

# Threats, Approach Behavior, and Violent Recidivism Among Offenders Who Harass Canadian Justice Officials

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We examined the characteristics of offenders who harassed justice officials, comparing those who threatened or approached their victim with those who engaged in other problematic communications. We also explored predictors of subsequent violence. We identified 86 offenders from the files of a justice officials protection and investigation service in Ontario, Canada, who had used threatening, disturbing, intimidating, or harassing language (written or verbal) toward police, prosecutors, judges, defense attorneys, probation officers, or correctional workers. We conducted chi-squared tests and ANOVAs to compare offenders who did versus did not threaten or approach on criminal history, substance abuse, mental health, and other variables at the index offense, and tested predictors of future violence using the receiver operating characteristic (ROC) area under the curve. Using threats was associated with being male, a prior criminal history, substance abuse, and suicidality. Approaching the victim was associated with younger age, less previous offending, and absence of a prior acquaintance with the target. Postindex criminal offending was common (55%), but typically nonviolent, and on only 3 occasions (4%) was the victim the original target of harassment. When violent recidivism did occur it was not toward the target; it was best predicted by younger age at index, criminal history, and using threats. Offenders who harass justice officials are rarely violent toward these victims, and their violence is predicted by well-established variables.

*Keywords:* justice officials, threats, approach behavior, risk assessment

There is significant practical concern regarding problematic communications—those which are threatening, disturbing, intimidating, or harassing—made to individuals carrying out their

duties as employees within the criminal justice sector. Harassment and threats to cause fear and even influence the course of justice are not acceptable. Justice officials may well experi-

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ence more problematic communication than other public servants due to the nature of their work: emotionally charged situations that can have serious consequences for a variety of individuals, including those directly involved, their families, and the community in general. The United States Marshals, who are primarily responsible for federal judiciary security, responded to 1,370 complaints of threats and other inappropriate communications against justice officials in 2012 alone (Office of Public Affairs, 2013; see also Jenkins, 2001). Most of these threats end without physical harm to the target (e.g., Calhoun, 1998, 2001; Fein & Vossekui, 1998, 1999; Hoffmann, Meloy, Guldemann, & Ermer, 2011). A recent study by McGovern (2013) located only 63 completed attacks and 70 attempted attacks against U.S. justice officials during the period of 1950–2012; however, nine attacks, 26 attempts to kill a justice member, and 10 cases of unsolved murders of justice officials occurred over the last three years alone, suggesting that the problem may be increasing. Overall, a search in April, 2013 of news articles for Canadian cases suggests that physical attacks on justice officials are rare—or rarely reported—in the news. A similar result was found in earlier work (as part of a literature review; Brown, 2005). Given the high volume of problematic communication and threats to justice officials and the relatively low number of physical attacks, it is important to effectively assess risk and thereby prioritize large caseloads for threat analysts and protection services by putting key resources (including safety measures) toward higher risk cases. The purpose of the present study was to gain a better understanding of these cases in Canada and assess potential predictors of continued harassment and future violence.

There is little empirical literature in this area, likely because of low violence base rates which prohibit true follow-up studies. There is also heterogeneity in the characteristics and motivations of individuals who engage in problematic communications toward officials. The outcome work to date suggests that most who threaten a public figure will not go on to approach or harm the target, and conversely, most who do approach or harm a victim will not make any type of direct threat beforehand (Fein, Vossekui, & Holden, 1995; Meloy, Sheridan, & Hoffmann, 2008). Current work in the area of threats to

justice officials, as well as other public samples, generally tries to examine information about offenders and their targets, as well as the potential risk factors (e.g., mental health, warning behaviors, motivation) associated with approach behavior and escalation of violence or physical harm (Meloy & Hoffmann, 2014; Meloy et al., 2004; Meloy et al., 2008). Approachers tend to suffer from mental illness (James et al., 2007; Schoeneman et al., 2011), and are more likely to have a criminal history than nonapproachers (Scalora et al., 2002). In a study of disturbing behavior toward the Dutch Royal Family, those who approached the palace gates and came to the attention of security generally did not make threats (van der Meer, Bootsma, & Meloy, 2012). These authors noted that, on the contrary, the “absence of a threatening communication increased the risk of an approach” (p. 16), a finding that has been replicated in virtually all public figure approach and attack studies in the United States and Europe (see review by Meloy, 2011). Information from Canadian samples of threats to public or justice officials, however, is much less common, with no studies available in the scientific literature. Such work is valuable in assessing the generalizability of the findings from the United States and Europe to Canada. In addition, our data collection from police reports and national offender recidivism information is valuable for a prospective follow-up study.

## The Present Study

We examined verbal and written problematic communication toward Canadian justice officials (i.e., police, judge, justice of the peace, crown/prosecutor, defense lawyer, probation officer, and correctional officers). One goal of the research was to describe cases of problematic communication and examine the general features of the case, subject (offender), and target (victim), comparing subjects who used threats or who approached their targets with those who did not. A primary concern for those tasked with protecting justice officials is whether an individual who engages in problematic communication will go on to commit a violent act. Our second goal, therefore, was to gather postindex follow-up data in order to provide information on immediate risk of approach behavior, vio-

lence, and the potential predictors of (short-term) future offending.

## Method

### Setting

Our data came from the Justice Official Protection and Investigations Section (JOPIS) of the provincial police service in Ontario, Canada. JOPIS was established in 2009 and currently responds to approximately 250 cases annually concerning problematic communication toward justice officials and other government employees, and the monitoring of safety measures put into place for the protection of previously harassed employees. Cases come from across geographic locations including cities, towns, and rural areas. Police investigators and other justice staff contact this specialized unit for assistance in cases involving inappropriate communication or threats. The section plays a support role; the officers are not the primary investigators in these cases, rather they are mandated to respond to requests for assistance regarding these forms of communication from any police service or justice administration across the province of Ontario. The purpose of the unit is to facilitate risk assessment of the subject of concern, when appropriate, as well as assist in ensuring the safety of the target. The general criteria for cases being accepted by the section is that the problematic communication resulted from the targeted individual's work rather than their personal life. Although JOPIS also assists in cases involving other public officials such as politicians, we restricted the present study to justice officials.

### Sample

The study sample consisted of subjects who made oral or written problematic communication toward a justice official that was reported to JOPIS in 2011 (the index occurrence). Problematic communications were defined as threats (direct, veiled, or conditional) and harassing, intimidating, or disturbing communications, such as researching the target and contacting him/her at home, or writing a blog about a target and posting his or her personal information online requesting others to harass them.

A case was included in the study if the target was a justice official who was targeted by the

subject due to his or her job or in the conduct of official duties. For example, a judge threatened by an offender after sentencing, a police officer threatened by a person he or she arrested, or a probation officer threatened by a client. We excluded cases where it was not clear that the justice official was specifically targeted (e.g., many homes damaged by vandals, including the property of a justice official).

Using the above criteria the initial selection identified 90 cases. A subject was not identified in four cases all of which involved threats to police officers; in three of these cases the subject wrote messages threatening to harm or kill the target, and in the fourth case threatening material was sent to the officer's workplace. After excluding these four cases we had a final sample of 86 cases involving identified subjects who engaged in problematic communication toward a justice official.

Cases generally came to the attention of JOPIS within a few days of the initial problematic contact (5% trimmed mean of 6 days). Longer time frames (the maximum was 254 days) between index and JOPIS involvement occurred in cases where a target did not initially request assistance until they reached a certain level of concern; for example, there were multiple instances of problematic communication or the subject began to target others.

### Procedure

We coded data directly from JOPIS files. As officers in this section are not the lead investigators on the file, full investigative data were not available. Across the sample we had general index occurrence details, general offender and target information, criminal record data, and copies of the original (written or transcribed from tape) problematic communication in most cases ( $N = 64, 74\%$ ). Cases where exact information on the communications were not available involved verbal communication that had not been taped, or third party reporting (e.g., from an informant). In a quarter of the cases (26%) JOPIS requested a formal threat assessment on the subject and we studied these assessment files for data collection. These files included interviews with the offender or other collateral witnesses, and often more in-depth offender information.

The “index” was the first problematic communication by the individual that came to the attention of JOPIS in 2011. Behavior prior to their 2011 index offense was considered “history” and anything after the index was considered “postindex,” or in the case of new criminal offending, “recidivism.” We defined threats toward the index target as direct (e.g., “I’m going to kill you”), veiled (e.g., “It would be shame if you were badly injured”), or conditional (e.g., “If you don’t do X then Y will happen”). We defined approach behaviors as actual or attempted efforts to gain physical proximity to the target at index or preindex; for example, going to a target’s home or office, or waiting in the lobby of a building the target attended.

We coded demographic information about the subject and target (i.e., age, marital status, and gender). We coded index offenses and preindex charges from file notes, police occurrence reports, and official criminal record checks. An offense was nonviolent if there was no specific target contact or physical harm to a prior victim (e.g., thefts, breaking and entering, driving offense, noncontact sexual offenses, and failures on conditional release). We coded charges as violent if there was any target contact or physical harm to a prior victim (e.g., assault, robbery, sexual assault involving contact, forcible confinement). Due to the nature of the current study, we also coded prior stalking/harassment offenses separately.

The relationship between the subject and target at index was coded based on amount of contact. We used three categories: *stranger/never met* (e.g., the target was going to oversee their case but had yet to meet, the offender was a friend or family member of a probation officer’s client or police officer’s arrestee); *minimal contact* (e.g., an officer who arrests the subject on one occasion, or a lawyer or judge briefly involved in a suspect’s court hearing); and, *moderate contact* (e.g., subject’s probation officer, a correctional officer in a jail who would have multiple contacts with the subject, or a defense lawyer working with their client). We also coded, as a separate variable, whether the subject appeared to be focused on a specific group of justice officials (*target group focused*); that is, they may have a specific target in their index but they also appear fixated on a group of justice workers (“all cops,” “all judges should die”).

Substance use and mental health variables were coded using information that investigators would have known at the time of the index offense and could reasonably use to assess risk at that time (we did not use postarrest psychology information and so forth). Drug and alcohol use were coded using a 4-point scale: 1 = *no use*, 2 = *no problem with use* (e.g., social drinker), 3 = *some problems with use* (e.g., fights at home over use, missing work or school due to use), and 4 = *interference in life* (e.g., major law violations, drunk driving, terminated from job due to use, or medical conditions due to use). We then combined the last two scale items into *substance use problems* (either some problems or interference in life). Suicidality was coded as: 0 = *none known* and 1 = *ideation* (made comments about suicide, appears to be thinking of committing suicide) and/or suicide attempts. Mental health diagnoses were coded based on file data and included any diagnosis for a major mental health disorder or personality disorder documented in the file, or any suspected mental health issues using information such as medications the offender was taking, prior admissions to a psychiatric hospital, and so forth; a subject was not considered to have suspected mental health issues solely based on investigator impressions.

We coded postindex offenses (recidivism) including any criminal code violations meeting our criteria for nonviolent or violent offenses described above, regardless of charges. We then also coded whether the behavior resulted in new charges. Follow-up time was calculated as the difference between the time the case was reported to JOPIS and the date we examined criminal records in June 2013. Time at risk for recidivism was calculated by subtracting time in custody (e.g., for the index offense or any subsequent offending) from this total, so that time at risk represented only the time that an offender had opportunity to offend while residing in the community ( $M = 1.72$  years,  $SD = 0.70$  years, range = 0 to 2.48 years). Six offenders (7%) who had no time at risk in the community because they were in jail or in another facility during the follow-up were included as they could reoffend from within a facility; they were included in the full follow-up but were given a time at risk in the community of zero. Two offenders (2%) died during the follow-up and their time at risk was calculated up to their date

of death. As part of the follow-up, we calculated time at risk to the first and any subsequent new offenses to gain a better understanding of how quickly subjects reoffend.

We examined interrater reliability of the main coder (KB) with the first author for all reported variables using 12 cases (14%), four coded at the beginning, four in the middle, and four at the end of the study coding period. Intraclass correlation coefficients (absolute agreement and consistency) for all reported continuous variables were a minimum of .70 for single measures and .80 for average measures; kappas were .75 or higher for categorical variables. Any disagreements between raters were resolved by consensus.

### Statistical Analyses

We conducted bivariate analyses to compare our main offender groups (threateners vs. non-threateners and approachers vs. nonapproachers) using Pearson chi-squared for tests of association and omnibus *F* tests (one-way ANOVA) for scaled data. We used univariate analyses to assess for predictors of future violence and we report the ROC area under the curve for scaled data and common odds ratio (Mantel-Haenszel) for categorical data; for both types of analyses we indicate significant findings as well as provide the 95% confidence interval. We then assessed how these factors, as a group, predicted future violence; that is, we used linear regression to assess the combined predictive nature of the variables found to individually predict future offending (violent reoffending) along with ROC area.

### Results

The sample consisted of 39 subjects (45%) who engaged in problematic communication without threats and 47 subjects (55%) who used direct, veiled, or conditional threats. Actual or attempted approaches were uncommon, occurring in 17 (20%) cases. Table 1 provides general sample information as well as comparisons based on approach behavior and threats. Most offenders ( $n = 66$ , 77%) were not criminally charged and some offenders ( $n = 8$ , 9%) were diverted from the criminal justice system because of mental health issues (e.g., held for a criminal responsibility hearing, received an assessment or treatment order, or referred to a mental health agency). At index, 34

(40%) of the subjects were on conditional release (e.g., probation, recognizance) and 15 (17%) were incarcerated or in a secure mental health facility.

### Subjects

The subjects in this sample all acted individually, although four were known to belong to a specific group (i.e., Freeman on the Land, similar to Sovereign Citizens in the United States) and we provide separate information on this group. Table 1 provides demographic information. Most (88%) were male and the average age was 39 years ( $SD = 13.3$ ,  $N = 77$ ). Marital status was known in half the cases; of these, a quarter were never married (23 cases, 27%), 12 (14%) married/common-law, nine (11%) separated, and two (2%) divorced. Although we originally coded occupation at index, this information was rarely present in the file so we do not report the findings here.

We were able to code mental health at the time of the index offense in 55 cases (64%); 20 (23%) had a major mental illness such as anxiety, mood, psychotic, and substance use disorders, and seven (8%) had a personality disorder with the most common being *DSM-IV* Cluster B disorders (antisocial, borderline, and narcissistic), criteria which remain unchanged in *DSM-5*.

### Index Targets

In most cases the subject had a specific target at the index ( $n = 76$ , 88%). In the remaining cases, the subject had made disturbing comments or threats relating to groups of justice individuals. For example, one subject told another inmate he wanted "to do something" to a cop so that the cop had to kill him; one threatened "to go postal" in the courthouse; and another threatened to harm or kill "a correctional officer" or "any cop."

In cases involving specific targets, subjects usually targeted a single justice official at the index ( $n = 71$ , 83%). Four subjects had two justice official targets (5%) and one had three targets. In most of these cases, the multiple justice officials were in the same type of position (e.g., two judges, two officers) but in two the targets were the prosecuting attorney plus another official (arresting officer, court pathologist). Fourteen offenders (16%) also targeted the justice official's family (e.g., "I'm going to kill you and your family").

Just over a third (37%) of subjects targeted police officers. In 49 cases (57%) it was other justice officials such as a prosecuting lawyer, justice or judge, probation officer, correctional staff, or other justice administrator, and in five cases (6%) the subject's communications were directed toward both groups.

### Threateners

Those who threatened made an average of 1.83 threats at index (range of 1–30 and 5% trimmed mean of 1.2) and the majority of cases involved one (79%) or two (15%) threats. Two thirds (66%) of the threats were made to justice officials the subject either did not know or had only had minimal contact. In about two thirds (62%) of these threatener cases others were aware of the threat against the target (what is often referred to as leakage; Meloy & O'Toole, 2011); and examples include posting information in online forums, journal entries, and advising others of their desire to kill or harm the target (e.g., wife, psychiatrist, other inmates).

Comparisons between threateners and non-threateners are shown in Table 1. Threateners appeared to be more antisocial in that they were significantly more likely to have an adult criminal history, a juvenile criminal history, and substance abuse; they were also more likely to be charged with a criminal offense (e.g., intimidation, threaten bodily harm) at index. They were more likely to target males with whom they had some prior contact (e.g., judge in a hearing, police officer who arrested the subject on a prior charge) and have prior attempts or threats of suicide. Overall, few threateners (15%) approached their target pre- or index (nonthreateners approached in 26% of cases).

### Approach Behavior

Those offenders who had a pre- or index attempt or completed approach to the index target were generally younger than those without approach behavior, were less likely to have some type of criminal history, and more likely to approach a target who was a stranger to them (never met or minimal contact). Examples of approaches to strangers included an officer approached on the street by a person making a false claim about potential harm; afterward, the person continued to exhibit obsessive behaviors in relation to the officer.

Another subject approached a judge he blamed for an assault he had suffered. Examples of approaches where the target had some familiarity with the subject included attorneys approached by individuals they had prosecuted on criminal charges (in one case the attorney was approached both at and outside of work). In another attorney case, a subject had a knife; he was angry with government officials for a perceived lack of response, he believed no one was listening to him.

Table 1 shows that approachers were younger than nonapproachers and less likely to have a criminal history, prior harassment or stalking, or a prior contact relationship with the target. Seven (41%) of the approachers threatened their targets.

### Recidivism

Of the 86 subjects, 47 (55%) committed a new offense postindex with the majority of these resulting in at least one criminal charge ( $n = 36, 77\%$ ). Among recidivists who were not charged were two subjects who continued to leave disturbing messages (voice mail or letters) and harassed new justice official targets; both were diverted from the criminal justice system due to mental health issues. There were three offenders who only recidivated during the follow-up while in jail or a mental health facility; one was charged for an assault on another inmate, another was charged for uttering threats against a new justice contact, and another was accused of an assault on a fellow inmate but was not charged.

Of the 15 new acts of violence, 12 (80%) were committed by threateners. None of the new violent acts involved the original target; in one case the offender was charged with assault and resisting arrest in relation to a new officer. Otherwise, the violent reoffenses were domestic in nature, assaults against other males (e.g., bar fight), or assaults against other inmates. Of the two nonthreateners who had a violent reoffense, one involved a different justice worker (assaulting a peace officer during an arrest) and the other was a domestic assault.

Nonviolent offenses were the most common and these included threats, harassment, thefts, mischief, failures on conditional release (e.g., failure to show for court, fail to abide by probation conditions). There was

**Table 1**  
**Target, Subject, Index Characteristics and Recidivism Compared by Threatening Behavior at Index and Approach Behavior Pre/Index**

Variable	Nonthreateners N = 39 n (%) or M (SD)	Threateners (explicit) N = 47 n (%) or M (SD)	Statistics	No approach pre/index N = 69 n (%) or M (SD)	Approach pre/index N = 17 n (%) or M (SD)	Statistic
<b>Target characteristics</b>						
Target group:						
Police officer	11 (28)	21 (45)	$\chi^2 = 1.7, p = .20$	27 (39)	5 (29)	$\chi^2 = 0.6, p = .45$
Other justice (judge, lawyer, probation)	24 (62)	25 (53)	(excl. "any")	38 (55)	11 (65)	(excl. "any")
"Any" justice official	4 (10)	1 (2)		4 (6)	1 (6)	
Gender (for cases with specific targets):						
Male	11 (28)	26 (55)	$\chi^2 = 6.2, p = .01$	28 (41)	9 (53)	$\chi^2 = 0.3, p = .58$
Female	19 (49)	13 (28)		26 (38)	6 (35)	
<b>Subject characteristics</b>						
Age	42.6 (14.0)	37.2 (12.5)	$F (1, 75) = 3.12, p = .08$	40.9 (13.5)	32.6 (10.4)	$F (1, 75) = 4.9, p = .03$
Gender						
Male	35 (90)	43 (91)	$\chi^2 = .01, p = .92$	63 (91)	15 (88)	$\chi^2 = 0.4, p = .55$
Female	3 (8)	4 (9)		5 (7)	2 (12)	
Single at index (information available in only half the cases)	12 (31)	22 (47)	$\chi^2 = 0.4, p = .51$	28 (41)	6 (35)	$\chi^2 = 0.1, p = .76$ (corrected)
<b>Subject criminal and mental health history</b>						
Any criminal Hx (charges)	30 (77)	45 (96)	$\chi^2 = 1.6, p = .20$	62 (90%)	13 (76%)	$\chi^2 = 3.7, p = .05$
Juvenile CHx	5 (13)	20 (43)	$\chi^2 = 6.2, p = .01$	21 (30)	4 (24)	$\chi^2 = 0.6, p = .43$
Any prior nonviolence	25 (64)	43 (91)	$\chi^2 = 8.7, p < .01$	57 (83%)	11 (65)	$\chi^2 = 3.1, p = .08$
Any prior violence	17 (46)	30 (64)	$\chi^2 = 2.0, p = .16$	40 (58)	9 (53)	$\chi^2 = 0.1, p = .71$
Prior failure on conditional release	19 (49)	33 (70)	$\chi^2 = 1.2, p = .27$	43 (62)	9 (53)	$\chi^2 = 0.6, p = .43$
Prior harassment or stalking	17 (44)	24 (51)	$\chi^2 = 0.02, p = .90$	36 (52)	5 (29)	$\chi^2 = 3.2, p = .07$
Offender substance use problems (pre or index)	10 (26)	25 (53)	$\chi^2 = 6.7, p = .01$	29 (42)	6 (35)	$\chi^2 = 0.3, p = .61$
Offender suicidality (pre or index)	6 (15)	22 (47)	$\chi^2 = 4.0, p = .05$	22 (32)	6 (35)	$\chi^2 = 0.6, p = .46$
Has a mental health diagnosis known pre/index	7 (18)	13 (28)	$\chi^2 = 0.2, p = .65$	18 (26)	4 (24)	$\chi^2 = 0.3, p = .59$
<b>Index</b>						
Any known actual or attempted approach pre or index	10 (26)	7 (15)	$\chi^2 = 1.6, p = .21$	—	—	—

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Table 1 (continued)

Variable	Threateners (explicit)		Statistics	No approach pre/index		Statistic
	Nonthreateners N = 39 n (%) or M (SD)	N = 47 n (%) or M (SD)		N = 69 n (%) or M (SD)	Approach pre/index N = 17 n (%) or M (SD)	
Subject/target relationship:						
Stranger/newer met	17 (44)	12 (26)	$\chi^2 (2) = 5.4, p = .07$	26 (38)	3 (18)	$\chi^2 (2) = 5.4, p < .01$
Stranger/minimal contact	17 (44)	19 (40)		23 (33)	13 (76)	
Moderate work contact	5 (13)	15 (32)		19 (28)	1 (6)	
Subject/target relationship, subgrouped:						
Complete stranger	17 (44)	12 (26)	$\chi^2 = 2.9, p = .09$	26 (38)	3 (18)	$\chi^2 = 2.6, p < .11$
Some prior contact	22 (56)	34 (72)		42 (61)	14 (82)	
Charged for index behavior	5 (10)	14 (30)	$\chi^2 = 3.8, p = .05$	14 (20)	5 (29)	$\chi^2 = 0.6, p = .44$
Diverted from criminal justice system for index	3 (8%)	5 (11%)	$\chi^2 = 0.2, p = .63$ (corrected)	6 (9%)	2 (12%)	$\chi^2 = 0.3, p = .57$ (corrected)
Postindex recidivism						
Any new offense	23 (59)	24 (51)	$\chi^2 = 0.4, p = .53$	36 (52)	11 (65)	$\chi^2 = 0.8, p = .38$
Any new charge	16 (41)	21 (45)	$\chi^2 = 0.2, p = .67$	27 (39)	10 (59)	$\chi^2 = 2.0, p = .16$
Any failure on conditional release	9 (23)	12 (17)	$\chi^2 = 0.1, p = .83$	17 (25)	4 (24)	$\chi^2 = 0.04, p = .85$
Any nonviolent reoffense	20 (51)	18 (38)	$\chi^2 = 1.7, p = .19$	29 (42)	9 (53)	$\chi^2 = 0.3, p = .61$
Any violent reoffense	3 (8)	12 (26)	$\chi^2 = 4.9, p = .03$	12 (17)	3 (18)	$\chi^2 = 0.3, p = .87$
Any stalking, harassment, threatening reoffense	12 (31)	10 (21)	$\chi^2 = 1.1, p = .29$	17 (25)	5 (29)	$\chi^2 = 0.04, p = .84$

Note. For the chi square statistics *df* = 1 unless noted and N = 45 to 86. It is indicated beside the statistics if a continuity correction was used for a chi-square with an expected cell size less than 5. Significant findings are in bold.



one sex related reoffense involving obscene phone calls, but no contact sexual reoffenses in this sample.

There were three cases involving new offenses against the index justice target. In one case the subject continued to call and threaten a judge resulting in new harassing and threatening charges. In another, the subject continued to harass both the original target and new justice targets. In the third case, the subject was charged for continuing to harass and threaten the original target (a police officer) as well as a new justice target. In a further 17 cases (20%, including those not charged) subjects offended against new justice targets. These offenses were generally nonviolent in nature,  $\chi^2(1) = 4.37$ ,  $N = 44$ ,  $p = .04$ , and more specifically, often involved stalking/harassment/threatening behaviors,  $\chi^2(1) = 11.60$ ,  $N = 44$ ,  $p = .001$ .

We examined predictors of future offending (see Table 2). Well-established predictors of future violence (see, Mills, Kroner, & Morgan, 2011; Quinsey, Harris, Rice, & Cormier, 2006) were evident in the current sample: age at index offense, prior criminal history, and threats. We did examine these items using linear regression—age under 30, prior criminal history, and any threatening behavior at index. Because each item is coded from a different subset in the study (demographic, criminal history, and index offense) the method used entered each variable as an equally weighted predictor (a score of 0 or 1 such that an offender could have a score of 0 to 3). The overall model was significant,  $F(3, 66) = 6.37$ ,  $p = .001$ , however criminal history did not contribute significantly to the model ( $p = .33$ ). The combined score of age and threats was a significant predictor of violent recidivism, with an AUC of .77 (95% CI of .61 – .92),  $r = .43$ . Due to the small number of variables, we only calculated AUC for the 71 cases with full data (i.e., none of variables were missing in these cases).

In addition to new offending against any future victim/target, we also examined predictors of new offending against justice officials specifically. The sole significant predictor in the current sample was knowledge of a mental health diagnosis (at or prior to index).

## Freemen on the Land

In our sample we had four cases involving individuals identified as affiliated with a diverse group of people called The Freemen on the Land (FOTL). Those who identify with FOTL tend to share similar beliefs expressed by others described as “Detaxers,” “Sovereign Citizens,” “Moorish Law” groups, among other names (see Meads vs. Meads, 2012). In large part, their primary beliefs rest on the premise that government has overextended its purview and hence these individuals refuse to recognize government bodies or participate in rules or regulations set out for all (e.g., paying taxes, obtaining gun permits, following legal statutes). In Canada, members of FOTL have been described as vexatious litigants in the justice setting; a recent Canadian court decision states that these litigants “do not express any stereotypic beliefs other than a general rejection of court and state authority” (Meads vs. Meads, 2012, p. 2). The Federal Bureau of Investigation (FBI) in the United States similarly considers Sovereign Citizens to be loosely affiliated individuals who share some core ideals (FBI, 2011). Due to the heterogeneity of FOTL members, individual risk assessment for violence potential continues to be important. In the United States, individuals claiming to be Sovereign Citizens are known to be responsible for the killing of six police officers since 2000 (FBI, 2011). In Canada, police have investigated cases where individuals expressing FOTL beliefs were involved in violence toward justice members;<sup>1</sup> for the most part, FOTL individuals have tended to be associated with problematic communications with law enforcement. There is some suggestion that the frequency of members of this group presenting in the Canadian criminal justice system is increasing (Meads vs. Meads, 2012, p. 13).

While all of the FOTL associated subjects targeted individual justice members in the current study, they also demonstrated a negative fixation on anyone associated with the justice system more generally. In three of the four cases the targets were judges in a current court case (the fourth case targeted officers at a court house). None of the cases were threat-

<sup>1</sup> Personal communication with S/Sergeant Rob Fournier, November 2013.

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**Table 2**  
*Predictors of Short-Term Recidivism (Average 2-Year Follow-Up): Odds Ratio or AUC With 95% Confidence Interval*

Predictors	Any new offense ( <i>n</i> = 47, 55%)	Any new charge ( <i>n</i> = 37, 43%)	Any nonviolent reoffense ( <i>n</i> = 38, 44%)	Stalk or harass reoffense ( <i>n</i> = 22, 26%)	Violent reoffense ( <i>n</i> = 15, 17%)	New offense against justice ( <i>n</i> = 18, 21%) <sup>2</sup>
Subject age at index (younger)	AUC = 0.66* [0.54, 0.79]	AUC = 0.71* [0.59, 0.83]	AUC = 0.65* [0.53-0.78]	AUC = 0.50 [0.36, 0.65]	AUC = 0.76* [0.63, 0.89]	AUC = 0.58 [0.43, 0.73]
Subject aged 30 or younger at index**	OR = 4.10* [1.33, 12.65]	OR = 4.59* [1.60, 13.10]	OR = 3.21* [1.11, 9.28]	OR = .96 [0.31, 2.97]	OR = 8.18* [2.32, 28.84]	OR = 1.87 [0.60, 5.80]
Subject ever married	OR = 1.72 [0.53, 5.63]	OR = 1.00 [0.31, 3.21]	OR = 1.30 [0.40, 4.21]	OR = 1.32 [0.36, 4.82]	OR = 1.78 [0.43, 7.44]	OR = 2.06 [0.55, 7.68]
Substance use problem	OR = .77 [0.32, 1.83]	OR = 1.16 [0.49, 2.78]	OR = .64 [0.26, 1.57]	OR = 1.18 [0.44, 3.17]	OR = 1.67 [0.54, 5.17]	OR = 1.11 [0.39, 3.19]
Subject has been suicidal (known at index)	OR = .94 [0.34, 2.58]	OR = 1.39 [0.51, 3.84]	OR = 1.90* [1.67, 5.42]	OR = 1.13 [0.37, 3.46]	OR = .74 [0.19, 2.85]	OR = 1.50 [0.45, 5.01]
Mental health diagnosis known at index	OR = 1.58 [0.51, 4.90]	OR = 1.44 [0.49, 4.26]	OR = 3.39* [1.05, 10.95]	OR = 3.38* [1.02, 11.16]	OR = .44 [0.11, 1.88]	OR = 4.46* [1.14, 17.50]
Subject has a prior criminal history**	OR = 2.93 [0.51, 17.04]	OR = 1.70 [0.29, 9.86]	OR = 1.94 [0.34, 11.30]	OR = .78 [0.13, 4.63]	All	OR = 1.57 [0.17, 14.42]
Subject has a prior juvenile criminal history	OR = 2.71 [0.92, 8.04]	OR = 2.92* [1.02, 8.37]	OR = 2.05 [0.72, 5.83]	OR = 1.81 [0.57, 5.75]	OR = 3.84* [1.10, 13.45]	OR = 1.43 [0.42, 4.92]
Subject has prior stalking/harassment charges	OR = 1.82 [0.72, 4.59]	OR = .92 [0.37, 2.56]	OR = 3.27* [1.25, 8.56]	OR = 3.45* [1.09, 9.64]	OR = .96 [0.31, 3.00]	OR = 2.90 [0.91, 9.24]
Subject has prior violent charges	OR = 1.33 [0.56, 3.14]	OR = 3.47* [1.38, 8.74]	OR = .94 [0.38, 2.28]	OR = .47 [0.18, 1.28]	OR = 3.53 [0.91, 13.71]	OR = .65 [0.22, 1.82]
Approach behavior towards target pre or at index	OR = 1.63 [0.54, 4.91]	OR = 2.17 [0.74, 6.40]	OR = 1.13 [0.35, 3.68]	OR = 1.13 [0.35, 3.68]	OR = .89 [0.22, 3.61]	OR = .69 [0.17, 2.71]
Threatened target at index (explicit)**	OR = .76 [0.32-1.80]	OR = 1.21 [0.51-2.86]	AUC = 0.55 [0.23-1.35]	OR = .59 [0.22-1.58]	OR = 4.26* [1.10-16.54]	OR = .43 [0.15-1.26]
Pathway to violence at index;						
analyzed as a scale	AUC = 0.51 [0.37, 0.65] inverse	AUC = 0.56 [0.42, 0.69]	AUC = 0.56 [0.42, 0.70] inverse	AUC = 0.53 [0.38, 0.68] inverse	AUC = 0.61 [0.44, 0.78]	AUC = 0.66 [0.39, 0.92]
Estimated length of grievance against target	AUC = 0.54 [0.39, 0.69]	AUC = 0.56 [0.40, 0.72] inverse	AUC = 0.69* [0.52, 0.85]	AUC = 0.69* [0.52, 0.85]	AUC = 0.56 [0.36, 0.75] inverse	AUC = 0.58 [0.42, 0.73]

<sup>1</sup> Not all subjects were charged for their new offenses. Those not charged were either warned by police or were diverted for mental health reasons, except for the one violent reoffender who was not charged as the victim (a fellow inmate) was unwilling. Of the nonviolent recidivists, 79% (30) were charged, of the stalking/harassing recidivists, 68% (15) were charged, and of the violent offenders, 93% (14) were charged. <sup>2</sup> This includes all new offending against justice officials, whether an original or new target.  
\* Significant predictors based on *p* < .05. \*\* Items included in linear regression analyses examining a combination of predictors for future offending.

ening in nature, although two made approach behaviors (50%), and they all involved disturbing and harassing communications. Three of the subjects (75%) had new postindex offenses (e.g., failure on conditions of release, illegal possession of a weapon).

Subjects ranged in age from their 20's to 60's and all were male. Two were involved in previous cases of harassment of justice officials, three of them were awaiting court/trial at the time of the index, and all had a prior criminal history. The problematic communication relating to the target was sent via written letter in all four cases, and in two cases also communicated verbally.

### Discussion

Disturbing communications, threats, problematic approaches, and attacks against justice officials occupy a unique place in the threat assessment research: The targets are often public figures, or at least known by others as a "government official," yet the problematic behaviors are often motivated by an actual negative personal experience with that official. The relationships are usually not solely constructed in fantasy, as seen in celebrity stalking cases (Dietz & Martell, 1989; Meloy et al., 2008); nor are the relationships characterized by prior sexual intimacy—the most dangerous stalking and threat cases (Mullen, Pathé, & Purcell, 2009). The targets are typically personally known to the subject (Mohandie, Meloy, McGowan, & Williams, 2006), and have often held enormous professional power over the subject. In the case of attorneys and probation officers, an actual relationship may have developed over time, with both the risks and rewards of a negative or positive outcome; and possible transference feelings from the subject's history with authority figures. In the case of judges or justices of the peace, there may only have been one appearance before the magistrate by the subject, and one decision made—perhaps long forgotten by the judge but not lost in the memory of the subject.

This study began with the assumption that most problematic approachers of justice officials would initiate contact with either a disturbing communication or a threat beforehand, delivered directly or indirectly

(leakage). The focus of the study was to determine who these individuals were, what differentiated the communicators who did not threaten from those who did, and which ones engaged in approach behavior. Additionally, we conducted a 2-year follow-up of the cases to determine what they did concerning the target with whom they communicated, if anything, and whether there were predictors of any subsequent disturbing or criminal behavior.

The subjects were mostly males, consistent with all previous disturbing and threatening communications literature (Meloy & Hoffmann, 2014). Average age was in the third and fourth decade of life, another finding consistent with the stalking research (Baum, Catalano, Rand, & Rose, 2009; Mullen et al., 2009; Tjaden & Thoennes, 1998). Other demographic information was scant, although failures in intimate relationships and notable rates of mental disorder (23%) and personality disorder (7%) were present. These are likely conservative estimates of mental and personality disorder in this sample due to the archival nature of the data, the focus on pre- and index information, and the absence of known formal psychiatric evaluations in most cases; the vast majority of individuals who communicate in a disturbing or threatening manner to a public figure do show evidence of a mental disorder (Meloy et al., 2004). A surprising finding was that over half (55%) the subjects made threats. This contrasts with previous research wherein disturbing communications are done for a variety of other reasons in most cases, ranging from a desire to solve an actual or delusional problem, a need for a romantic/sexual relationship, or a need for help or attention (Dietz & Martell, 1989; James et al., 2009; Scalora et al., 2002; van der Meer et al., 2012). This high rate of initial threat in the communications suggests anger or frustration may be predominant emotional motivations in these cases. Further, this may relate to sample bias in that the cases most often reported to JOPIS are where the justice official is threatened and has some level of fear or concern for violence.

The targets of the communications covered the range of justice officials studied, from police officers to judges, and even though the target was a single person in most cases, there

is evidence of “target dispersion,” a term that Scalora et al. (2002) coined to indicate multiple objects of interest and pursuit for the perpetrator. These target dispersions were usually a group of justice officials, or two or more identified persons.

The threateners in the study were typically younger males with more extensive criminal histories as a juvenile and an adult—although no more violent histories than the other communicators—and histories of substance abuse. They also evidenced suicidality to a greater degree than the other communicators similar to previous early research with hospitalized threateners (MacDonald, 1968). Most importantly, the majority of the postindex violent criminal acts were committed by the threateners (three out of four) although in this follow-up they were never violent toward the justice official they threatened. The paradox here is that an explicit threat toward a justice official *reduced* the risk of an approach, but *increased* the risk of future offending and violence toward others. These data are remarkably consistent with the findings in Warren’s studies of homicidal threateners in Australia: They typically have higher rates of subsequent violence than the population, higher rates of threatened, attempted or completed suicide, and most of their subsequent violence is not directed toward the person originally threatened (Warren, Mullen, & Ogloff, 2011; Warren, Mullen, Thomas, Ogloff, & Burgess, 2008; Warren, Ogloff, & Mullen, 2013). From a threat assessment perspective, a prominent warning behavior finding in this study was that the majority of threateners engaged in leakage of their intent to others (62%), a common finding among cases of targeted violence, whether adult mass murderers, adolescent shooters, or public figure assassins (Fein & Vossekuil, 1999; Hempel, Meloy, & Richards, 1999; Meloy, Hempel, Mohandie, Shiva, & Gray, 2001). Leakage itself (Meloy & O’Toole, 2011) does not predict violence, but it is often an important initial piece of evidence in a threat investigation and always needs to be pursued. A limitation in the current study in how we can understand the role of leakage in future offending is the fact we included these indirect threats in how we defined our threateners. A future study with a larger sample would do better to consider leakage as a separate variable, a separate subgroup of threatening behavior.

Most disturbing or problematic communicators did not approach their target, consistent with previous research on problematic communications to public figures (Meloy et al., 2008). In our sample, approachers were younger, had a less frequent criminal history than the nonapproachers, and sought physical proximity to a justice official who was a stranger, or had minimal prior contact with them. Most problematic approachers of public figures are mentally ill, and such behavior is also associated with no threatening communications, multiple targets, multiple times and means of contacting targets, and no antagonistic communication; some of these variables appear to operationally define the concept of *intensity of pursuit* (Meloy, 2011), a predictor of approach to both politicians and celebrities. In this study, such variables were not specifically measured with the exception of threats. There were not enough data to test for the significance of these other variables in predicting an approach.

Postindex offending was frequent (55%), generally nonviolent, rarely involved the index target, was nonviolent when it did occur toward the index target, was often continued stalking or harassing behavior, and evidenced some target dispersion. The lengthier the time of the grievance against the target, the greater the likelihood of stalking and harassing others during the postindex period. Individual predictors for post index violent offending (against any new victim) included a threat, a prior criminal history, and younger age. This is consistent with extensive research with other offender populations: Most crimes are committed by younger males (e.g., Wilson & Herrnstein, 1985), prior criminal history predicts future criminal behavior (Quinsey et al., 2006; Raine, 2013) across settings (e.g., domestic violence, see Hilton, Harris, & Rice, 2012; child pornography, see Eke, Seto, & Williams, 2011) and threats are associated with future offending (e.g., Warren et al., 2011, 2008, 2013). The only predictor of a new criminal offense against a justice official was a history of mental disorder. Although all of these acts were nonviolent, it is notable that a large proportion of attackers and assassins of public figures are mentally ill (see Hoffmann, Meloy, & Sheridan, 2014).

## Limitations

The current study has a number of limitations and some have already been discussed in relation to specific points (e.g., lack of mental health information). In addition to these, the cases that came to the attention of JOPIS were not without bias; they first had to be of concern to the individual target who then reports the behavior to a supervisor. JOPIS does not conduct primary investigations and therefore the information available in their files was at times brief; a quarter of the cases had been referred for a formal threat assessment and this assisted in the amount and breadth of information we had in those cases. The availability of postindex offending information was a benefit of the current work, although we confined our collection to a 2-year span. Although immediate violence risk to the targeted justice official is of high importance and interest to security units, additional follow-up data would also be of assistance in considering longer-term risk. The risk factors identified in the study worked well in predicting future violence; although the overall sample size is relatively small and caution should be exercised in how these specific variables are generalized, the factors are well documented as risk variables across studies and across criminal domains.

## Final Comment

As Calhoun (1998) noted in his ground breaking study of disturbing and threatening communications toward the U.S. federal judiciary, only a very small number of cases will go on to attack a justice official, and the best indicator of such an impending attack is suspicious *behavior* toward the official—not a threatening communication. In our study of a much smaller number of subjects who problematically communicated, there was no subsequent violence toward a justice official, although there was significant target dispersion in the subsequent crimes of the threateners, and high rates of criminality. Such disturbing communications and threats do not point the finger at the eventual target of violence, but they do appear to warn others of the future criminality of the communicator; as a group there is low risk for violence toward the original target, but a high risk for general offending. In considering any future violence by an offender, justice official protection

services could use the well-established predictors which we have noted.

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