards or physical requirements);
- Offer a medical examination (option rejected because supervisor already tried it several times); and
- Offer her leave for treatment (option rejected because supervisor already tried it).

**The Team:** recommended the supervisor issue a proposal to remove based on the events in the other office (e.g. her day-long frightening, disruptive comments and conduct). They suggested the notice also refer to the earlier counseling memos and the reprimand that placed the employee on notice concerning her absence from her office and inappropriate behavior.

The supervisor proposed her removal. Three weeks later, the employee and her brother-in-law came in for her oral reply to the proposed notice. She denied making any of the statements attributed to her. Her brother-in-law asked the deciding official to order her to go for a psychiatric examination, but he was told that regulations prohibited the agency from doing so. The employee did not provide any additional medical documentation.

### **7.14.3 Resolution**

The agency proceeded with a removal action based on her disruptive behavior. Once her brother-in-law realized her salary and health benefits would soon cease, he was able to convince her to go to the hospital for the help she needed and to file for disability retirement. The agency assisted her in filing forms with OPM. The disability retirement was approved by OPM and this provided her with income and a continuation of medical coverage.

### **7.14.4 Questions for the Agency Planning Group**

1. Do you agree with the agency's approach in handling this case?
2. Does your employee training direct employees to call security or 911 in emergency situations?
3. Is your team knowledgeable about accessing appropriate community resources for emergency situations?
4. What if the employee had not been willing and able to apply for disability retirement herself? Do you know the rules (discussed in PART II: Section 3) concerning the agency's filing for disability retirement on behalf of the employee?
5. Does your agency's supervisory training encourage early intervention in cases of this type?

## 7.15 Case Study 13: Disruptive Behavior

### 7.15.1 Incident

An employee called the EAP member of the workplace violence team for advice on dealing with his senior co-worker. The agency recently provided workplace violence training that emphasized early intervention. He said a co-worker hired at the GS-14 level six months earlier was in the habit of shouting and making demeaning remarks to the other employees in the office. The senior co-worker was skilled in twisting words and manipulating situations to his advantage. For example, when employees would ask him for advice on a topic in his area of expertise, he would tell them to use their own common sense. Then when they finished the assignment, he would make demeaning remarks about them and speak loudly about how they incorrectly completed their work. At other times, he would rudely and loudly demand they drop whatever they were working on and help him with his project. The employee said he had attempted to speak with his supervisor about the situation, but was told “not to make a mountain out of a mole hill.”

### 7.15.2 Response

**EAP Counselor:** met with the employee who reported the situation. The employee described feelings of being overwhelmed and helpless. The demeaning remarks were becoming intolerable. The employee believed attempts to resolve the issue with the co-worker were futile. The fact the supervisor minimized the situation further discouraged the employee. However, by the end of the meeting with the counselor, the employee was able to recognize that not saying anything was not helping and was actually allowing a bad situation to get worse.

At a subsequent meeting, the EAP counselor and the employee explored skills to address the situation in a respectful, reasonable, and responsible manner with both his supervisor and co-worker. The counselor suggested using language such as:

- I do not like shouting and please lower your voice;
- I do not like it when you put me down in front of my peers;
- It is demeaning when I am told that I am...;
- I do not like it when you point your finger at me; and
- I want to have a good working relationship with you.

**The Employee:** learned to focus on his personal professionalism and responsibility to establish and maintain reasonable boundaries and limits by using these types of firm and friendly "I statements." This allowed him to acknowledge he heard and understood what the supervisor and co-worker were saying, and repeating what he needed to communicate to them.

After practicing with the EAP counselor, the employee was able to discuss the situation again with his supervisor. He described the situation in non-blaming terms and expressed his intentions to work at improving the situation. The supervisor acknowledged the shouting was annoying, but again asked the employee not to aggravate the situation. The employee took a deep breath and said, “It may be a mole hill, but it is affecting my ability to get my work done efficiently.” Finally, the supervisor stated he did not realize how disruptive the situation had become and agreed to monitor the situation.

The next time the co-worker raised his voice, the employee used his newly acquired assertiveness skills and stated in a calm and quiet voice, “I don't like to be shouted at. Please

lower your voice.” When the co-worker started shouting again, the employee restated in a calm voice, “I don't like being shouted at. Please lower your voice.” The co-worker stormed away.

**The Supervisor:** began monitoring the situation. He noted the senior co-worker's abusive conduct improved with the newly assertive employee, but continued to be rude and demeaning toward the other employees. The supervisor consulted with the EAP counselor and employee relations specialist. The counselor told him, “Generally, people don't change unless they have a reason to change.” The counselor added the reasons people change can range from simple “I statements,” such as those suggested above, to disciplinary actions. The employee relations specialist discussed possible disciplinary options with the supervisor.

The supervisor then met with the co-worker who blamed the altercations on the others in the office. The supervisor responded, “I understand the others were stressed. I'm glad you understand that shouting, speaking in a demeaning manner, and rudely ordering people around is unprofessional and disrespectful. It is unacceptable behavior and will not be tolerated.” During the meeting, he also referred the employee to EAP.

The co-worker continued his rude and demeaning behavior to the other employees in spite of the supervisor's efforts. The others, after observing the newly acquired confidence and calm of the employee who first raised the issue, requested similar training from EAP. The supervisor met again with the EAP counselor and employee relations specialist to strategize next steps.

### **7.15.3 Resolution**

When all of the employees in the office started using assertive statements, the co-worker became more cooperative. However, it took a written reprimand, a short suspension, and several counseling sessions with the EAP counselor before he ceased his shouting and rude behavior altogether.

### **7.15.4 Questions for the Agency Planning Group**

1. Does your workplace violence training include communication skills to put a stop to disruptive behavior at an stage early (including skills for convincing reluctant supervisors to act)?
2. How would your agency have proceeded with the case if the co-worker had threatened the employee who spoke to him in an assertive way?
3. What recourse would the employee have had if the supervisor had refused to intervene?



## 7.16 Case Study 14: Threats of a Suicide Attempt

### 7.16.1 Incident

A member of the agency's Incident Response Team received a frantic call from an employee saying her co-worker just left her office muttering about the final straw: "You all won't have me to push around anymore." She said she worried for weeks about the possibility of her co-worker committing suicide and knew she should have called earlier. The staff member who took the call told the employee to see if she could find her co-worker and remain with her. Help was on its way.

### 7.16.2 Response

For incidents involving suicide threats, the agency's plan was to call local police if there seemed to be imminent danger. If there is insufficient information about the situation, then there is a need to contact security and the EAP counselor to do an immediate assessment of the situation.

The team member who took the initial call first contacted a security officer, who immediately located the two employees. The EAP counselor could not be reached immediately, so the team member called an employee in the HR department who earlier volunteered to help in emergency situations as she had been trained in her community in dealing with suicide attempts.

**HR Specialist:** arrived at the distressed employee's office within two minutes of the call. The employee was crying at this point and making statements such as, "No one can help me," and "It'll be over soon." The HR specialist recognized what was happening and asked the security officer to call police and an ambulance and tell them there was a suicide attempt. After calling the police, the security officer went outside to meet the emergency workers and direct them to the scene. The HR specialist then learned from the woman she had swallowed 10 pills an hour earlier. The police and ambulance were on the scene within three minutes of the call and the woman was hospitalized.

The HR specialist contacted the employee's family and then prepared a report of the incident. The EAP counselor consoled and supported the co-worker, who had initially called the Incident Response Team.

Emergency treatment was successful, and the employee was admitted to the hospital's psychiatric unit. The EAP counselor and HR specialist stayed in touch with the employee and supported her in planning her return to work. She returned to work four weeks later, functioning with the help of anti-depressant medication and twice-weekly psychotherapy sessions.

With the employee's consent, the EAP counselor arranged a meeting involving the employee, her supervisor, and the HR specialist to coordinate her treatment and work activities. The supervisor agreed to adjust the employee's work schedule to fit her therapy appointments as a reasonable accommodation and provided guidance on procedures and medical documentation requirements for leave approval. The counselor, supervisor, and employee agreed on a plan for getting the employee emergency help should she feel another crisis coming on.

### **7.16.3 Resolution**

Two years later, the employee was doing well, working a normal schedule, and serving as a productive employee. She no longer took anti-depressant medication, but she stayed in touch with both her psychiatrist and the EAP counselor.

### **7.16.4 Questions for the Agency Planning Group**

1. Do you agree with the agency's approach in this case?
2. Does your agency have alternate plans for situations where key team members are not available?
3. Has your agency identified employees with skills in handling emergencies?
4. Does your workplace violence policy and training encourage employees to report incidents at an early stage?
5. Does your workplace violence policy and training encourage employees to seek guidance with regard to problems that trouble them even when they don't fully understand the nature of the problem?
6. If the employee had left the building before emergency personnel arrived, would your plan have provided for contacting the appropriate authorities?

## 7.17 Case Study 15: Viciously Beating and Wounding a Co-worker

### 7.17.1 Incident

The following incident was reported to the agency's Incident Response Team. A female employee broke off a romantic relationship with a male co-worker, but he would not leave her alone. She finally had a restraining order served to him. After receiving the restraining order, the perpetrator lost control and entered the woman's office. He hit her, and she fell from her chair. While she was on the floor, he broke a soda bottle and cut her face with the broken glass. While this was going on, co-workers heard the commotion and called the police. The perpetrator fled the scene before police arrived and the victim was transported to the hospital.

### 7.17.2 Response

The Incident Response Team immediately took action.

**Security:** worked with hospital security to ensure the victim received around-the-clock security while she was in the hospital. He ensured that the hospital staff knew not to give out any information about the victim to callers. He gave the victim advice, reading material, and a video on personal safety. He made sure the perpetrator's card key was deactivated and he had pictures of the perpetrator made for the building guards. He coordinated efforts with local police.

**EAP:** visited the victim in the hospital and ensured she was seen regularly by a social worker on the hospital staff. She worked with the victim's colleagues to help them be supportive of the victim when she came back to work. The EAP counselor visited the worksite to let co-workers know she was available to them.

**Employee Relations Specialist:** contacted the agency's OGC and OIG and alerted them to the situation so they could begin to monitor any criminal proceedings. He helped the supervisor develop a notice of proposed indefinite suspension using the crime provision set forth in 5 U.S.C. 7513(b).

**Union:** was fully supportive of the agency's efforts to help the victim. Since both the victim and the perpetrator were bargaining unit employees, the union was aware of its role to represent all employees in the bargaining unit. In this particular case, the perpetrator filed a grievance, but because of the viciousness of the attack, union officials were reluctant to take the case to arbitration. In addition, realizing this could happen to other employees, the union officials obtained brochures on stalking from their national headquarters and invited an expert speaker on the subject to a chapter meeting.

**Supervisor:** obtained all the necessary forms and assisted the employee in filing an Office of Workers Compensation Programs (OWCP) claim to pay for hospital and medical costs. The supervisor and the employee's co-workers visited her in the hospital, kept in touch with her during her convalescence, and kept her up-to-date on news from the office.

**Legal Investigation:** An agency attorney maintained contact with the local prosecutor's office.

### **7.17.3 Resolution**

The police caught and arrested the perpetrator after about 10 days. The agency proposed and effected a removal action against the perpetrator based on a charge of "wounding a co-worker." He did not appeal the action.

The employee remained hospitalized for two days and then went to the home of a friend until the perpetrator was apprehended. She remained at home for another two weeks before returning to work. Her OWCP claim was accepted. She continued to stay in touch with the EAP counselor who had visited her at the hospital and assisted her during her time away from the office. The counselor referred her to a support group for battered women, which she found to be very helpful.

The perpetrator was found guilty and received jail time. After jail time was served, and at the suggestion of an agency attorney, the court forbade the perpetrator to contact the victim or the agency as one of the conditions of probation. The security officer alerted security guards and discussed security precautions with the victim, ensuring there would be an effective response if the perpetrator violated this restriction.

### **7.17.4 Questions for the Agency Planning Group**

1. Who at your agency would monitor the proceedings of the criminal case (e.g., to be aware of the situation if the perpetrator got out of jail on bail or probation)?
2. Does your security office maintain liaison with and keep in contact with agency or local law enforcement authorities in order to coordinate efforts in these types of cases?
3. Do you have a procedure in place for cleaning up the scene of the incident after investigators are finished examining it?
4. Would employees at your agency know who to call in an emergency (e.g., 911, FPS, in-house security, or in-house law enforcement)?

## 7.18 Case Study 16: Shooting

### 7.18.1 Incident

The report came in concerning the killing of two employees in the workplace and the wounding of two others. A witness had called 911 and the police and ambulances had arrived. The perpetrator, an agency employee, was taken into custody. The victims were sent to the hospital, and the police were interviewing witnesses and gathering evidence.

### 7.18.2 Response

In this situation, the agency's crisis response plan called for the immediate involvement of:

- A top management representative;
- A security officer;
- An employee relations specialist;
- An EAP counselor; and
- An official from the public affairs office.

**Top Management Representative:** was an assistant director of a field office with 800 employees. She coordinated the response effort as she was the senior person on duty at the time. In addition to acting as coordinator, she remained available to police throughout the afternoon to make sure there were no impediments to the investigation.

She immediately called the families of the wounded and assigned two other senior managers to notify the families of the deceased. She also arranged for a friend of each of the deceased co-workers to accompany each of the managers. She took care of numerous administrative details, such as authorizing expenditures for additional resources, signing forms, and making decisions about such matters as granting leave to co-workers. In this case, the police evacuated the building. Employees were told by the assistant director that they could go home for the rest of the day but were expected to return to duty the following day.

To ensure a coordinated response effort, she made sure agency personnel involved in the crisis had cell phones for internal communication while conducting their duties in various offices around the building.

**Security Staff:** assisted the police with numerous activities such as evacuating the building.

**Employee Relations Specialist:** contacted the agency's OGC and OIG and alerted them to the situation so they could immediately begin to monitor any criminal proceedings. The specialist made a detailed written record of the incident, but he did not take statements from witnesses as this could have impeded the criminal investigation and possible subsequent prosecution of the case. He also helped the supervisor draft a letter of proposed indefinite suspension of the perpetrator pending the outcome of the potential criminal matter. He worked closely with OGC, OIG, and the prosecutor's office to obtain relevant information as soon as it was available so the agency could proceed with administrative action when appropriate.

**EAP Counselor:** The agency had one EAP counselor on duty at the time. However, in prior planning for an emergency, the agency contracted with a local company to provide additional counselors on an "as needed" basis. The EAP counselor called the contractor, and four additional counselors were at the agency within an hour. The counselors remained available near the scene

of the incident to reassure and comfort the employees. Since they were not agency employees, they wore readily visible identification badges.

After OIG received permission from the prosecutor's office, the agency EAP counselor arranged for a series of Critical Incident Stress Debriefings (CISDs) to take place two days later (see *Violence in the Federal Workplace: A Guide for Prevention and Response*, sections 5.5.2 and 5.7.3 for a discussion of CISD). She also arranged for two contract EAP counselors to be at the workplace for the next week to walk around the offices inquiring how the employees were doing and to consult with supervisors about how to help the employees recover.

**Public Affairs Officer:** handled all aspects of press coverage. She maintained liaison with the media, provided an area for reporters to work, and maintained a schedule of frequent briefings. She worked closely with the agency's Office of Congressional Relations, who handled calls from congressional offices about the incident.

### 7.18.3 Resolution

When all of the employees in the office started using assertive statements, the abusive coworker became more cooperative. However, it took a written reprimand, a short suspension, and several counseling sessions with the EAP counselor before he ceased his shouting and rude behavior altogether.

### 7.18.4 Questions for the Agency Planning Group

1. How would your agency have obtained the services of additional EAP counselors?
2. How would employees be given information about this incident?
3. Who would clean up the crime scene?
4. Would you relocate employees who worked in the area of the crime scene?
5. What approach would your agency take regarding granting excused absence on the day of the incident and requests for leave in the days/ weeks following the incident?
6. How would you advise management to deal with work normally assigned to the victims/perpetrator?
7. What support would your agency provide to supervisors to get the affected work group(s) back to functioning?

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## List of Abbreviations/Acronyms/Initializations

|        |   |
|--------|---|
| APA    | American Psychiatric Association                      |
| BJAC   | Bureau of Justice Assistance Clearinghouse            |
| CISD   | Critical Incident Stress Debriefings                  |
| CVE    | Countering Violent Extremism                          |
| DBT    | Design-Basis Threat                                   |
| DHS    | Department of Homeland Security                       |
| EAP    | Employee Assistance Program                           |
| FAP    | Federal Agency Programs                               |
| FBI    | Federal Bureau of Investigations                      |
| FOUO   | For Official Use Only                                 |
| FPS    | Federal Protective Service                            |
| FSL    | Facility Security Level                               |
| HHS    | Department of Health and Human Services               |
| HR     | Human Resource(s)                                     |
| IACP   | International Association of Chiefs of Police         |
| ISC    | Interagency Security Committee                        |
| LOP    | Level of Protection                                   |
| NCPC   | National Crime Prevention Council                     |
| NIOSH  | National Institute for Occupational Safety and Health |
| NOVA   | National Organization for Victim Assistance           |
| OGC    | Office of General Counsel                             |
| OIG    | Office of the Inspector General                       |
| OPM    | Office of Personnel Management                        |
| OSHA   | Occupational Safety and Health Administration         |
| OWCP   | Office of Workers Compensation Programs               |
| PAVNET | Partnership Against Violence Network                  |



USDA United States Department of Agriculture  
USSS U.S. Secret Service