A Realistic Look at

VIIIII

The Active Assailant Situation

and Mitigating Measures

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SSOCIATES

RNATION

Antelmo "Andy" Terrades (Ret. SGT. MPD)



Lowers & Associates International, LLC | President

- 30+ years of experience as a Law Enforcement Swat Officer & Training Officer, a Protective Professional, and a Contract Government Security Specialist
- Extensive experience with low-profile security, investigations, and intelligence operations in high threat environments

Office: (786) 227-6307 Mobile: (786) 256-1927 aterrades@lowersrisk.com



Lieutenant Milton Montes De Oca (Active 30+ Years)



City of Miami Police Department

- Commander
- Special Investigations Section
- Intelligence & Terrorism Unit

Office: (305) 603-6758 Mobile: (305) 414-4582 milton.montesdeoca@miami-police.org



Andrew Carraway, Esq. (General Counsel & Claims Manager)



Lowers & Associates

- Vietnam combat veteran and intelligence officer
- General Counsel & Claims Manager
- Oversees contracting issues regarding client relationships and service
- Oversees investigative services such as forensic accounting, compliance audits, and risk assessment

Office: (904) 710-7515 Mobile: (904) 710-7515 acarraway@lowersrisk.com





Please remember that this information is a guide. Please refer to your "Standard Operation Procedures" (SOP) and training guidelines. This training is NOT meant to replace the procedure you have in place, but to educate and provide options for you and your organization to consider.

Some of the language, photos, and videos used in this presentation are graphic in nature and may be considered disturbing.



Objectives

Develop more effective practices to prevent and respond to life threatening violence.

- Definition of an Active Assailant
- Characteristics of an Active Assailant
- Recognize potential workplace violence indicators
- Describe actions to take to prevent and prepare for potential active assailant incidents
- What can "I DO" (Run/Hide/Fight)
- The Law Enforcement Response What to expect
- Legal issues involved in an active assailant situation
- Active assailant risk management plan



What is an Active Assailant?

An individual actively engaged in killing or attempting to kill people in a confined and populated area.

- FBI





Generally Divided into Four Situations

VIOLENCE BY

CO-WORKERS

Violence against

employees, supervisors, or

managers by a present or

former employee

VIOLENCE BY PERSONAL RELATIONSHIPS

Violence committed in the workplace by someone who does not work there, but has a personal relationship with an employee or spouse

VIOLENCE BY CUSTOMERS OR CLIENTS

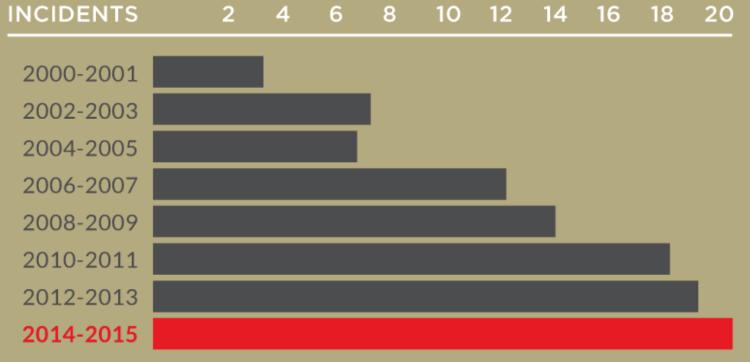
Violence directed at employees by patients, customers, students, or inmates against an organization or school that provides services

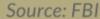
VIOLENCE BY STRANGERS

Criminals or terrorists who have no other connection with the workplace but to enter it and commit violence



Incidents are on the Rise







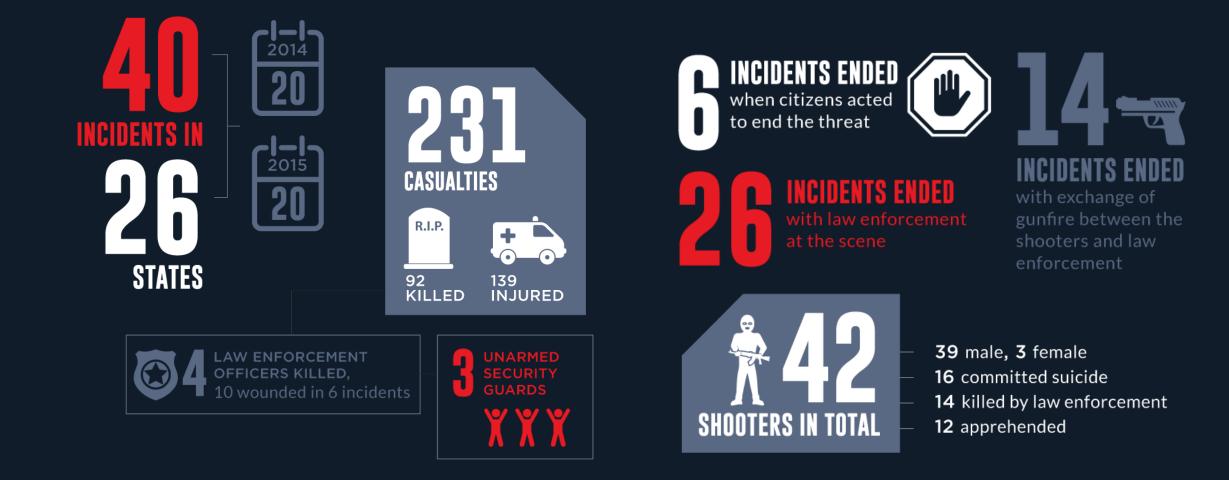
Active Assailants Through 2016

July 18, 1984: McDonalds, CA, 21 killed, 19 injured October 16, 1991: Luby's Cafeteria, TX, 23 killed, 20 injured July 17, 1990: General Motors, Jacksonville, FL, 11 killed, 6 injured April 20, 1999: Columbine High, Littleton, CO, 15 killed, 24 injured July 22, 1999: Investment Firm, Atlanta, GA, 12 killed, 13 injured April16, 2007: Virginia Tech, Blacksburg, VA, 32 killed, 17 injured April 3, 2009: Immigration Center, NY, 13 killed, 4 injured Nov. 5, 2009: Military Base, Fort Hood, TX 13 killed, 32 injured Feb 12, 2010: UA Huntsville, AL, 3 killed, 9 injured August 3, 2010: Beer Distributorship, Hartford CT, 8 killed, 6 injured Sept. 10, 2010: Kraft, Philly, PA, 2 killed, 4 injured July 7, 2011: Norway Children's Camp, Norway, 93 killed

July 20, 2012: Century Theater, Aurora, CO, 12 killed, 62 injured Dec. 4, 2012: Sandy Hook Elementary, CT, 27 killed, 13 injured Sept 16, 2013: Navy Yard, Washington DC, 12 killed, 3 injured July 23, 2015: Theater, Los Angeles, CA, 3 killed, 9 injured June 17, 2015: Church, Charleston, SC, 9 killed December 2, 2015: San Bernardino, CA, 14 killed, 17 injured June 12, 2016: Orlando, FL, 50 killed, 53 injured July 6, 2016: Dallas, Texas, 5 killed, 11 injured



2014-2015 By the Numbers





2017 Continues the Trend





Gun Shooting Incident Statistics

2014

- Total Number of Incidents: 51,866
- Number of Deaths: 12,565
- Number of Injuries: 23,011
- Children (age 0-11) Killed/Injured: 607
- Teens (age 12-17) Killed/Injured: 2,331
- Mass Shooting: 273
- Officer Involved Incidents: 2,037
- Home Invasions: 2,621
- Defensive Use: 1,591

OWFRS

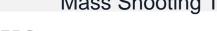
• Unintentional Shootings: 1,602

2015

- Total Number of Incidents: 53,707
- Number of Deaths: 13,505
- Number of Injuries: 27,038
- Children (age 0-11) Killed/Injured: 696
- Teens (age 12-17) Killed/Injured: 2,690
- Mass Shootings: 333
- Officer Involved Incidents: 2,233
- Home Invasions: 2,389
- Defensive Use: 1,370
- Unintentional Shootings: 1,964

2016

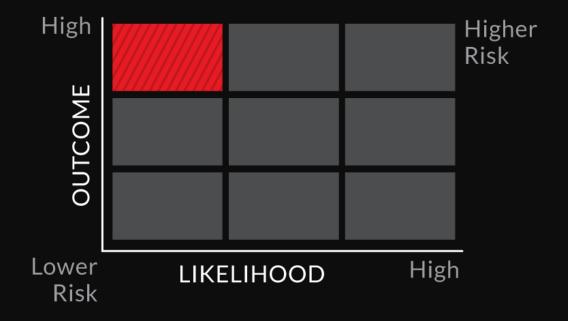
- Total Number of Incidents: **58,793**
- Number of Deaths: 15,081
- Number of Injuries: 27,000
- Children (age 0-11) Killed/Injured: 672
- Teens (age 12-17) Killed/Injured: 3,126
- Mass Shootings: 383
- Officer Involved Incidents: 2,233
- Home Invasions: 2,567
- Defensive Use: 1,976
- Unintentional Shootings: 2,201



Mass Shooting Tracker www.gunviolencearchive.org Data Validated: 10/30/2017

Likely or Not. The Outcomes are Undeniable.

Even if you feel the likelihood is low, the consequences of one active assailant incident can leave an organization and an entire community in shambles.





Legal Issues Involved in an Active Assailant Situation

Employers Have an Obligation to Protect Their Workforce, Customers, and the Public at Large



FEDERAL REQUIREMENTS

OSHA requires companies to maintain a safe workplace away from violence under the General Duty clause.



STATE REQUIREMENTS

Workers' compensation laws make employers responsible for on the job related injuries to their employees.



Federal Occupational Safety and Health Act The General Duty Clause



- Non-binding guidelines and recommendations for preventing workplace violence including an active assailant situation.
- Enforcement procedures for OSHA field personnel to follow when investigating or inspecting workplace violence incidents.



PREVENT.

RESPOND.

Characteristics of a "Typical" Active Assailant Incident

- Spontaneous and unpredictable
- Pre-incident signs existed
- Multi-jurisdictional response issues were present
- Incidents occurred in a "target rich" environment
- No escape plan
- 9 out of 10 active assailants are suicidal
- Average age for a school assailant is 14.5 years old





Characteristics of a "Typical" Active Assailant Incident Cont.

- Mentally deranged or acting in a diminished mental capacity
- Mass murder is most often the goal rather than other criminal conduct, such as robbery
- Most active assailant incidents are over within 10 minutes or less
- Multiple weapons and ammunition are often involved
- Expect carnage and complete chaos, noise, confusion, alarms with frightened people running, hiding and unwilling to respond to your directions
- A "traditional" police containment and negotiation tactic does not work...tactical intervention is needed (ALERRT)





5 Stages of an Active Assailant

1.	2.	3.	4.	5.
FANTASY	PLANNING	PREPARATION	APPROACH	IMPLEMENTATION
Assailant daydreams of the shooting / news coverage, idolizes other assailants, may make drawings, web postings, or talk about their desires	Suspect determines the "who, what, when, where, and how" of their plan	Obtains necessary weapons and devices, may call friends to warn them not to go to school or work on the day of the attack	Suspect heads toward intended target, armed with tools of death	Shooter opens fire, continues until they run out of victims, ammunition, or is stopped



Negligent Hiring

Employers have a duty to protect employees and customers from injuries caused by an employee whom the employer **knows or should have known** posed a risk of harm to others.





PREVENT.

OSHA Recommends 5 Key Elements of Workplace Violence Prevention:











Management commitment and employee involvement Security analysis of the worksite Hazard prevention and control Safety and health training for employees and management Recordkeeping and workplace violence prevention program evaluation



PREVENT.

Components of a Risk Management Plan

The goal of any active assailant risk management program is to eliminate the threat and teach victims how to survive.





PREVENT.



Target Hardening

- Shot Spotter
- Active Assailant Alarm
- Access Control Systems
- Video Surveillance
- Networked access locks
- Locking and door hardware
- Robust door jam devices

- Magnet Locks
- Lockdown Panic Buttons
- Doors
- Windows
- Water Supply
- Flammable Cylinders and Tanks
- Gas Pipes



Negligent Retention and Supervision

To avoid liability for negligent supervision or negligent retention:



Draft and maintain a workplace violence policy that informs employees

that threats or violent acts at the workplace are prohibited, sets procedures for employees to report threats or violent acts, and establishes a disciplinary procedure for employees who violate the policy.



Promptly investigate

any complains of workplace violence and consider discipline up to and including termination if the complaint is substantiated.

Draft and maintain a workplace safety plan

and implement any necessary precautions if a threat against an employee is substantiated.







Quick action can save lives.

Those actions need to be known and rehearsed.



Developing effective response tactics and training

Understanding environmental and human factors that typically occur during an active assailant event:



LOUD NOISES: gunshots, screams, breaking glass, alarms, PA announcements



PHYSICAL ENVIRMONMENT: disarray, people flocking to exits, people seeking cover



VISUAL TRAUMA: seeing assailant, blood, wounded victims, deceased victims



Developing effective response tactics and training

DURATION OF INCIDENT:

- Event could last from minutes to hours
- Police response and investigation could last several hours

PSYCHOLOGICAL STRESSES:

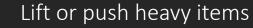
Each person will process the shooting in a different way

Nervous system will overtake and possibly override any training received

PHYSICAL STRESSES IMPOSED ON THE BODY:



Going through stairways



Carry or drag wounded victim to safety

Simulate unaccustomed physical exertion



RESPOND.

Create an Emergency Action Plan



 With the input from several stakeholders, including human resources, training, facility owners/operators, property manager, local law enforcement, and /or emergency responders.



• The EAP will prepare your employees to respond effectively and help minimize the loss of life.



RESPOND.

What can I do? What should I do?

The U.S. Homeland Security Department's <u>"Run, Hide, Fight"</u> program is the most popular active assailant response protocol.

It was designed as a simple means for people to recall what to do during an event in just three verbs.

This approach may oversimplify the human response mechanism. "Run, Hide, Fight" is not an order of operations! Take appropriate actions for the situation at hand





Organizations implementing "Run, Hide, Fight" should carefully consider supplementing it with extensive training tactics in their active assailant programs.

RESPOND.



EK

If there is an accessible escape path, attempt to evacuate the premises.

HIDE:

If evacuation is not possible, find a place to hide where the active assailant is less likely to find you.

FIGHT:

As a last resort, and only when your life is in imminent danger, attempt to disrupt and/or incapacitate the active assailant.





Run!

If there is an accessible escape path, attempt to evacuate the premises. Be sure to:



- Warn individuals not to enter an area where the active assailant may be.
- Have an escape route and plan in mind.
- Evacuate regardless of whether others agree to follow.
- Leave your belongings behind.
- Help others escape, if possible.
- Prevent individuals from entering an area where the active assailant may be.
- Keep your hands visible.
- Follow the instructions of any police officers.
- Do not attempt to move wounded people.
- Call 911 when it is safe to do so.







Running at the first sign of gunfire may not always be the best option. This depends on multiple factors including:





furniture



Hide!

If save evacuation is not possible, find a place to hide where the active assailant is less likely to find you.



Your hiding place should:

- Be out of the active assailant's view.
- Provide protection if shots are fired in your direction (i.e., an office with a closed and locked door).
- Not trap you or restrict your options for movement.





Hide!

To prevent an active assailant from entering your hiding place:



- Lock the door.
- Blockade the door with heavy furniture.
- Close, cover, and move away from windows.
- Silence your cell phone.

(Even the vibration setting can give away a hiding position.)

- Hide behind large items. (i.e., cabinets, desks)
- REMAIN QUIET!



Keep in mind...

Hiding below a desk or on the floor does not guarantee cover if the assailant breaches the door. Know the difference between <u>cover</u> and <u>concealment</u>.

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Hiding adjacent to a door, not in front of it, is recommended. This way, if a responder has to engage the assailant, he can do it from the side of the door, surprising the assailant.



If the door isn't locked or barricaded well and the assailant comes in, a responder may have to improvise and find something to throw at the assailant.



If there isn't enough cover in a room, stay away from the assailant's line of sight, and attempt to conceal behind any object. In these cases, staying out and in the assailant's peripheral vision is the best cover.

This was the case in the December 2015 mass shooting at a health department in San Bernardino, California that left 14 people dead. Survivors reported deploying the skills learned in an active assailant course by hiding behind tables and chairs in a large room with mostly open space, and staying out of the shooter's line of sight .



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As an absolute LAST RESORT and ONLY when your life is in imminent danger, attempt to disrupt and/or incapacitate the active assailant.



- Act as aggressively as possible against him/her.
- Throw items and improvise weapons.
- Yell or Distract.
- Commit to your actions.

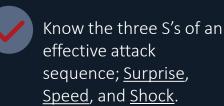


Keep in mind...

To fight against the active assailant, responders must be able to identify and take advantage of improvised weapons and weapons of opportunity.



Select these improvised weapons from your environment and use them as the assailant enters the room.





Know reaction times.

Commit 110% with full force in every action against assailant.



In training, practice your attack against the assailant in different scenarios.



An attack on the assailant can end horribly for the responder, if not practiced.

SPU Video



Expecting someone to fight back against an armed attacker if they have never practiced that before is unreasonable.



Never give up!

Calling for Help



When possible, provide the following information to law enforcement officers or 911 operators:

- Location of the active assailant
- Number of assailants, if more than one
- Physical description of the assailant(s)
- Number and type of weapons held by the assailant(s)
- Number of potential victims at the location



COPING

PROFILE

OF AN ACTIVE SHOOTER

WITH AN ACTIVE SHOOTER SITUATION

- Be aware of your environment and any possible dangers
- Take note of the two nearest exits in any facility you visit
- If you are in an office, stay there and secure the door
- Attempt to take the active shooter down as a last resort

Contact your building management or human resources department for more information and training on active shooter response in your workplace.

> CALL 911 WHEN IT IS SAFE TO DO SO

of firearms. CHARACTERISTICS OF AN ACTIVE SHOOTER SITUATION • Victims are selected at random

An active shooter is an

individual actively engaged in killing or

attempting to kill people in a confined and

populated area, typically through the use

- The event is unpredictable and evolves
- quickly
- Law enforcement is usually required to end an active shooter situation



HOW TO RESPOND

WHEN AN ACTIVE SHOOTER IS IN YOUR VICINITY

1. EVACUATE

- · Have an escape route and plan in mind
- · Leave your belongings behind
- Keep your hands visible

2. HIDE OUT

- · Hide in an area out of the shooter's view
- Block entry to your hiding place and lock the doors
- Silence your cell phone and/or pager

3. TAKE ACTION

- As a last resort and only when your life is in imminent danger
- · Attempt to incapacitate the shooter
- Act with physical aggression and throw items at the active shooter

CALL 911 WHEN IT IS SAFE TO DO SO

HOW TO RESPOND

WHEN LAW ENFORCEMENT ARRIVES

- · Remain calm and follow instructions
- Put down any items in your hands (i.e., bags, jackets)
- Raise hands and spread fingers
- Keep hands visible at all times
- Avoid quick movements toward officers such as holding on to them for safety
- · Avoid pointing, screaming or yelling
- Do not stop to ask officers for help or direction when evacuating

INFORMATION

YOU SHOULD PROVIDE TO LAW ENFORCEMENT OR 911 OPERATOR

- · Location of the active shooter
- Number of shooters
- Physical description of shooters
- Number and type of weapons held by shooters
- Number of potential victims at the location

Department of Homeland Security "Active Shooter Pocket Card"



Reactions of Managers or Uniformed Personnel



When an emergency occurs, customers and visitors will look to employees to direct them to safety, as they are familiar with the building and workspace. Employees and customers are likely to follow the lead of managers or uniformed officials during an emergency situation.

During an emergency, managers should be prepared to

- Take immediate action
- · Remain calm, professional, and prepared to lead
- Lock and barricade doors
- Evacuate employees and customers via a viable, preplanned evacuation route to a safe area
- When pre-selecting shelter-in-place locations, consider any safe areas within the facility
- Advanced First Aid Training Trauma TOURNIQUETS!!!



Law Enforcement Response



- First units to arrive
- Movement to contact
- No medical treatment provided for injured
- Everyone considered threat
- Follow police commands
- Keep hands up and open
- Do not carry anything in hands
- Try to communicate number of assailants, location, description, and type of weapons



When Law Enforcement Arrives



- Remain calm and follow instructions
- Slowly put down any items in your hands (e.g., bags, jackets)
- Raise hands and spread fingers
- Keep hands visible at all times
- Avoid quick movements toward officers, such as holding on to them for safety
- Avoid pointing, screaming, or yelling
- Do not stop to ask officers for help or direction when evacuating, as they will be focused on finding and incapacitating the assailant
- Not adhering to officers' instructions puts everyone in danger



Simulation Exercises



- Most effective way to prepare for a real-life scenario
- Mimic stress and chaos of an actual event
- Reinforce the principles of survival taught in an active assailant training
- Scenarios should vary and be made to business / location setting
- Simulations to vary so participants can't anticipate the assailant's action



Simulation Exercises



- Conduct drills quarterly or biannual, but at minimum, once a year depending on size of organization
- Involve fire, police, and EMS at least one training per year
- Tabletop exercises with key staff and managers refreshes critical decision making skills
- Supplement training with training materials that reinforce the principles practiced during simulation
- Reminders about awareness and preparedness can be placed in bulletin boards, newsletters, or on websites
- Classroom training but not as often as the training scenarios



Never give up!



LOWERS & ASSOCIATES

LOWERSRISK.COM

JOE LABROZZI, CSO JLABROZZI@LOWERSRISKGROUP.COM

125 East Hirst Rd, Suite 3C, Purcellville, VA 20132 | Office: 540.338.7151

Legal Issues Involved in an Active Assailant Situation

Employers Have an Obligation to Protect Their Workforce, Customers, and the Public at Large



FEDERAL REQUIREMENTS

OSHA requires companies to maintain a safe workplace away from violence under the General Duty clause.



STATE REQUIREMENTS

Workers' compensation laws make employers responsible for on the job related injuries to their employees.



Federal Occupational Safety and Health Act The General Duty Clause



- Non-binding guidelines and recommendations for preventing workplace violence including an active assailant situation.
- Enforcement procedures for OSHA field personnel to follow when investigating or inspecting workplace violence incidents.



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Has the General Duty Clause Been Violated?

4 Step Test:





The employer failed to keep the workplace free from a hazard that employees were exposed to The hazard is a recognized one

The hazard was likely to cause death or serious physical harm

3

4

There was a feasible and economically reasonable way to correct or guard against harm from the hazard



OSHA Recommends 5 Key Elements of Workplace Violence Prevention:



Management

commitment and

employee involvement



Security analysis of the worksite azard prev

Hazard prevention and control

3

Safety and health training for employees and management

4

5 Recordkeeping and workplace violence prevention program

evaluation





Zero Tolerance Workplace Violence Policy: Key Components

- Statement of the company's commitment to maintain a safe working environment free from violence and intimidation
- Definition of workplace violence with examples
- Description of the types of objects that will be deemed prohibited weapons
- Statement encouraging employees to report any behavior that makes them feel uncomfortable
- Company's reporting procedure including the names of persons to whom such behavior can be reported
- Company's commitment to investigate promptly all reports of suspicious behavior and threats of violence
- Company's discretion to implement a program against violence
- The potential consequences should an employee be found to have engaged in behavior that violates the policy



Workers' Compensation & Workplace Violence/Active Assailant Incidents



- Generally, employees injured by active assailant cannot bring claim against employer based on violation of General Duty clause
- Employees can bring action under state workers' compensation law
- Employees vs. independent contractors
- EXCEPTIONS:
 - Intentional Tort Theory
 - Dual Capacity Doctrine



Negligence Claims from Victims of Active Assailant Violence



- An injured employee may be barred from bringing a negligence suit against his employer under state workers' compensation laws
- Third parties who may file a negligence claim in court as a result of active assailant workplace violence must prove:
 - Duty of Care exists
 - Duty of Care breached
 - Causation
 - Harm



Negligent Hiring

Employers have a duty to protect employees and customers from injuries caused by an employee whom the employer **knows or should have known** posed a risk of harm to others.





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Employer Can Be Held Liable for Negligent Hiring If...



The existence of an employment relationship between the employer and the person causing the active assailant workplace violence

- An employee is or was incompetent or unfit to perform his or her job either physically or mentally
 - The employer had actual or constructive knowledge of the employee's incompetence
 - The employer's act or failure to act caused the injured person's injury
- \checkmark
- The negligent hiring was the proximate cause of the injured person's injury

Actual damage or harm resulted to a person from the employer's act in hiring or failure to act in the matter



Excluding an Applicant Based on Safety Concerns

An employer may refuse to hire an applicant if the applicant poses a direct threat to the health or safety of himself or others in the workplace or third parties.



Consider:

- The duration of the risk
- The nature and severity of the potential harm
- The likelihood that the potential harm will occur
- How soon the potential harm may occur



Negligent Retention and Supervision

To avoid liability for negligent supervision or negligent retention:



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that threats or violent acts at the workplace are prohibited, sets procedures for employees to report threats or violent acts, and establishes a disciplinary procedure for employees who violate the policy.



Promptly investigate

any complains of workplace violence and consider discipline up to and including termination if the complaint is substantiated.

Draft and maintain a workplace safety plan

and implement any necessary precautions if a threat against an employee is substantiated.



Civil Liability

Have you acted reasonably to protect employees and customers?



- Zero tolerance
- Establish behavioral pre-cursors
- Physical security entry and exit protocols
- Lock down protocols
- Secure in place vs. immediate evacuation response protocols
- Policy on employee management and locating during Secure in Place
- Expectations on law enforcement response
- Liaison with law enforcement & coordination of emergency action planning

