

Insights from Comparing Pre-Attack Variables in the Las Vegas Mass Shooting with Ideologically Motivated Violent Extremist Attacks

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Abstract

This article provides a review of recent literature, summarizing the development and discussion of pre-attack variables as an area of focus for threat assessment and proactive risk mitigation concerning lone actor attacks and targeted violence attacks. An in-depth case study of the motivationally elusive Las Vegas mass shooter Stephen Paddock is presented, including an analysis of Paddock's pre-attack planning behaviors, using the same variable nomenclature as a recent FBI pre-attack planning behaviors study of active shooters. The pre-attack planning and preparation activities are compared both factually and in the context of recent literature regarding lone actor attacks. The pre-attack process of radicalization is discussed as a primary distinction between motivation-elusive actors and ideologically motivated extremists. The article concludes with a discussion of pre-attack intervention opportunities and potential lessons learned to improve future threat assessment and risk-mitigation efforts.

Keywords: lone actor attacks, targeted violence, motivation-elusive perpetrator, Las Vegas mass shooting, Stephen Paddock

Introduction

As noted in the United States Department of Homeland Security's (DHS) *Strategic Framework for Countering Terrorism and Targeting Violence*, "threats of terrorism and targeted violence increasingly intersect with one another, and there is likewise some alignment in the tools that can be used to counter them." [1] Targeted violence incidents are defined by DHS as "any incident of violence that implicates homeland security and/or US Department of Homeland Security activities, and in which a known or knowable attacker selects a particular target prior to the violent attack." [2] With some lone actors, it can be difficult to definitively establish their motivation. Thus, at times, they may fall outside strict definitions of violent extremism (due to the lack of an ascertainable qualifying goal) but squarely within understandings of mass violence or targeted violence. The deadliest mass shooting in the United States' recent history is also the seminal example of this dichotomy as it involved a motivationally elusive perpetrator, Stephen Paddock. Paddock's attack on the 2017 Las Vegas Route 91 Harvest Country Music Festival claimed sixty lives [3] and inflicted more than 850 injuries. [4] [5] Following its review of the Las Vegas shooting, the FBI Behavioral Analysis Unit (BAU) concluded that Paddock was not motivated by ideological, political, religious, or social reasons. While Paddock was a lone actor, there "was no single or clear motivating factor...behind the attack." [6]

Countering mass violence proactively involves careful threat assessment: a systematic process by which various interdependent community stakeholders partner to evaluate disturbing individual behavior, gauge the risk level, and coordinate appropriate risk-mitigation efforts. [7] Successful pre-attack interventions are notoriously complicated by many factors, not the least of which is that there is no consistent profile of actors or community sectors targeted. [8] The challenge only increases when facing the threat of suspected lone actors with unclear motivations, such as Paddock. More specifically, in such cases, there may arise comparatively fewer pre-attack external contacts and manifestations of intent as one might expect of someone drawn toward the path of violent extremism.

A substantial challenge to effective threat assessment and successful countermeasures to mass attack incidents is well illustrated by the lone actor, "motivation-elusive" case involving Paddock. Thus, a focused examination of Paddock's pre-attack behaviors, and the lessons learned, is a valuable reflection point as threat assessment efforts are increasingly likely to face this type of phenomena in the future. As noted by the

FBI-BAU, “[i]n addition to qualitative and quantitative research, targeted violence incidents themselves represent an additional and invaluable source of knowledge and experience for threat assessment practitioners and policymakers alike.”[9] Accordingly, our discussion begins with a case study of Paddock’s 2017 attack, focused on his pre-attack behaviors. We then contrast Paddock’s pre-attack variables against the ideologically motivated extremist attack by the Tree of Life Synagogue Shooter Robert Bowers to facilitate a discussion of the potential intervention opportunities and lessons learned, including an examination of so-called leakage behaviors. Consistent with the theme regarding mass shooting incidents, timely considerations for both practitioners and researchers are offered including a discussion of the increasing rollout of “red flag” firearms laws and their potential utility as a risk-mitigation tool for mass shootings and the importance of effective communications strategies to promote greater reporting of concerning behaviors.

Examining Pre-Attack Planning Behaviors as a Tool to Improve Proactive Targeted Violence Countermeasures

Lone actor terrorism or violence has attracted research interest in the past decade.[10] There is increasingly strong researcher and practitioner interest focusing on the planning and preparation activities of lone actors due to the opportunity for early detection they offer. Schuurman et al., notably, conducted detailed research on lone actor planning and preparation, building on Gill et al.’s previous “codebook” with additional layers of focus on planning and preparation resulting in 198 variables which can contribute to a more common infrastructure for future research and discussion of preparatory measures.[11] The variables include disparate inquiries of the actors’ personal backgrounds, social/contextual factors, planning and preparation activities, mindfulness of operational security, and leakage behaviors.[12] Regarding the codebook, Schuurman et al. noted:

With regard to attack preparation and planning, two related processes were identified as key to this phase of the event, meaning that disrupting either of these processes would disrupt the event altogether: the emergence (and maintenance) of the motivation to act and the perception of the capability to act (successfully). Indicators that made up the codebook were inferred to be visible “flags,” that is symptoms or markers of key processes likely to be detectable by stakeholders, but with the understanding that in another time or place the specific markers (e.g., weapon type) may appear different, though their function (e.g., capability acquisition) remains the same.[13]

Of vital importance to practitioners is identifying and countering attacks before they occur. One can immediately see how having a codex of sorts to organize threat assessment efforts is useful as it can aid in the formation of effective, evidenced-based law enforcement/security practices. Schuurman et al.’s research is useful and can be summarized as follows: for many lone actors there is a lengthy planning and preparation period during which their activities or behaviors make them vulnerable to discovery; (49%) of the studied actors had pre-incident contact with authorities during their planning and preparation; and further, many of the lone actors are neither highly skilled nor discreet, and they are frequently desirous of fame which may yield further opportunities for detection.[14] To screen for “false positives” due to the sheer volume of behaviors and incidents practitioners may be called upon to evaluate, threat assessments require analysis of both motivation and capability with “at least a rudimentary level of capability” being an important determinate of an actual threat.[15] In assessing capability indicators, Bouhana et al.’s research found “[t]he most prevalent capability indicator...” evaluated being “stockpiling of weapons” and other important considerations being “owning a vehicle,...consulting bomb manuals,... learning from virtual sources,... engaging in hands-on training...and in dry runs...”[16] Regarding the weapon choice of lone actors, threat assessors should be cognizant that firearms and explosives are the two most prevalent risks.[17]

The FBI’s June 2018 release, *A Study of the Pre-Attack Behaviors of Active Shooters in the United States Between 2000 and 2013*, addresses the behavior of active shooters before their attacks. It found cause for hope in preventing such attacks due to the fact that “[i]n the weeks and months before an attack, many

active shooters engage in behaviors that may signal impending violence.”[18] This is consistent with the perspective of Schuurman et al., who noted “[t]he potential to disrupt terrorist plots through such clues is not merely a theoretical possibility: Strom et al. (45) claim that over 80 percent of foiled terrorist attacks on American targets between 1999 and 2009 were initially discovered by law enforcement or the general public.”[19] Among other things, the FBI studies endeavors “to make...warning signs more visible and easily identifiable...not only by law enforcement officials, mental health care practitioners, and threat assessment professionals, but also by parents, friends, teachers, employers, and anyone who suspects that a person is moving towards violence.”[20] Interested or concerned parties, in addition to neutral parties and strangers, are often described in the literature as “bystanders” whose reporting of intervening behaviors is highly encouraged.[21] The study protocol detailed by Silver et al. examines many variables including: demographics, planning and preparation, acquisition of firearms in relation to the attack, stressors, grievance formation, pre-attack behaviors and communications, targeting decisions, and mental health.[22][23] Our own case-study analysis detailed below examines Paddock through the filter of these same variables to glean what can be learned from open-source investigative documents and, when necessary, alternative sources of information, such as press reports.

Case Analysis: Examining the Pre-attack Behaviors of Las Vegas Shooter Stephen Paddock

For approximately eleven minutes (between 10:05 and 10:16 p.m. – PDT), on October 1, 2017, 64-year-old Stephen Craig Paddock opened fire on an outdoor crowd attending the Route 91 Harvest Festival in Las Vegas, Nevada.[24] His actions ultimately claimed sixty lives and injured more than 850 persons.[25] He also fired at McCarran International Airport fuel tanks visible from his hotel rooms.[26] Paddock had strategically positioned himself above his targets as he was perched on the 32nd floor of the Mandalay Bay Hotel and Casino, in rooms 32-135 and 32-134.[27] The police investigation indicated that 14 of the 67 firearms Paddock was known to have purchased since the 1980s were present with him at the crime scene.[28] He fired some 1,057 rounds into the crowd.[29] When responding officers were preparing their response outside of his hotel room, Paddock took his own life with a handgun.[30]

To facilitate a review and discussion of Paddock’s mass murder through the lens of the FBI study’s pre-attack variables, we assembled, organized, and condensed notable highlights from our review of the open-source data provided by two investigative agencies—the criminal report of the Las Vegas Metropolitan Police Department (LVMPD) (2018) and the FBI’s (2019) BAU “Key findings” report respectively. Notable pre-attack variables for Paddock, through the parameters featured in the FBI pre-attack study, are summarized in Table 1 below[31]:

Table 1: Examination of Las Vegas Shooter Stephen Paddock’s Pre-attack Variables through the Parameters Featured in the FBI Pre-attack Study

FBI pre-attack study variable	Case Examination of Las Vegas Shooter Stephen Paddock
Demographics	64, white, college graduate, self-employed (real estate investment/gambling), in a relationship, father was a convicted violent offender (spent time away from the family in prison), no arrest history—only minor traffic offenses
Planning & preparation	<ul style="list-style-type: none"> ➤ 5/18/2017: Internet map and search queries for outdoor venues including concerts ➤ 9/5/2017: Internet searches regarding Life is Beautiful and Route 91 ➤ Harvest Festival concerts, along with expected attendance, and Mandalay Bay Las Vegas ➤ 9/15/2017: searches regarding SWAT team weapons, Las Vegas SWAT, ballistics, and police use of explosives ➤ 9/17/2017: check into the Ogden, coinciding with the Life is Beautiful Festival ➤ 9/25/2017 check into the Mandalay Bay ➤ “L” bracket used to barricade first of two hallway doors to access the 32nd floor ➤ Numerous instances of surveillance footage of Paddock moving suitcases to his rooms
Acquisition of firearms	<ul style="list-style-type: none"> ➤ 19 of 67 firearms were purchased over a 33-year time span from 6/14/1982 to 12/16/2015 ➤ 43 of 67 firearms were purchased from 10/2/2016 to 09/28/2017 (just prior to the attack) ➤ 13 of the 14 firearms recovered from rooms 32–134 & 135 were purchased within the year prior to the attack
Stressors	Allergy complaints, declining health and finances, aging
Grievance formation	Motivation not determined, but no evidence of specific grievances against persons or locations
Pre-attack behaviors & communications	<ul style="list-style-type: none"> ➤ Girlfriend Marilou Danley’s investigative interview indicated she was aware Paddock purchased large sums of ammunition in August 2017 and she helped him load magazines and place them into suitcases and duffle bags, accompanied him on trips to gun stores, gun ranges, and assisted him in setting up range targets, and explained her interpretation of this behavior as a hobby ➤ Two \$50,000.00 Wells Fargo wire transfers (9/26 and 9/28/2017) to the Philippines which Danley explained made her concerned Paddock intended to break off their relationship and set her up with house money ➤ Official reports do not indicate Paddock ever leaked his intent to anyone or left any legacy tokens, such as a manifesto
Targeting decisions	<p>Evidence of evaluation of target locations was contained in Paddock’s search queries (detailed above)</p> <p>Otherwise, open-source investigation reports do not indicate a reason why those sites were selected beyond privacy in the hotel room to prepare and execute his plans, proximity to his residence, and tactical considerations regarding the suitability of the site for his plans</p>
Mental health	Suicidal ideation present - Intentional act

The aforementioned summary of LVMPD's criminal investigative report and the FBI-BAU's key findings applied through the lens of pre-attack variables enables an inquiry into whether, prior to the attack, there were any opportunities for proactive intervention. The FBI-BAU's key findings conclude that Paddock was a lone actor, without an ideological motivation, a person "who went to great lengths to keep his thoughts private, and that extended to his final thinking about mass murder." [32] Therefore, he was not the type, in the BAU's estimation, to leak his intentions verbally to others. What then of his actions and behaviors especially those which can offer, as stated by Silver, et al. "the possibility of identifying active shooters before they attack by being alert for observable, concerning behaviors"? [33] Like other active shooters, Paddock was not completely socially isolated, being, for instance, in a partnered relationship. [34]

"Concerning Behaviors": A Discussion of Potential Lessons Learned from the Pre-Attack Variables Related to Paddock's Case

The normal human impulse following incidents of mass violence is to ask: "Why?" Unlike ideologically driven violent extremists, Paddock's motivations remain largely elusive beyond limited inferences which may be drawn from materials derived from open-source investigations. Pointing back to the research, one finds a broad explanation that "[t]he motivation to harm or kill others and/or cause damage to property is commonly seen as the result of a complex process in which a variety of factors play a role." [35] With Paddock, inferences which may be drawn from official reports regarding his motivations are sparse as there is a lack of identifiable grievances or causes as one may find with a politically motivated extremist. He may have had some concern or awareness of forthcoming fame or infamy, making a suicidal exit from this world in a manner he must have known would create headlines. Paddock's brother speculated about this to official interviewers in the sense of suspecting feelings of superiority in his brother. [36] Another basic motivational factor for Paddock must have been that he intended to kill, inflicting as many casualties as possible. This is evident in the relative abundance of open-source information regarding his planning and preparation activities as detailed above. Whether motivational indicators are present or not, and regardless of the sophistication of actors regarding their pre-attack leakage of intent to people they know, improving detection during the pre-attack planning and preparation stage is a logical area to focus proactive countermeasures.

Regarding Paddock's planning and preparation, one may correctly assume that his attack required substantial long-term planning and preparation (12 months or greater). Evidence of that could have been found as early as October 2, 2016, and is supported by an accelerated pace of firearms purchases and increased training time at firearms ranges. Regarding acquisition, the publicly available information regarding Paddock's firearms acquisition is well documented, but as these purchases were lawful, [37] the procurement activity is more usefully looked at in the context of the variable "concerning behaviors." The variable "concerning behaviors," has been described by Silver, et al. as "what was objectively knowable to others" [38] prior to the attack—yielding perhaps the most constructive learning opportunity from this tragedy. In Paddock's case, the "concerning behaviors" opportunity was most closely associated with his relationship partner, who explained the interpretation of Paddock's substantial increase and interest in the acquisition of firearms, stockpiling large quantities of ammunition, and increasing trips to the shooting range in terms of a "new hobby". [39] Imputing mindset or veracity regarding this claim is impossible without detailed individualized data, so it is unhelpful to speculate in this instance. Instead, solutions to missed opportunities regarding unreported individual observations require an understanding that an individual's response—or lack thereof—is "likely influenced by a host of personal and situational factors (e.g., whether the behavior is threatening to the observer or others, the relationship of the observer and active shooter, avenues for anonymous reporting, and/or confidence in authorities or others to address the concerning behavior)." [40]

Practical agency action to counter the problem of unreported concerning behaviors would not only be to expand and publicize anonymous reporting lines, but also, focus on reducing barriers to reporting problematic behaviors. For example, reluctance in reporting arises from a bystander's concerns for their own safety and perceived danger to a potential actor they care about or other adverse consequences for them. Although official sources assert Paddock's attack was not ideologically motivated, there is nonetheless overlap in util-

ity for risk assessment tools targeted toward radicalization such as the Terrorist Radicalization Assessment Protocol (TRAP-18). This is particularly true when it comes to leakage behavior which Rose and Morrison (2020) note as “the most prevalent TRAP-18 indicator” for lone actors and a probable “point of entry for a threat assessor in any given case.”[41] In one sense, due to Paddock’s pre-attack operational security and absence of leaking his murderous intent to family or friends, he is similar to earlier extremely deadly, comparatively disciplined, and difficult to detect ideologically motivated lone actor cases such as the Norwegian mass murderer and terrorist Anders Breivik and the American Unabomber Ted Kaczynski.[42][43] Importantly, however, the break in Kaczynski’s case notably came from a family member coming forward to the FBI. His brother recognized the similarity between his personal communications and the published communications of the Unabomber.[44] Even in the absence of a relationship partner being willing to step forward—a crucial and regrettably lost potential “point of entry” in Paddock’s case—there were also potential detection opportunities from more neutral, non-relational sources. For instance, his stockpiling of materials during hotel stays was potentially detectable both through surveillance footage and from his interactions with hotel staff. Thus, even in a difficult case where leakage behavior was low, there were still potential opportunities in Paddock’s case. Further, and perhaps reassuringly, these problematic cases may be seen as exceptions to the more common cases of less disciplined or sophisticated actors where pre-attack leakage of warning signs to persons close to the subsequent perpetrator is more prevalent and therefore more detectable.[45] With this in mind, it is instructive to examine how detection opportunities vary between motivationally elusive non-political actors and ideologically motivated actors.

A Key Distinction between Motivationally Elusive Actors and Extremists: The Radicalization Process as an Additional Opportunity for Detection

A key opportunity present with extremists, which is lacking in motivationally elusive actors, is based on the element of radicalization. Lindekilde et al. argue that an understanding of radicalization patterns may create opportunities for interested stakeholders (e.g., practitioners and academics) to improve risk assessment and resource allocation.[46] Contrary to understandings of attackers as reclusive lone wolves, socialization of extremists with other fanatics, whether in person or online, is often an important contributor to their radicalization.[47] In particular, such interactions contribute to reducing the normal reluctance of a human being to grievously injure or murder other human beings.[48] Inter-personal associations can offer potential signals for crucial intelligence for law enforcement to exploit.[49] There is also a series of observable mobilization indicators for violent extremists, released by the National Counterterrorism Center (NCTC), which, due to their nature, are “highly diagnostic on their own”: for example, final (martyrdom) statements, “seeking religious or political justification[s] for a planned violent act”, mobilization attempts of others or seeking their assistance, and direct communications of intent (often online).[50]

Although there are many instructive examples of information leakage behaviors by ideologically motivated actors, no consistent uniform profile exists. The Pittsburgh Tree of Life Synagogue mass shooter, Robert Bowers, (responsible for shooting eighteen people, killing eleven of them, in the worst anti-Semitic attack in United States history)[51][52] serves as an illustrative example for discussion regarding evident pre-attack variables and how they align and contrast with cases such as Paddock. In the wake of the Pittsburgh attack, the Associated Press reported that Bowers’ social media account included neo-Nazi slogans and imagery, slurs and conspiracy theories regarding Jews, photos of semi-automatic handguns described as “my glock family,” and, on the morning of the attack, a more direct statement of motivation which read: “HIAS [a non-profit refugee assistance group influenced by ‘Jewish values and history’] likes to bring invaders in that kill our people. I can’t sit by and watch my people get slaughtered. Screw your optics, I’m going in.”[53] According to the indictment, Bowers indeed used three Glock handguns in the attack, along with a Colt AR-15 rifle, and he also “made statements” during the attack “indicating his desire to ‘kill Jews.’”[54]

Press accounts, from friends who knew Bowers in the 1990s, reported that he “struck his colleagues as a guy who liked beer, Hooters, action films and guns, with a bit of an anti-government streak—not as a virulent anti-Semite primed to explode.”[55] In contrast to frequent associations with “lone wolves” in the

public consciousness, one close contact who associated with Bowers until 2004 described him as “a happy dude.”[56] Clues from friends and associates to Bowers’ radicalization process indicate: increased interest in political topics through a talk radio program, for which he may have done encoding work for the associated website “warroom.com” around the year 2000; hostility toward the United Nations; “dropping off the radar” with former associates and friends in the early to mid-2000s; apparent influence by online extremists as evidenced by his shared posts; and author[ing] or sharing of “apocalyptic post after post” in the weeks leading up to his attack.[57]

Bowers’ behaviors are consistent with several research-based risk factors associated with lone actor radicalization to terrorism released by the National Institute of Justice and the NCTC. For instance, Bowers, a lone actor, “convey[ed] information about [his] grievances [and] extremist ideologies” pre-attack and broadcast[ed] his intent (“I am going in”) on the morning of the attack.[58] His posts contained evidence of extremist influencers, ideology, grievances, contemplations of violent resolutions, capabilities (possession of, and practice with, firearms). Ultimately, his targeting decision related to a specific identifiable group consistent with his stated extremist views. Table 2 contrasts comparatively circumspect pre-attack behaviors of the motivationally elusive Paddock versus the comparatively abundant leakage behaviors of the radicalized and ideologically motivated Bowers.

Table 2: Contrasting Selected Pre-Attack Variables of Pittsburgh Tree of Life Synagogue Mass Shooter, Robert Bowers, and Las Vegas Shooter, Stephen Paddock

FBI pre-attack study variable	Stephen Paddock	Robert Bowers
Grievance formation	Motivation elusive, no evidence of specific grievances	Connections with extremist influencers and ideologies observable via shared social media posts Neo-Nazi imagery, slurs, and conspiracy theories regarding Jews observable on social media
Pre-attack behaviors & communications	<ul style="list-style-type: none"> ➤ Girlfriend’s awareness of Paddock’s purchase of large sums of ammunition, loading of magazines and placement into suitcases and duffle bags, trips to gun stores/ranges ➤ Two unusual \$50,000.00 Wells Fargo wire transfers to the Philippines ➤ No reported leakage of intent or legacy tokens 	<ul style="list-style-type: none"> ➤ Sharing of posts of online extremists ➤ Accelerated posting of extremist content in the weeks prior to attack which was described as increasingly apocalyptic ➤ References to firearms and firearms training ➤ Posted photos of firearms (later used in the attack) ➤ Specific leakage of intent on the day of the attack
Targeting decisions	<p>Post attack investigation - Revealed target locations were contained in Paddock’s search queries</p> <p>Site selection - Ideology/motivation unknown: by inference sites were selected for privacy, proximity to his residence, and tactical considerations</p>	Specific leakage of target identification, a Jewish nonprofit (HIAS) involved in refugee assistance, along with a specific extremist ideological statement regarding the targeting decision

Considerations for Researchers and Practitioners in the Context of These Cases

Preventing mass casualty incidents is an area of grave and mutual concern for both academic researchers and practitioners in the intelligence and law enforcement communities. Although there is always the proverbial strategic danger of “fighting the last war,” regarding planning efforts, research supports the proposition that planners developing countermeasures to lone attackers—whether motivationally elusive (like Paddock) or ideologically motivated (like Bowers)—are allocating time productively when anticipating and preparing for attack scenarios involving firearms. Practitioners, however, must be concerned with the attendant legal issues to ensure the integrity of their investigations (balancing public protection and individual liberties). Also, they are constricted by limited resources when facing lawful but concerning behaviors which are potentially indicative of pre-attack activity (e.g., accumulation of materials).

Regarding firearms-based attacks, Paddock is a case-in-point of an otherwise lawful course of activity (accumulation of firearms) which was surrounded by suspicious, but ultimately unreported actions. His rapid pattern of accumulation of firearms was inconsistent with his past activities. Bowers, in contrast, is an example of an actor who was less disciplined regarding leakage, which included pre-attack references to firearms and firearms-related training. A crucial question in terms of pre-attack mitigation strategy for legal firearms jurisdictions is: Can public policy facilitate additional pre-attack intervention opportunities, in similar cases, especially when leakage behaviors are more prevalent? Relevant to this inquiry, we recommend that researchers direct their attention to a promising area of research: “red flag” firearms laws. The enforcement of “red flag” laws may yield actionable information to facilitate the formation of evidenced-based pre-attack mitigation countermeasures by practitioners in jurisdictions where firearms possession is generally lawful (absent personal disqualifying factors).[59]

Gun ownership is an individual right in the United States under the Second Amendment to the US Constitution and subsequent jurisprudence such as the 2008 Heller decision of the US Supreme Court.[60] It is not, however, an unlimited right. There are considerable differences between individual states regarding firearms laws. Also, reform measures in the wake of mass violence incidents are frequently followed by years of court challenges. For instance, a bump stock ban, ordered by President Donald Trump in the wake of Paddock’s use of bump stocks, (which accelerate a firearm’s rate of fire), was enjoined in federal court. Attorney generals from seventeen states are currently requesting that the US Court of Appeals for the Sixth Circuit overturn the bump stock ban.[61][62] Comparing the US to other nations, the Council on Foreign Relations (CFR) observes (citing a 2018 small arms survey from a Swiss-based university institute) that at “less than 5 percent of the world’s population” the US accounts for “46 percent of the world’s civilian-owned guns.”[63] Firearms-related deaths were at a two-decade high for 2020—with the statistics for 2021 also projected to be grim.[64] Opponents of gun control in the US have argued that Norway’s comparatively stricter gun control measures did not prevent right-wing extremist Anders Breivik’s attack which resulted in the death of 77 people.[65]

Outside of the more general gun control debate in the United States, however, the effectiveness of state “red flag” laws merit closer examination in terms of pre-attack mitigation activities. In April 2021, the Biden-Harris administration directed the US Justice Department to “publish model ‘red flag’ legislation for states.”[66] The administration describes these laws as a mechanism to “allow family members or law enforcement to petition for a court order temporarily barring people in personal crisis from accessing firearms if they present a danger to themselves or others.”[67] The effectiveness of red flag laws to inform evidence-based practices in preventing mass violence is a burgeoning key area for future study. Considered from a researcher’s perspective, the system of federalism in the United States creates a control group (states not adopting red flag laws) and an experimental group (states that do adopt red flag laws). In a recent study, Dalafave (2021), for instance, studied the outcomes of red flag laws on firearms-related suicides and homicides, noting a 6.4% reduction in firearms-related suicides.[68] Concurrently, the research found no significant impact regarding firearms-related homicides.[69] Also, the study posited in the conclusion that these laws may be “more politically palatable than other forms of gun legislation because of their targeted nature and potential to balance the interests of gun owners against the negative externalities of gun violence.”[70] Indeed, the need for said

balance is crucial in a politically polarized society which lacks consensus on gun control–related measures.

As future studies examine the impacts of red flags laws from a scientific evidentiary perspective, practitioners can further examine them from an operational perspective to inform best practices. The recent case of alleged neo-Nazi leader Kaleb James Cole provides a useful example from the practitioner perspective. In the fall of 2019, Seattle police seized several rifles (including an AK-47) and pistols from Cole pursuant to Washington State’s red flag law.[71] This was spurred after Cole’s extremist rhetoric began manifesting into what police described as “taking active steps or preparation for an impending ‘race war’”[72] Although Cole was not charged with a crime, the court granted an “extreme risk protection order”, thereby supporting the prosecutor’s office assessment of risk in this case.[73] Cole, along with other alleged associates, was arrested in 2020 for what US Attorney Brian T. Moran described as “a conspiracy to threaten and intimidate journalists and activists” which the criminal complaint noted was “focused primarily on those who are Jewish or journalists of color.”[74] Evaluating the success of proactive measures prior to an attack is inherently limited by the fact that the question “what did not occur here” is conjecture. However, when looked at through the lens of pre-attack variables and risk assessment factors, one can readily answer: Which variables were present in the Cole case? Five stand out: (i) *Escalating rhetoric*, (ii) *capability in the form of firearms*, (iii) *active preparation steps*, and—in the following year—(iv) *specific identification and threatening of targets (in the form of intimidation)* (v) *consistent with known grievance statements*. Comprehending and framing these variables in such a way is useful both in threat assessment and resource allocation decisions as well as in evaluating the effectiveness of one’s efforts when “success” means a potential event that does not occur.

Researchers and practitioners can also learn from instances where red flag laws fail in their intended purpose and use information gleaned from an examination of the pre-attack variables of a given case to highlight where intervention opportunities were potentially lost and failed to inform public policy improvements. Recently, limitations of red flag laws, even in the comparatively firearms-restrictive state of New York, have been exposed by lone-actor mass shooter Payton Gendron’s racially motivated hate-based murder of 10 Black Americans (and wounding of 3) in Buffalo.[75] Gendron, nearly a year prior to the attack, had been reported to his school for “mention of a murder-suicide—at Susquehanna Valley High School.”[76] Although details are still being released at the time of this writing, questions regarding the effectiveness of New York’s red flag law have been raised, for example, why Gendron was not flagged and the fact that the law allows for seizures of existing firearms from a subject but not necessarily prohibitions and/or heightened scrutiny regarding future purchases.[77] Nonetheless, a common nomenclature provided by critically examining cases in the context of the pre-attack variables may allow the various web of agencies with interlocking responsibilities related to these incidents to communicate more effectively—both with each other regarding clarifying allocation of responsibilities and also by highlighting issues and failure points to be redressed by policymakers.

Our second and closing recommendation proceeding from the case studies discussed in this article regards communications. Effective agency communications and outreach once again proves to be the lynchpin of any strategy to proactively counter acts of mass violence. Practitioner agencies are well served to review both their communications policies and public outreach procedures in the wake of what can be learned from the attacks by motivation elusive actors such as Paddock and ideological extremists such as Bowers. Agencies should focus on removing barriers whether of logistics, trust, or public confidence to ensure “concerned party” or “bystander” information funnels to mitigation resources in time. As the FBI-BAU notes, “[b]ystanders are the force multipliers of threat management” and crucial to success.[78] Has one’s agency recently published or linked to resources which inform the public regarding signs of activity? This is a threshold question. There are many such resources appropriate for public outreach, such as the Department of Homeland Security’s leaflet *Recognize the Signs of Terrorism-related Suspicious Activity* which specifically lists relevant information consistent with the research regarding the pre-attack behaviors such as “expressed or implied threats, surveillance, ... acquisition of expertise, ... materials acquisition/storage” and “weapons collection/storage.”[79] However, simply electronically publishing such information on a department website does not ensure widespread community awareness. Also, it will not address potential barriers of trust where the desired awareness exists.

A comprehensive community relations strategy should ensure the public knows not only what to report and how, how confidentiality will be protected, and what actions the agency may take following a report. The effort must be continuous. Information regarding public awareness and perceptions may be ascertained formally through external surveys. Less formally, such data can be garnered through dialogue at community meetings and meetings with community leaders. Community policing strategies should include provisions to frequently reinforce both the necessity of this dialogue and the potential benefits to empower more bystanders to report potentially lifesaving information in time.

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Notes

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