Threat Assessment and Behavior Interventions for Sexual Misconduct

Krista Anderson, Systemwide Title IX Coordinator

Fall 2025



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Agenda

- 1. Triage & Case Mgt
- Threat Assessment Tools
- Title IX & Behavior Intervention Teams: Reporting & Interventions
- Documentation & Record Keeping

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Types of Concerning Behavior Sexual Harassment Dating or or Sexual Sexual Violence Stalking Domestic Violence Misconduct Disruptive or Suicidal Ideation Sexual Exploitation Hospitalizations Interfering or Threats Conduct **Homicidal Ideation** Property Damage or Threats THE UNIVERSITY OF TEXAS SYSTEM
THIRTEEN INSTITUTIONS, UNLIMITED POSSIBILITIES

Other Triage Analysis & Considerations

Person(s) Affiliation to the Institution?

Incident Location(s)

Date/Time of Incident

Time of Alleged Incident: Institutional Nexus or Jurisdiction?

Institutional Action?
Preventative Action?
Remedies?

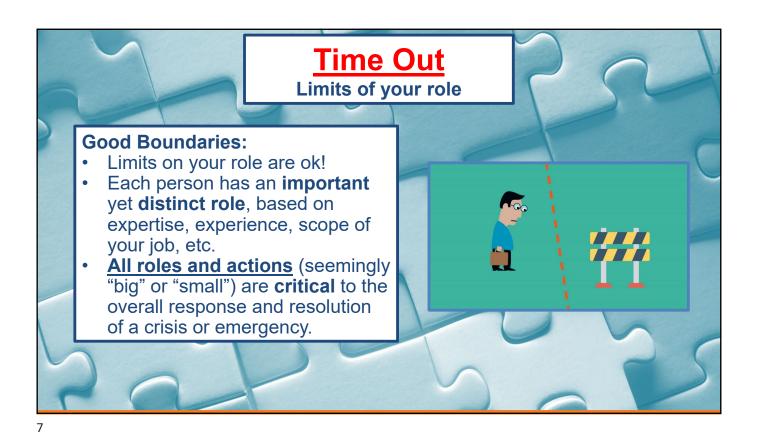
Level of Concern?
Threat Level?

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Other Required Action?

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Type of Concern	Action	
Non-emergency behavioral or wellness issues(s)	Refer to Behavior Intervention Team (BIT) or campus equivalent	
Immediate safety concerns (emergencies) or welfare check required	Report immediately to 911	
Clery reportable crimes that meet Clery geography requirements and/or timely warning requirements	Timely Warnings: Report immediately to campus law enforcement Clery Crime Reporting: Report to the campus Clery Manager	
Alleged abuse and/or neglect of minors	Report immediately to Child Protective Services or state equivalent	
Alleged conduct could violate other institutional policies	Refer to the appropriate office(s) who oversees the applicable policies	





Person of Concern What is of Immediate Concern?

Possible danger to self?

Possible danger to others?

If yes, how so? Specific factors...



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Crisis/Threat Continuum

LEVEL OF CONCERN

MILD

DEVELOPING

- 1st time behavior is reported
- Situational & environmental stressors emerging
- Difficulty managing emotions
- Quick change in disposition or behavior
- Others may feel discomfort or experience

EMPLOWERING THOUGHTS

- Hardened perspective
- projecting insults or defensiveness
- No threats of violence

OVERALL

- Struggling, not fitting in
- Lacking connection with others
- Socially isolated, alienating themselves
- Minor bullying/teasing toward others

MODERATE/ESCALATING

- Very poor personal & mental self-care

ELABORATION OF THREAT

CRITICAL

DECOMPENSATING

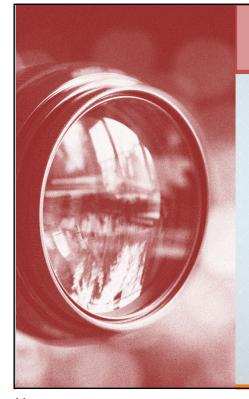
- Actively dangerous, life-threatening behaviors (toward self or others)
- "Last act" behaviors, free fall
- Direct, substantive threats of violence

CRITICAL

- Moving toward attack plan
- Desperate, "all or nothing" mentality
- Research, access to lethal means
- · Credible threat
- Leakage before an attack
- Weapons present or exposed

Very serious & imminent risk of suicide attempt, life-threatening self-injury, and/or violent attack toward others

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Terminology Examples

- "Threat": Threat of...physical violence or harm, safety, exploitation, damages (implicit or explicit), or possible emotional or mental harm
- "Severe or Serious": Physically threatening or humiliating; effects of the alleged conduct to a reasonable person (using a "reasonable person" standard)
- "Pervasive": Frequency, duration of the alleged conduct
- "Objectively offensive": To a reasonable person (using a "reasonable person" standard)
- "Reasonable person" standard: An <u>objective test</u> to denote a hypothetical person who exercises average care, skill, and judgment in conduct <u>under similar circumstances</u> as a comparative standard.
- "Totality of the circumstances":

Examples: the degree of the alleged conduct's interference with a person or effects in an educational or work setting, type of alleged conduct, frequency and duration of the conduct, knowingly unwelcome in nature

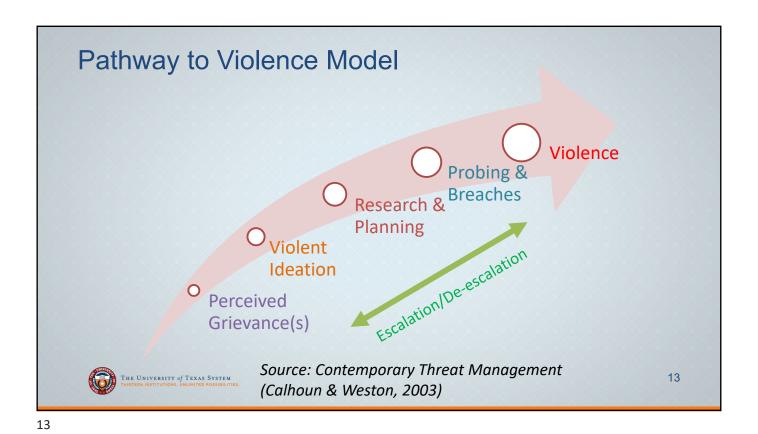
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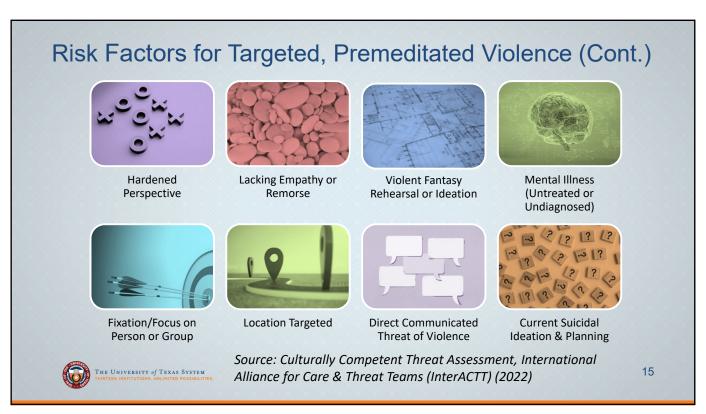
Macro-Analysis – Level of Threat

- Assess & contextualize the known risk factors
- Examine the totality of the circumstances
- Identify unknown areas for probing

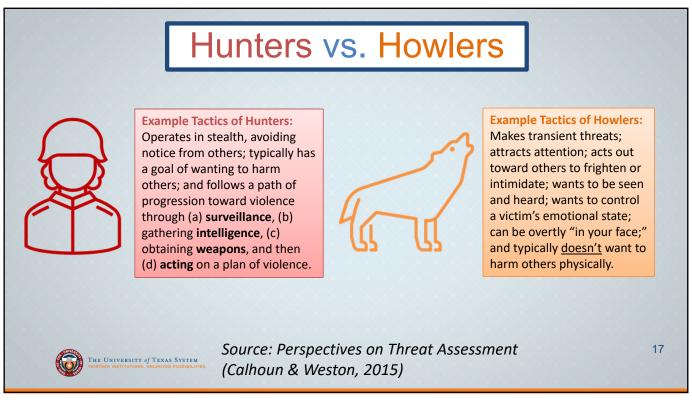


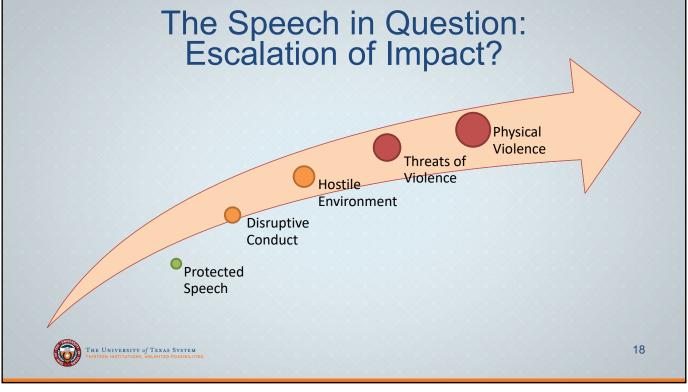


Risk Factors for Targeted, Premeditated Violence Teasing/Bulling Perceived Grudges or Feeling of Others Marginalized Injustice(s) Resentments **Lacking Connection** Objectification of Catalyst Event Free Fall or Socially Isolated Others Source: Culturally Competent Threat Assessment, International 14 Alliance for Care & Threat Teams (InterACTT) (2022)











Transient Threats

- Statements that do not express a lasting intent to harm themselves or someone else
- "Figure of speech" or short-term feelings
- Impulsive or reactionary
- "Howlers" typically engage in transient threats



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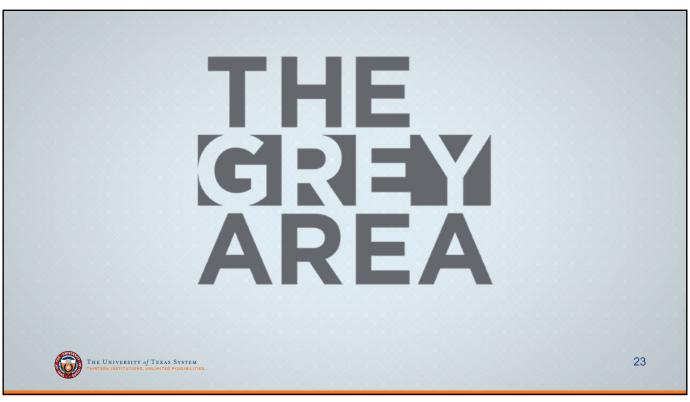
 Statements that express a credible and/or continuing threat to harm themselves or someone else

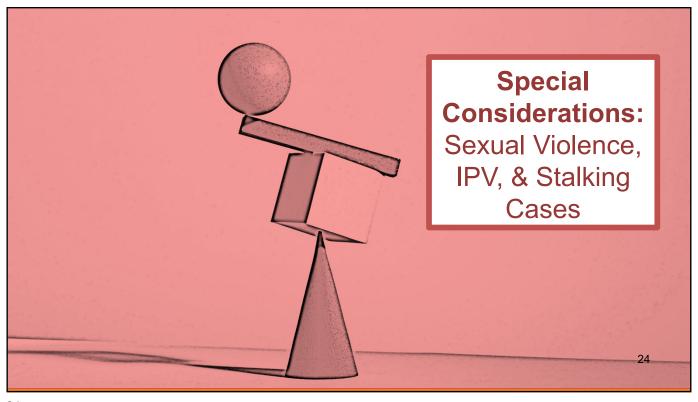


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22 **Substantive Threats Affective Violence Premeditated Violence** Impulsive; Exhibits lack of control, **Long-term feelings established** which extends beyond an immediate incident or argument forethought, or planning **Emotional reaction;** Exhibits impaired Deliberate planning emotional regulation • Desire to harm self or others; Willing to sacrifice Based on situational and self for a "cause" environmental stressors Based on perceived grievance(s) More difficult to predict or assess "Hunters" typically engage in premeditated from a threat assessment perspective violence THE UNIVERSITY of TEXAS SYSTEM THIRTEEN INSTITUTIONS, UNLIMITED POSSIBILITY

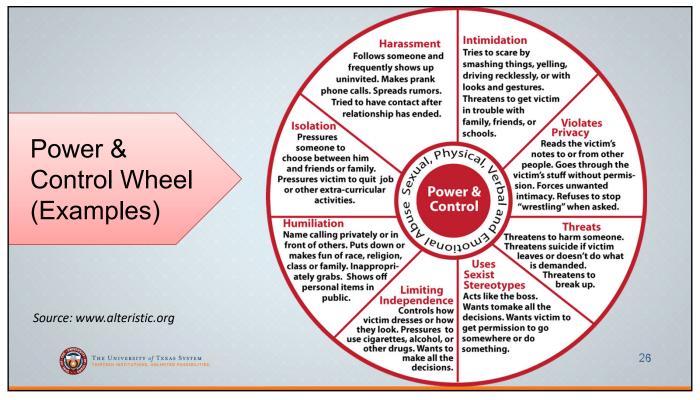




Common Considerations: Indicators of power & control Presence or threat of a weapon History of dating or domestic violence **Determining** Aggressive or hostile body language **Predominant** Pre-existing protective orders or "no Aggressors contact" directives Comparative extent of injury (if both are injured) **Property** damage Elements of fear Source: 25 THE UNIVERSITY of TEXAS SYSTEM

The National Center for Campus Public Safety

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Examples of Predatory Behaviors

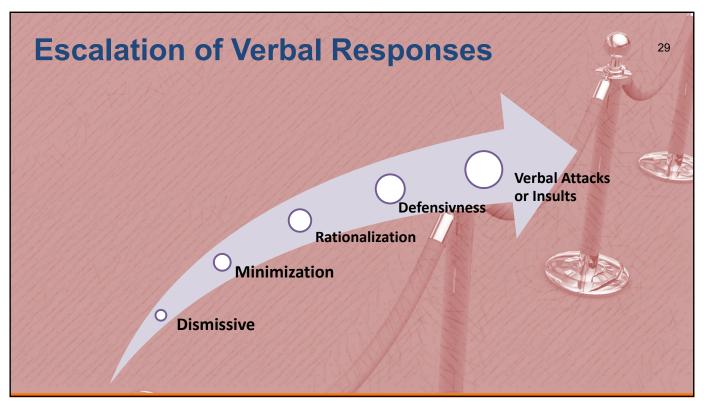
- Tests the boundaries of the prospective victim.
- Uses grooming tactics: Isolation of the prospective victim, trust building, gift giving, have "secrets" between the perpetrator & victim.
- Plans and premeditates assaults.
- Uses "psychological" weapons power, control, manipulation, threats*.
- Uses alcohol and/or drugs as a weapon to incapacitate a prospective victim.

Note: "Threats" may not be threats of violence

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Examples of Psychological Manipulation 28 **Example Statements** Type of Response I <u>never</u> said/did that. That didn't happen. [or] That's not what happened. Dismissive Your memory is bad. I have no idea what you are talking about. I don't remember it that way. Minimizing It's only a joke. [or] It's not that bad. Nobody got hurt. We're just having fun. What's the big deal? This wasn't ever an issue before now. That's not how things used to be. Rationalizing No one else is saying anything. I said/did _____ because _ or Making I didn't even know I did anything. Others, even you, do the same thing too. **Excuses** I didn't mean it like that. Attacking or You're too sensitive. [or] You're overreacting. It's your fault because_ You're petty. [or] You're jealous. What about when you said/did ____? **Defensive** You are taking it the wrong way. Why are you so emotional? You think you are better than everyone else. You're letting your emotions get the better of you. You can't take a joke. Who told you that? What did they say? This is why nobody likes you. What do you have to back that up?





Has the person of concern:

- Prevented you from talking to others such as family or friends?
- Listened to your private phone calls or read your email?
- Acted jealous?
- Humiliated you at home or in public?
- Broken your personal belongings or damaged your property?
- Prevented you from leaving or held you against your will?
- Behaved violently or aggressively at home or in public?
- Assaulted your friends or family?
- Been arrested in the past for violence?

Assessing **Danger**

Example Questions for the Person Targeted



Sources: National Center for Campus Public Safety; Stalkingawareness.org

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Assessing **Lethality**

Example Questions for the Person Targeted

Has the person of concern:

- Have access to a weapon, and/or threatened to use a weapon?
- Threatened to harm or kidnap your children?
- · Threatened to kill you, themselves, or others?
- Harmed your pet(s)?
- Been abusing alcohol or drugs?
- Stalked or followed you? Showing up unannounced?
- Forced confrontation(s) with you?
- Forced you or your children to flee in the past?



Sources: National Center for Campus Public Safety; Stalkingawareness.org

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Reporting Information to the Title IX Coordinator

<u>Title IX Coordinator should receive information about:</u>

- Information or disclosures of sexual violence, sexual assault, dating violence, domestic violence, stalking, or other sexual misconduct cases
- Signs of possible 'abusive' relationship
- Power and control behaviors, predatory behaviors relating to sexual violence, sexual assault, dating violence, domestic violence, stalking cases
- Threats of violence/harm, homicidal threats relating to IPV



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Reporting Information to the BIT

BIT should receive information about:

- · Information or disclosures of wellness issues or basic needs not met
- Personal impacts: Decline in academics or mental health, financial instability, unsafe housing, social isolation, emotionally heightened
- Self-harm, suicidal ideation, or suicide attempts
- Disruptions, interruptions, or "acting out" in learning or working environments
- Bullying, teasing, or verbally aggressive toward others
- Signs of possible 'abusive' relationship
- Power and control behaviors, predatory behaviors relating to sexual violence, sexual assault, dating violence, domestic violence, stalking cases
- Threats of violence/harm, homicidal threats



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Title IX & BIT Information Sharing - What & When?

Title IX Coordinator

Promptly, daily triage

BIT

Title IX Office should receive information about:

 Sexual violence, sexual assault, dating violence, domestic violence, stalking, or other sexual misconduct cases

BIT should receive information about:

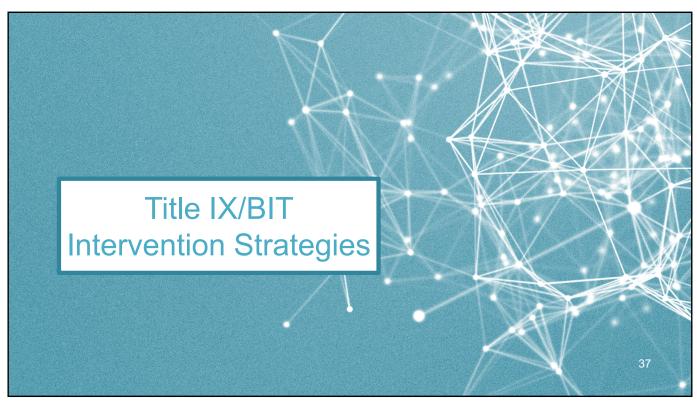
- Wellness issues or basic needs not met
- Personal impacts: decline in academics or mental health, financial instability, unsafe housing
- · Self-harm, suicidal ideation, or suicide attempts
- **Disruptions**, **interruptions**, or **"acting out"** in learning or working environments
- **Bullying, teasing, or verbally aggressive** toward others

May be applicable to Title IX Coordinator and BIT:

- Signs of possible 'abusive' relationship
- Power and control behaviors, predatory behaviors relating to sexual violence, sexual assault, dating violence, domestic violence, stalking cases
- Threats of violence/harm, homicidal threats



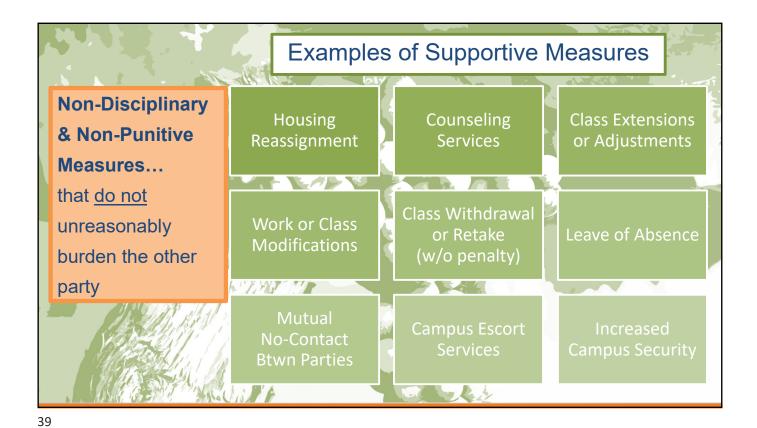
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Title IX Example Interventions

- Outreach to CP (victim/survivor) or RP (alleged of a policy violation)
- Coordinate supportive measures for CP or RP
- Safety planning options
- Sexual Misconduct Grievance Process
 - Formal grievance process
 - Informal resolution process (if available)
- Refer for Interim Action considerations:
 - Emergency Removal (Dean of Students)
 - Admin Leave (Provost or HR)
- Refer to BIT (wellness or safety concerns)
- Collaborate with BIT on intervention strategies
- Contact police for emergency welfare check, close patrol, or other

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BIT Example Interventions • Outreach to the person of concern Mitigate risk by Wellness meeting w/ person of concern engaging directly with Warm referrals to resources or support services the person of concern Coordinate resources & support services • Data mining & collaboration with w/ key campus stakeholders (advisors, faculty, supervisors, Dean of Students, etc.) Refer to Title IX (TIX reportable information known) Collaborate with Title IX Refer for Disciplinary Review/Action (including Interim Action considerations) **Elevated** Contact emergency contact(s) listed or High Call police for emergency welfare check, close patrol, or back-up **Risk Levels** Refer for a **No Trespass Directive** (non-affiliated visitors) 40

Privacy & Confidentiality of Records

All records are treated with the greatest degree of confidentiality possible...

...With respect to the university's obligations to investigate allegations of sexual misconduct & take appropriate action in accordance with institutional policy.







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Examples of "Need-To-Know" Basis

Example Information-Sharing & Rationales
Administrative leave, pending an investigation outcome
Coordinating class modifications, alternative assignments or make-up exams, academic drops
Work accommodations, flexible scheduling, remote work option, alternative supervision/evaluations
Emergency welfare check, threat assessment, close patrol, escort services
Wellness issues, disruptive conduct, escalating conduct, self-harm or suicidal thoughts, threat assessment



*Discrete language like "Title IX Matter"

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Macro-Analysis – Level of Threat

- Assess & contextualize the known risk factors
- Examine the **totality of the circumstances**
- Identify unknown areas for probing



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Active Listening • Goal: Provide the person a sense of feeling heard and understood • Listener's Mindset: Open-minded, objective, & impartial • Pay full attention to the person • Nodding, affirmative non-verbals • Not interrupting; using silence • Open-Ended Phrases • Clarifying checks & validations: • Validating & emotional acknowledgements • Reflecting (mirroring/paraphrasing) • Summarizing

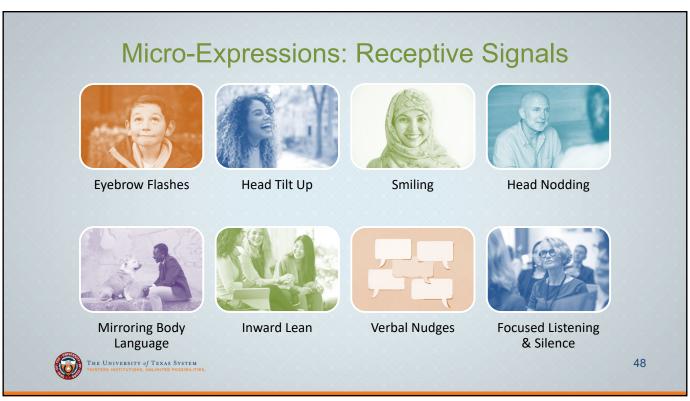
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Restating

Туре	Example Prompts	
Validating	• "That sounds difficult."	• "It's okay to feel upset."
Emotional Acknowledge- ments	 "You seem <u>disappointed</u> right now." 	• "Having to consider different options can be <u>stressful</u> to navigate."
Reflecting	• "What I'm hearing is"	• "Sounds like you are saying"
Summarizing or Restating	 "Let me summarize to check my understanding [Repeat back] Did I get that right? 	 "[Repeat/rephrase what the other person said]Is this what you mean?"
Open-Ended Phrases	 "Tell me more about" "Explain/describe"	 "What do you mean when you say?" "Help me understand"
Affirmative Comm	• "Yes" • "I see."	 "Go on." "Right."

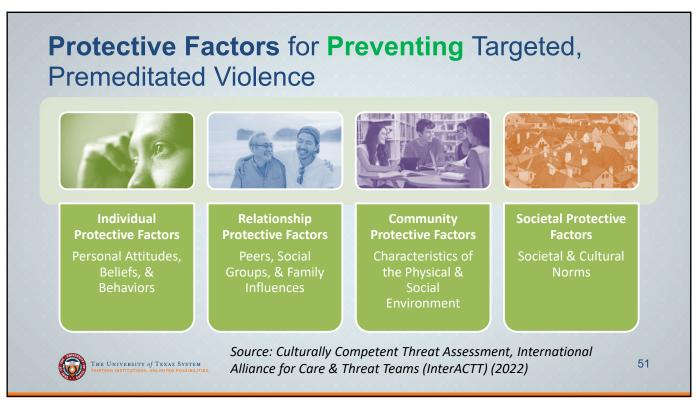
Prompts for Refocusing Conversations Purpose Example Prompts If the person doesn't Rephrase the prompt again. Acknowledge the shift: "It seems like the discussion is evolving to respond to the _____, but we started off exploring _____." relevant prompts... If the person makes • Acknowledge the concern & attempt to finish the initial discussion first: "I want to talk about that, but let's first finish addressing an argument about a different topic... • It might be to <u>vent</u> or release some tension. If the person Prompt the person to discuss what's on their mind. attempts to change the subject... Then, use active listening to acknowledge the person's current concerns, emotions, and/or needs. Try to link the person's concerns with the initial discussion topic. HE UNIVERSITY of TEXAS SYSTEM 47

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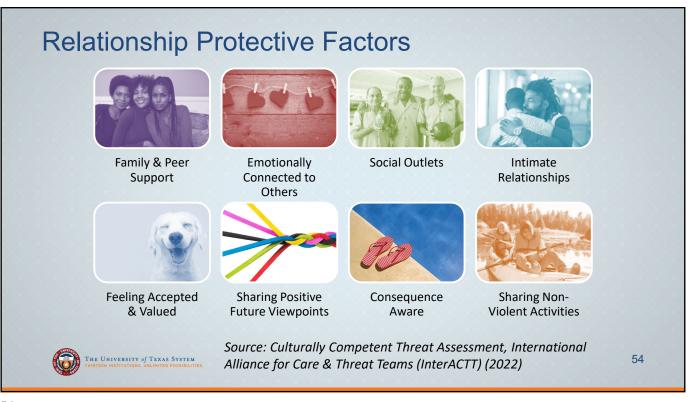


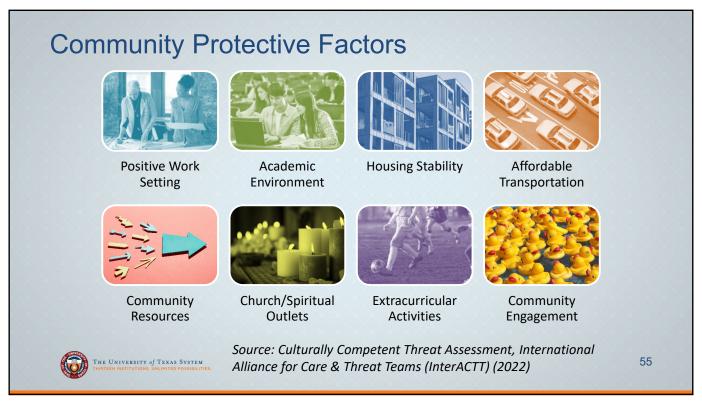














Best Practices for Title IX & BIT's

- Collaboration
- Partnerships
- Open Communication Pathways
- Resource Sharing
- Continuing Professional Development & Inter-Relationship Building

- Collective Problem-Solving
- Open to Constructive Disagreements
- Transformational Relationships & Goals
- Holistic Focus
- Documentation



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