

Case Study



No More Bagpipes **The Threat of the Psychopath**

By Matt Logan, Ph.D.

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Although I am a retired officer who believes in amazing grace, I have grown tired of hearing the bagpipes and seeing thousands of other officers doing a slow march. I am overwhelmed and saddened when watching a chief try to comfort a widow or mother of our too-often-fallen heroes.

In 2010, a tragic wave of violence against America's law enforcement officers resulted in the shooting of 11 within a 24-hour time frame. In late January 2011, the murder of 9 officers in 9 days took me back to the worst memories of my 28-year policing career with the Royal Canadian Mounted Police (RCMP).

A dangerous personality—the psychopath in society—kills many members of our criminal justice family. I wish to state, unequivocally, that

we can predict some of these incidents—and if predictable, they are preventable.

TRAGIC CASE

A historical Canadian case serves as an example that draws a parallel from my experience. On March 3, 2005, in the small town of Mayerthorpe, Alberta, Canada, four RCMP officers were killed in the line of duty. Targeted victims, their role as authority figures set off the sequence of events. I believe that this carefully planned and executed attack did not involve an individual merely “snapping.” In the mind of perpetrator James Roszko, the time had come for this inevitable event. It was an act of instrumental (planned and goal directed), not impulsive, violence.

During the early afternoon of the day before the attack, bailiffs entered the rural farm occupied by Roszko—who previously had damaged visiting officials' vehicles—to execute a civil order related to the seizure of his truck. Roszko's property contained a mobile home, a large prefabricated hut, other outbuildings, and various vehicles. Roszko released two large, vicious dogs previously secured in a small wooden shed.

A few minutes elapsed, and the bailiffs saw Roszko at a white truck, similar to the one they planned to seize, parked near the mobile home. He started the vehicle, drove it erratically around the yard and then down the driveway toward the bailiffs, made a circular turn, and stopped near them with his driver's window open. Roszko made an obscene gesture and yelled profanities. After seeing him drive across the field, the bailiffs called the RCMP's Mayerthorpe office to ask for officers to respond and keep the peace while they performed their duties.

Subsequently, RCMP officers and the bailiffs entered the large hut and discovered a marijuana operation. They also saw a large stolen generator, as well as some dismantled vehicles with no identifying plates. A 24-hour search warrant was endorsed by a justice and faxed to the Mayerthorpe

RCMP office. Shortly thereafter, a marijuana task force arrived on site. RCMP officers and task force members remained on the scene and conducted a productive search that yielded solid evidence of stolen auto parts. Officers secured the property pending the examination of the scene by an auto theft unit, which arrived in an unmarked vehicle early on the day of the attack.

Sometime during the night or early morning, Roszko made an approach on foot to the large hut, where he waited. Later, four officers entered. Outside, the two auto theft investigators, while readying their equipment and donning coveralls, heard two loud bangs and wondered what the other officers were doing inside. A series of six more sounds resembling gunshots occurred. One of the investigators yelled words to the effect of “that’s gunfire,” started to run toward the hut, and removed his pistol. As he ran, he heard more gunfire, yelling, and screaming from inside.

Roszko hid near a 500-gallon plastic container in a corner of the hut when the officers entered. Once all four were inside, Roszko fired rounds, striking each of them multiple times, and then exited. He stopped and noticed another officer to his right, who noted that Roszko had a long-barrelled rifle slung over his shoulders, an assault rifle in his hands across his chest, and a semiautomatic pistol in his waistband. Roszko turned toward him and fired two shots. One round struck the police vehicle the officer was using for cover, and the other narrowly missed to his left, striking the rearview mirror on the passenger’s side. The officer fired two shots directly at Roszko, who stumbled and reentered the hut, out of the officer’s line of sight.

The officer instructed his partner to bring the police vehicle for cover. He then walked backward with his weapon trained on the doorway and took a kneeling defensive position at the right rear of the vehicle. His partner called 911 from his cell phone. No further sounds, other than the portable police radios that the other officers had on their hips, came from the hut. The officers then used their police car radio to call the other officers inside and to direct Roszko to come out. No further sounds or movement. Members of the emergency response team later found the deceased bodies of the four officers, as well as Roszko—he died not from the two officer-inflicted gunshot wounds, but from a self-inflicted one.

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Psychological Autopsy

Along with other members from RCMP’s British Columbia Major Crimes Unit, I responded to Mayerthorpe. My role was to conduct on James Roszko a *psychological autopsy*—“a procedure for investigating a person’s

death by reconstructing what the person thought, felt, and did before death, based on information gathered from personal documents, police reports, medical and coroner’s records, and face-to-face interviews with families, friends, and others who had contact with the person before the death.”¹ Most often, investigators use this procedure in cases of suspected suicide or in an attempt to reconstruct the life and character of the deceased. The process focuses on identifying the deceased’s state of mind at the time of death and discovering behavioral patterns that might accompany suicidal and homicidal intent. In the case of homicide, investigators focus on victimology because it serves as a key piece in determining victim selection.

The psychological autopsy can help determine the mode of death, as well as the contributing factors. Why did the perpetrator do this? Why now? Why this person and in this manner? This diligent process includes interpersonal, affective, and behavioral characteristics and can help find patterns consistent with personality disorders or mental illnesses. Actuarial measures assist in detecting psychopathy and revealing potential violence. Finally, the assessment provides the reflective analysis necessary to gain information to help determine and predict future violent behavior.

James Roszko

I identified James Roszko as a psychopath. My file review assessment using the Psychopathy Checklist-Revised (PCL-R) placed him in the 91st percentile of offenders.² The score on one factor (selfish, callous, and remorseless use of others) put him in the top 1 percent of inmates. Clearly, this score more than exceeded the cutoff for psychopathy. The instrumental nature of the violent act in Mayerthorpe is clear. I believe that Roszko waited for and, likely, fantasized for years about this showdown with police. In his mind, this callous act avenged all of the perceived wrongs done to him by law enforcement officials. Further, their presence on his farm provided him a sense of entitlement to defend his property.

Because of ongoing trials that ended only recently, this is the first time—7 years after the incident—that I have been allowed to discuss these matters. I know of Roszko’s deviance, level of psychopathy, and fantasy about killing officers because of observations I made at his residence. The first thing I noticed when entering Roszko’s home

was a newspaper clipping taped to the sideboard beside the sink. The article focused on the release of a “cop killer” and featured the photo of Albert Foulston, convicted of manslaughter in the 1990 murder of Edmonton, Alberta, Police Officer Ezio Faraone. By the end of that day spent in Roszko’s residence, it made sense to me that he would revere such an individual.

In his bedroom were two magazines. One was a report with a “no surrender” theme that featured a photo of a rifle on the cover. The second contained an article pertaining to the two Columbine killers. I maintain that you can tell a lot about persons by what they keep in their bedrooms—for many individuals, their precious possessions, favorite reading materials, and most intimate writing.

Sometimes, particularly for deviant child molesters, this includes illegal items of pornography that the offender values and protects. After searching the home of a sexually deviant person for a couple of hours, I expect to find a cache of photos.

In this case, initially I did not. I sat on the end of Roszko’s bed and scanned the room, looking for the best storage location for such materials. I walked over to the closet, reached up above the opening, and tapped on the panelling inside the closet. After a piece came loose, I reached in and extracted a package tightly wrapped in plastic. This seemed to be a treasure for Roszko, one that he would not let even a tornado or flood damage. After unwrapping it, I had approximately a 2-foot pile of shrink wrap at my feet, and I held a stack of photos that graphically revealed Roszko—a tattoo identified him as the aggressor—plying two adolescent males with substances and then performing sexual acts on them.

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A valuable officer safety initiative allows law enforcement members to be forewarned and forearmed.
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The combination of psychopathy, antisocial characteristics, schizotypal traits, sexual deviance, paranoia, and a strong desire for revenge identified Roszko as a very volatile and dangerous individual. Adding his callous and aggressive personality, fascination with guns, and hatred of the police made him a ticking bomb. I now recognize the approach onto his property as the detonator. His defense of his home was a *raison d'être* for him, and he likely both fantasized and planned for the day. Unfortunately, at the time, the RCMP members did not have the knowledge of his potential for violence and level of dangerousness. This tragic event highlights the value of intelligence-led policing in determining the threat to members of the criminal justice community and their families.

MODERN THREAT

Years later, the psychopath in society still poses a significant threat. It is not necessarily the big-city gang member, the Hells Angels, or the Mafia killing our criminal justice officials, although one of these descriptions may fit the psychopath. Rather, it is the psychopathic personality, not the gang affiliation, that would serve as the common denominator. And, granted, not every psychopath is a murderer, but it often is the psychopath with other behavioral and contextual factors (e.g., perceived loss, revenge orientation, increased negative contact with law enforcement) that creates a “perfect storm” and catches officers and other innocent people in the “maelstrom.”

In March 2011, concerning the Mayerthorpe murders, the public fatality inquiry report became public.³ Assistant Chief Judge Daniel R. Pahl had some insightful comments.

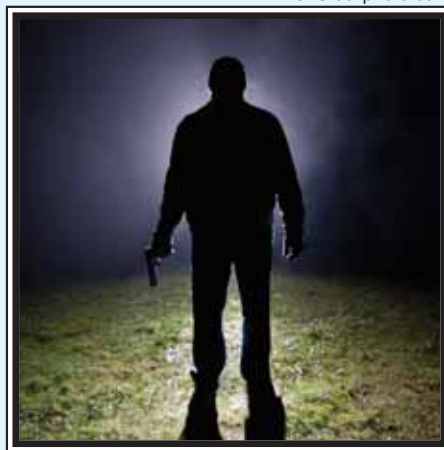
Those responsible for the planning and execution of operations at the Roszko property could have had better information. Whether it would have markedly affected the ultimate outcome cannot be known. It is known, however, that more information is better than less, and future incident commanders should have the best possible information available to them. This is especially so as the evidence is that threats to police have increased significantly in recent years.⁴

Efforts to address this information deficit commenced well in advance of the inquiry. A system upgrade now gives members immediate access to background file information.

Judge Pahl continues.

Raw file information may lack depth, however, and the RCMP has, therefore, also established a Behavioral Sciences Group. This unit is operating in its developmental stages and will require additional resources to achieve its potential. It is intended to be a dedicated criminal threat assessment unit with professional psychological support and has access to a broader data base than will a detachment.

In conjunction with this unit’s mandate, it has also been recommended that each detachment maintain ongoing operational intelligence files on perceived threats. I strongly support that recommendation but I go somewhat further. The evidence at this inquiry shows that some individual members felt the need to develop their own threat list. It was also apparent that there was a lack of continuity of information. Staff members had significantly longer service than the officers, but most historical information as was available from the



staff was necessarily anecdotal in nature. It is possible that without a formalized system, this approach may, however inadvertently, continue to prevail. RCMP detachments are busy places. Matters of individual initiative are often subsumed by diverse general duties and emergencies. Notwithstanding the best intentions of individuals, oversights occur. I believe that detachments should carefully avoid any ad hoc approach to the gathering and maintenance of threat assessment intelligence.⁵

Officer Safety Initiative

In every jurisdiction worldwide, police know of individuals who pose an elevated risk to officers due to the combined elements of severe substance abuse, mental illness, psychopathy, personality disorders, or a pattern of criminal behavior. However, not all agencies have a strategy to deal with these persons and, therefore, lack specific tactical response plans. While Mayerthorpe serves as an example of a worst-case scenario, police should not find themselves in potentially life-threatening situations without sufficient information about the risks they face.

The Threat to Criminal Justice Officials (TCJO) initiative focuses on the risk posed by individuals identified as dangerous to police or other criminal justice personnel, including officers, prosecutors, judiciary officials, jury members, sheriffs, and corrections officers. It allows law enforcement to be forewarned and forearmed and provides a predictive instrument to initiate a preventive strategy. The plan uses and encourages intuition combined with research to save the lives of the criminal

justice family. A customized version of this initiative presently is being used by the Calgary, Alberta, Police Service and is being developed by the King County, Washington, Sheriff's Office.

This risk evaluation requires gathering and examining available case materials and background information regarding the subject and potential victims. Risk-enhancing and -reducing factors, often dynamic and responsive to changing circumstances, are identified and articulated in a written report. These factors come from statistical information based on research conducted by experts in various fields, including psychiatry, psychology, law enforcement, and threat assessment. Along with a review of the subject's current circumstances, they help estimate the level of risk—none, low, moderate, high, or imminent—involved. I recommend developing an operational plan based on the identified risk factors and a realistic appraisal of the capabilities of the agencies responsible for intervening and managing the risk.

Someone may look at this methodology and consider it complicated and beyond the expertise of a smaller department. Structured strategy based on current risk and threat assessment models, the use of a custom template, and access to behavioral science experts can give officers the requisite knowledge to put this plan into place in their jurisdictions.

Gathering Subject Information

Identifying the individuals who pose danger to police involves collecting and analyzing information pertaining to the reasons for their anti-police attitude and descriptions of their criminal

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Determining the individuals who pose the most danger to law enforcement involves constructing templates based on research and related experiences.

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Sample Template Items

Violence Type	Previous Violence Toward Criminal Justice Officials	Lifestyle
Instrumental violence (planned, goal directed)	Documented assault of criminal justice officials	Motivation (revenge/fear of loss)
Reactive violence (explosive, impulsive)	Threats to criminal justice officials	High contact with criminal justice officials
Nonviolence	None	Limited contact/ no known motivation

activity, previous violent acts or threats made toward authority figures, current mental health status, and any prior diagnosis. Information about homicidal or suicidal ideation, as well as any childhood or adolescent maladaptation, is additionally useful but often unavailable.

A potentially expedient and useful way of identifying the subjects who may pose danger is simply to ask criminal justice officials. For instance, through an open letter or memo to all criminal justice agencies in a jurisdiction, personnel can outline this program and ask the basic question “Have you encountered an individual in your work who you believe is likely to attack a criminal justice official?” That question, by itself, may prove sufficient, but a few inclusionary criteria can assist in maximizing the value of the response. For instance, the person has—

- made threats or displayed assaultive behavior toward authority;
- amassed a record of violent behavior with little regard for consequences;
- seemed to display a need for revenge; or
- experienced a series of losses (e.g., freedom, relationship, property, employment).

Rating the Threat

Determining the individuals who pose the most danger to law enforcement involves constructing templates based on research and related experiences. These templates allow agencies to do a form of triaging to determine where best to place their resources. As a triage tool, the templates are not subject to academic scrutiny and do not require users to have an academic background. Although predictive, they are not actuarial measures and would not constitute part of a psychological or behavioral assessment. Templates allow an *objective* look at subjects who previously may have been identified *subjectively*. The templates are based on years of research on violence in general and toward police specifically.⁶

The TCJO Template is a simple 10-point measure that agencies can customize and adapt to their needs and parameters. Departments with no access to criminal records or correctional information will require different template items than agencies with more information available to them. Templates are accompanied by scoring guides that cite related literature serving as source material and demonstrate the scoring

methodology.⁷ While the templates help determine the probability of targeted violence and the severity of the outcome, the imminence must be evaluated by looking at patterns of behavior, threats, planning, life circumstances, and target availability.

Evaluating the Threat

Agency experts can provide risk assessments of persons dangerous to police and other criminal justice officials. As always, potential assailants may remain largely undetected, but the judicious use of trained threat assessment professionals can reduce the danger subjects pose to those responsible for criminal justice. The threat assessment actually should be referred to as a threat evaluation and management plan because it involves more than just an assessment of threat. The TCJO template serves as only one part of the evaluation process. While it assesses the risk, an evaluation of the context and, finally, a management and operational, or tactical, plan must follow.

Assessing and predicting potential violence entail evaluating observable individual traits and situational indicators known to be consistent with previous violent acts. Agency officials must reach deductions and subjective opinions, and, as such, violence may be over- or underpredicted in some cases. Risk for violence is dynamic in that it changes with variations in the offender's thinking and circumstances. The context in which the threat exists also is key to determining risk. Information provided for analysis must be complete, current, and accurate.

Creating an Operational Plan

This phase employs the skill of tactical experts. It involves an assessment of the risks in various circumstances (e.g., chance encounters, vehicle stops, arrests away from the residence, entries into a suspect's property or residence, and hostage/barricade situations). The agency of jurisdiction then would use the evaluation and recommendations to develop or adopt the tactical response plans for dealing with the individual. In the case of a person who scores high on the template and who has exhibited behavior that warrants caution, an intervention plan may involve a tactical team. The ability to have individuals determined to be high risk flagged on a system, such as the Canadian Police Information Center or similar tool, is paramount, and the operational plan must be available on that system. An electronic mapping system that pinpoints the subject's frequented locations also should be considered.

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We must become proactive in protecting our criminal justice family.

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CONCLUSION

As I wrote this, another police officer was murdered nearby. I believe that a rough ride is ahead for criminal justice officials—more specifically, police officers. Looking at the latest perpetrators believed to have shot and killed law enforcement officers, including James Roszko (Alberta, Canada); Maurice Clemmons (Lakewood, Washington); Johnny Simms (Miami, Florida); or Hydra Lacy, Jr. (St. Petersburg, Florida), shows that they have similar features, including early or previous violence, threat or aggression toward authority, perceived loss of freedom, use of weapons in violent acts, and

personality disorders with psychopathic features. The revenge-oriented, nothing-more-to-lose psychopath will be a huge nemesis for law enforcement. We must become proactive in protecting our criminal justice family. ♦

Endnotes

¹ <http://medical-dictionary.thefreedictionary.com/Psychological+Autopsy> (accessed September 28, 2011)

² R.D. Hare, *The Hare Psychopathy Checklist-Revised* (Toronto, ON: Multi-Health Systems, 2003).

³ For more information, visit http://justice.alberta.ca/programs_services/fatality/Pages/fatality_reports.aspx (accessed September 29, 2011).

⁴ http://justice.alberta.ca/programs_services/fatality/Documents/fatality-report-mayerthorpe.pdf (accessed September 29, 2011)

⁵ Ibid.

⁶ The templates are based largely on years of research conducted by Anthony J. Pinizzotto and Edward F. Davis, who served in the FBI's Behavioral Science Unit, and Charles E. Miller III, currently with the FBI's Criminal Justice Information Services Division. The reports resulting from this research, *Killed in the Line of Duty*

(1992); *In the Line of Fire* (1997); and *Violent Encounters: Felonious Assaults on America's Law Enforcement Officers* (2006), are available from the UCR Program Office, FBI Complex, 1000 Custer Hollow Road, Clarksburg, WV 26206-0150, or by calling 888-827-6427.

⁷ Pinizzotto, Davis, and Miller; Hare; J. Monahan, H.J. Steadman, E. Silver, P.S. Appelbaum, P.C. Robins, E.P. Mulvey, L.R. Roth, T. Grisso, and S. Banks, *Rethinking Risk Assessment: The McArthur Study of Mental Disorder and Violence* (New York, NY: Oxford University Press, 2001); V.L. Quinsey, G.E. Harris, M.E. Rice, and C. Cormier, *Violent Offenders: Appraising and Managing Risk* (Washington, DC: American Psychological Association, 1998); and M. Woodworth and S. Porter, "In Cold Blood: Characteristics of Criminal Homicides as a Function of Psychopathy," *Journal of Abnormal Psychology* 111, no. 3 (2002): 436-445.

Dr. Logan, a retired staff sergeant with the Royal Canadian Mounted Police and a psychologist, provides forensic behavioral consultation and training for the law enforcement and criminal justice communities.

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