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The Risk Protection Order: Protection from Mass Homicide?

Brooke Elvington

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The Risk Protection Order: Protection from Mass Homicide?

by
Brooke V. Elvington

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Abraham S. Fischler College of Education
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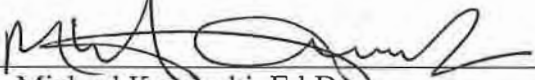
Approval Page

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Abstract

The Risk Protection Order: Protection from Mass Homicide? Brooke V. Elvington, 2022. Applied Dissertation, Nova Southeastern University, Abraham S. Fischler College of Education and School of Criminal Justice. Keywords: Red Flag Law, risk protection law, mass homicide offender typology, gun control.

Gun control measures, referred to as “risk protection orders” or “Red Flag” laws, are expanding with widespread public support. Currently, 19 states have similar legislation, varying in procedural approaches and enforcement to reduce firearm-related homicide, emphasizing mass homicide. However, little is known about whether the legislation is effective.

The following questions are presented: (1) Is there a difference between rates of firearm-related homicide incidences prior to and after the creation of Florida’s “Red Flag” law? (2) Do risk protection orders target individuals demonstrating known mass homicide offender typology characteristics? The study used data derived from open-source resources. An interrupted time-series analysis was conducted to evaluate the effect of the intervention on firearm-related homicides. Data for firearms-related-homicides were obtained from the Florida Department of Law Enforcement from 1999 to 2020, while suicide data were obtained from the Bureau of Vital Statistics. The study revealed that rates of firearm-related homicides statistically significantly increased after implementing the legislation, $p=.003$, $adj.R^2=47.7\%$, $F(3,18)=6.889$. Firearm-related suicide rates, on the contrary, decreased significantly after intervention, $p<.001$, $adj.R^2=65.3\%$, $F(3,18)=14.169$.

Data of risk protection petitions ($N=556$) filed from March 2018 to March 2019 were collected from Pinellas, Broward, and Seminole counties. Bivariate analysis using a chi-square test for association showed that statements involving intent to commit mass homicide ($N=76$) was negatively correlated with only one statutory variable, unlawful or reckless display of a firearm, but positively correlated with three of the added variables: (1) evidence of suicidal ideation; (2) evidence of planned revenge; and (3) evidence of precipitating factors, including strain. The fourth added variable, domestic violence, negatively correlates with the outcome.

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Chapter 1: Introduction

Nature of the Research Problem

The Federal Bureau of Investigation (FBI) defines “mass homicide” as offenses involving four or more murders committed with no cooling off period (FBI, 2008). Although mass shooting incidences remain rare compared to the overall firearm-related homicide rate, shootings influence a wide range of public policy related to school safety procedures and gun control initiatives as a result of widespread media attention (Agnich, 2015). In the past few years alone, nineteen states adopted legislation designed to remove firearms and prohibit firearm purchases from individuals deemed to pose safety risks to themselves or others (Blocher & Charles, 2020). The gun control measures, often referred to as “Red Flag” laws, are designed to prevent firearm-related homicides by offering a judicial mechanism to confiscate firearms or prohibit possession of firearms from individuals who are believed to be a threat to themselves or others. States vary in procedures and enforcement, and little research is available to determine its efficacy. There is little empirical research available to determine whether gun control measures effectively reduce firearm-related incidences (Campbell & Yablon, 2018; Zeoli et al., 2021).

There is an unquestionable expansion of risk protection legislation throughout the United States, and there is widespread public support for the gun control measures (APM, 2019; Campbell & Yablon, 2018). Despite widespread public support for the legislation, critics argue that the legislation is not only ineffective but also creates constitutional concerns and issues surrounding social justice (Campbell & Yablon, 2018; Swanson, 2020). In Florida, the procedure utilized for the entry of risk protection orders

necessitates significant public resources involving the use of law enforcement and the judiciary. In addition, there are collateral consequences to the imposition of the risk protection order, which are not limited to a person's ability to possess a firearm. In Florida, there are criminal consequences to violating an order, which authorizes law enforcement to secure a search warrant (Risk Protection Orders, 2018). Despite lacking any evidence of criminal involvement, the entry of the risk protection order provides law enforcement a clear mechanism to engage with citizens on a confrontational basis. From a social policy perspective, the legislation is too new to evaluate widespread collateral consequences. However, researchers question whether risk protection orders raise significant social justice concerns (Swanson, 2020).

This study investigates the efficacy of the recently enacted "Red Flag" law in Florida, referred to as "Risk Protection Orders" (Risk Protection Orders, 2018). Florida's gun control measure was enacted in response to the Parkland mass school shooting. There are no known studies to evaluate the differences in firearm homicide or suicide rates prior to and after legislative implementation. Likewise, no known studies analyze data collected in reference to Florida's Risk Protection Orders to determine whether the individuals subjected to firearm removal share similar characteristics to mass homicide offenders. Lacking substantive review and evaluation, the efficacy of Florida's Risk Protection Orders is unknown, thereby placing the public at risk and obscuring the need for legislative attention/reform. This study constitutes Florida's first known analysis of the 2018 legislation designed to evaluate efficacy related to firearm-related homicide rates.

Purpose of the Study

The purpose of the study is to investigate whether the recently enacted “Red Flag” laws in Florida, referred to as “Risk Protection Orders,” effectively reduce firearm-related homicides and whether possible mass homicide offenders are targeted. There is little data available nationwide on the effectiveness of risk protection orders, and the available data involves small sample sizes. In addition, it is difficult to generalize the results of a study from one state because states vary in both procedural mechanisms and enforcement.

The first research question in the study evaluates gun-related homicide and suicide rates prior to and after the enactment of the legislation. The researcher compiled data from the Florida Department of Law Enforcement’s Uniform Crime Reports and the Bureau of Vital Statistics from 1999 to 2020 to compare the incidences prior to and after the 2018 legislative implementation. An independent t-test was utilized to compare means, and linear regression was used to conduct an interrupted time series analysis.

The second research question addresses whether the targets of the Risk Protection Orders demonstrate mass homicide offender typology. If the measure does not identify high-risk offenders, relying on risk protection legislation as a preventative measure may not be effective at reducing mass homicide incidences. While there is no universally accepted typology for mass homicide offenders, decades of research have determined the presence of several key variables: (1) express statements involving an intent to commit mass homicide; (2) the desire for revenge; (3) evidence of significant planning versus impulsive conduct; and (4) evidence of precipitating events causing strain (Dutton, White & Fogarty, 2013; Fox & Levin, 1998; Levin & Madfis, 2009; Taylor, 2018). In addition,

the researcher included domestic violence and suicide as variables because both are associated with mass homicide (Duwe, 2013; Fridel, 2021). Part II of the study evaluates the filed petitions to determine the prevalence of identified risk factors by conducting a 2x2 Chi-square test for association (see Appendix).

Background and Significance

The Center for Disease Control, (CDC), reports that in 2017 39,773 people died from firearm-related injuries in the United States (Pew Research Center, 2019). Most firearm-related deaths are from suicide, and 37% are classified as murder (Pew Research Center, 2019). The CDC does not report a mass homicide incident rate. However, according to the Web-based Injury Statistics Query and Reporting System (WISQARS), the 2017 incident rate for incidents involving more than two victims was 781, representing a small statistical percentage of overall firearm-related homicide rates (WISQARS, 2018). The CDC maintains data in its National Violent Death Reporting System (NVDRS) on multi-victim homicides. However, not all states currently participate in exchanging data, and Florida does not currently do so (NVDRS, 2022). The underlying premise of the Red Flag Legislation is that if access is reduced, the incidences will likewise be reduced. Thus, the legislation's goal is to prevent crime and establish social order. Proponents of the legislation would highlight the high lethality rate in modern mass shooting incidences and the ineffectiveness of traditional law enforcement methods in preventing the offenses Opponents of the legislation would challenge the effectiveness of gun control, particularly when compared to mass shooter typology (Duwe, 2013, 2017). In addition, opponents would emphasize that the method of

establishing order involves the restriction of the individual's right to possess firearms regardless of whether the individual committed a criminal act.

A study conducted in 2013 by Duwe evaluated homicides occurring between 1900 and 1999 and found that although homicides tend to occur at a rate of 20,000 per year, mass homicides constitute approximately 27 incidents per year (Duwe, 2013). Data compiled from newspaper articles and the FBI's Supplementary Homicide Reports, SHR, indicate that there were 909 incidents of mass homicide with 1,186 offenders during this time frame (Duwe, 2013). Thus, when compared to homicide in general, mass homicide accounts for 0.1% of all incidences (Duwe, 2013).

Notably, although the overall incidence rate is low compared to firearm-related incidences in general, mass shooting incidences have been increasing at much greater rates since the 1980s than in prior decades (Duwe, 2013). The FBI released a study in 2013 limited to mass shooting incidences and identified 160 incidences from 2000 to 2013 with 486 deaths (FBI, 2013). A more recent analysis compiled by *USA Today* established that there were 317 mass homicide incidences between 2006 and 2016, with 355 offenders and 1,600 victims (Fox et al., 2018).

Despite the statistical rarity of public mass shooting incidences, the lethality rate associated with individual offenses is increasing (Duwe, 2017). In fact, since 2012, we have seen a historical high in the average victim rate (Duwe, 2017). The startling nature of public mass shooting incidences, along with the high lethality rate, create fear and outrage, and often lead to gun control initiatives. President Obama's 2013 plan to reduce gun violence was prompted by the Sandy Hook Elementary School massacre in 2012 (Fan, 2015). The Sandy Hook shooter, Adam Lanza, then age twenty, executed his

mother in his home by firing four shots to her head (Fan, 2015). Armed with a Bushmaster rifle, Glock 20 10-mm pistol, Sig Sauer 9-mm pistol, and a significant amount of ammunition, Lanza then shot his way through the glass doors of Sandy Hook Elementary School and murdered twenty children and six adults (Fan, 2015). The massacre lasted approximately eleven minutes and ended with Lanza's suicide (Fan, 2015). In response, President Obama announced a three-part plan related to (1) improved background checks, (2) a prohibition against military-style weapons and high-capacity ammunition magazines, and (3) increased penalties for illegal firearm trafficking (Fan, 2015).

Six years after the Sandy Hook massacre, on Valentine's Day 2018, Nicolas Cruz entered Marjory Stoneman Douglas High School in Parkland, Florida and within six minutes of entry, murdered seventeen people, including fourteen children (Brezenski, 2018). Cruz was armed with an AR-15 firearm capable of discharging 30 rounds in less than one minute (Brezenski, 2018). Like Adam Lanza, there are reports that Nicolas Cruz was mentally ill or unstable prior to the attack (Brezenski, 2018). Within six days after the massacre, high school students who survived the attack approached state legislatures and demanded gun reform (Brezenski, 2018). Regardless of whether empirical data establish a positive correlation between gun control laws and mass homicide incidences, research conducted in 2013 establishes that the majority of Americans support gun control laws, particularly those that place emphasis on mental health (Barry, McGinty, Vernick & Webster, 2013). Ultimately, the survivors effectively spearheaded Florida's "Red Flag" law (Risk Protection Orders, 2018).

Risk Protection Orders

Florida's recent "Red Flag" law permits the state to confiscate firearms from individuals who pose a significant danger to others regardless of whether the person committed any criminal act (Risk Protection Orders, 2018). Specifically, the statute permits law enforcement to obtain a court order to prevent firearm access to those individuals who pose a significant danger because of a "mental health crisis" or violent behavior (Risk Protection Orders, 2018).

To initiate the procedure in Florida, a member of law enforcement must file a petition seeking a Risk Protection Order in a circuit court (Risk Protection Orders, 2018). Unlike other jurisdictions, family members or other concerned individuals are not permitted to file a petition (Zeoli et al., 2021). Of course, there is nothing to prevent family members from contacting law enforcement to initiate the process, and there is no indication on the petition itself as to how law enforcement became involved (Risk Protection Orders, 2018). The petition identifies the respondent's demographic information and then briefly identifies the legal basis for the petition. Under Florida law, the petitioner must allege that the respondent poses a significant danger of causing personal injury to themselves or others by having a firearm or ammunition in the near future (Risk Protection Orders, 2018). Imminence is a requirement, and as such, the law enforcement officer must provide an affidavit alleging specific facts that give rise to the reasonable fear of significant dangerous acts (Risk Protection Orders, 2018). The petition utilizes a 15-item checklist for the law enforcement officer to identify relevant evidence for the court's consideration as follows:

1. Respondent involved in a recent act or threat of violence against themselves or others;
2. Engaged in an act or threat of violence, including but not limited to acts or threats of violence against themselves, within the past 12 months;
3. May be seriously mentally ill or may have recurring mental health issues;
4. Has violated a risk protection order or no contact order;
5. Is the subject of a previous or existing risk protection order;
6. Has been convicted of, had adjudication withheld on, or pled nolo contendere in Florida or in any other state to a crime that constitutes an act of “domestic violence”;
7. Has used, or threatened to use, against themselves or others, any weapons;
8. Has unlawfully or recklessly used, displayed, or brandished a firearm;
9. Has used, or threatened to use on a recurring basis, physical force against another person or has stalked another person;
10. Has been arrested for, convicted of, had adjudication withheld, or pled nolo contendere to a crime involving violence or a threat of violence in Florida or in any other state;
11. Has abused or is abusing controlled substances or alcohol;
12. Has recently acquired firearms or ammunition;
13. Is required to possess firearms or ammunition in the scope and duties of their occupation;
14. Has been the subject of proceedings under the Baker Act or Marchman Act; and
15. Other (Risk Protection Orders, 2018; see Appendix).

Within 14 days of the petition being filed, the respondent is entitled to an evidentiary hearing, and the petitioner bears the burden of proving by clear and convincing evidence that the respondent poses a significant threat (Risk Protection Orders, 2018). If the petitioner meets its burden, the court will enter a risk protection order preventing firearm possession for up to 12 months. The respondent may file one motion during the 12 months period to vacate the order. However, the respondent then bears the burden to establish clear and convincing evidence that the order should be vacated (Risk Protection Orders, 2018). At the 12-month expiration, the petitioner may file yet another petition to continue the risk protection order, and at that time, another hearing would commence (Risk Protection Orders, 2018).

The order's violation constitutes a first-degree misdemeanor punishable by a term not to exceed one year in county jail (Risk Protection Orders, 2018). Studies conducted in Indiana raise concerns that criminal consequences of risk protection orders are not isolated to a violation of the order (Swanson, Easter, Alanis-Hirsch, Belden, Norko, Robertson, Frisman, Lin, Swartz & Parker, 2019). Researchers in Indiana found that one in every five respondents was arrested during the initial firearm seizure or the 12 months following the issuance of the order. Approximately 17% of arrests involved firearm offenses (Swanson et al., 2019; Swanson, 2020).

Florida is not alone in enacting legislation that would effectively eliminate an individual's right to possess a firearm prior to that individual actually committing a criminal offense. There are currently nineteen states that have enacted "Red Flag" laws, including Connecticut, Indiana, California, Washington, Oregon, Rhode Island, Vermont, Maryland, and Florida (Broom, 2018; Cambell & Yablon, 2020; Gaudiano, 2018). The procedures and the required burden of proof vary between the states. However, the common goal of all of the "Red Flag" laws is to remove firearms from individuals perceived to be a threat to themselves or others. In 2017, Vermont enacted similar legislation targeting individuals who pose an "extreme risk" to themselves or others. However, Vermont limited the petitioners to State Attorneys or the Office of the Attorney General (Petition For Extreme Risk Protection Order, 2017). Rhode Island's 2018 "Red Flag" law requires law enforcement to initiate the petition. However, in addition to the petition, the officer must attach an affidavit in support of a search warrant to permit the officer to search the individual's premises (Extreme Risk Protection Orders, 2018). Similar to other "Red Flag" laws, the Rhode Island statute outlines specific factors that

the court must consider, including the following: (1) a recent act or threat of violence, (2) a pattern of acts or threats within 12 months, (3) the respondent's mental health history, (4) respondent's abuse of controlled substances, (5) previous violations of restraining orders, and (6) respondent's criminal history (Extreme Risk Protection, 2018). Many other states, including New York and Maine, are developing "Red Flag" laws similar to Florida, Vermont, and Rhode Island (Miller, 2018; Vielkind, 2018).

Maryland enacted its "Red Flag" law on October 1, 2018, and 172 petitions have been filed since that date (Broom, 2018). Unlike Florida, Vermont, and Rhode Island, the petitioner in Maryland is not limited to law enforcement or State attorneys; rather, petitions may be filed by family members, domestic partners, teachers, therapists, or law enforcement (MD Public Safety §5-601, 2018). Of the 172 petitions, 24 cases were denied or dismissed (Broom, 2018).

Oregon enacted its legislation in 2018 (Zeoli et al., 2021). Unlike Florida, a large number of individuals in Oregon may constitute the "petitioner" for purposes of obtaining a risk protection order. These individuals include family members, intimate partners, or any person living in the same household (Zeoli et al., 2021). Critics of Oregon's legislation argue that permitting third parties to file petitions seeking firearm removal raises a large number of concerns regarding the possibility of abuse or misuse (Zeoli et al., 2021). The State of Oregon issued only 119 risk protection orders within 15 months from the date of legislation enactment (Zeoli et al., 2021). In comparison, Florida courts ordered more than 450 people to surrender firearms to a risk protection order within one month of legislation enactment (LaGrone & Apthorp, 2018). Within the first year of Florida's "Red Flag" legislation, 2,654 risk protection orders were entered (Carlton,

2019). Notably, the vast majority of the individuals had mental health history and were considered a danger to themselves and not others (LaGrone & Apthorp, 2018).

In practice, “Red Flag” procedures resemble a civil injunction hearing. All states have civil procedures permitting petitioners to seek protection from domestic violence or stalking. If an individual is threatened by a household member, that individual may file a civil protection petition, and if that petition is granted, the respondent must not contact the petitioner. However, to obtain a protective order, the petitioner must establish that the respondent committed an act akin to a criminal offense. In Florida, for instance, to obtain an order of protection from domestic violence, the petitioner must establish that the respondent committed an act of domestic violence or that he/she is in imminent fear that an act of domestic violence will occur (Risk Protection Order, 2018). The definition of “domestic violence” relates directly to the commission of criminal offenses (Domestic Violence, 2018). Unlike domestic violence protection orders, there is no requirement that the petitioner establishes that the respondent committed any criminal act pursuant to the “Red Flag” laws. It is critical to note that criminal acts are defined by statute, and as such, the conduct in question is clear. However, if the criteria relate to “dangerous” or “threatening” conduct, there is considerable room for interpretation and likewise room for abuse. Individuals subjected to Florida risk protection orders have attempted to challenge the constitutionality of the statute on the basis that the statutory terminology is inherently vague. However, Florida appellate courts rejected such an argument and upheld the legislation (Davis v. Gilchrist County Sheriff’s Office, 2019).

In the context of “Red Flag” laws, there is no requirement that the individual is a convicted felon, and there is no requirement that the individual has actually committed

any act constituting a crime. Because it is not necessary to prove criminal conduct, the procedure is similar to a preemptive strike where the government assumes that an individual may constitute a threat, and as such, the government takes affirmative steps to prevent that individual from carrying out the threat.

Gun control measures similar to Florida's "Red Flag" law are gaining traction throughout the United States with seemingly broad public approval. Jurisdictions enforcing "Red Flag" laws are devoting public resources, including law enforcement and the judiciary. From a public policy perspective, it is imperative that research is conducted to determine whether this type of legislation is effective at reducing overall firearm-related homicides and whether it is an effective tool to reduce mass homicide incidents.

Barriers and Issues

An obvious barrier to the study relates to the availability of data. Although all petitions are available to any member of the public as a result of Florida's public records law, the sheer volume of petitions filed throughout the State of Florida limits the ability to analyze every filed petition (Public Records, 2021). Thus, it was necessary to limit the analysis to specific counties for this study. Likewise, the availability of specific information related to the independent variables was an issue. The petitions are filed by members of law enforcement, and the type of information that is included or omitted is discretionary. As such, this study is inherently limited by the nature of the information contained in the petitions. It would be important to note that additional factors relevant to the findings in this study may have been present but omitted.

A second issue relates to the analysis of offender typology. There is no accepted typology for mass homicide offenders, and there is considerable debate regarding how

mass homicide offenders should be classified. For this study, the researcher included commonly accepted variables in addressing typology. However, any attempt to characterize mass homicide offenders must be accepted with limitations.

A third issue relates to the existence of a large number of confounding variables that cannot be controlled in the context of comparing homicide rates prior to and after the enactment of legislation. Even if gun control legislation has an apparent link to the reduction (or increase) in homicide rates, one must accept the existence of a number of variables that could contribute to the overall reduction. For instance, this study includes a time frame involving the COVID-19 pandemic, and as a result, the data obtained post-March 2020 may be misleading.

Definitions

The relevant terms or phrases are defined as follows:

Baker Act: The phrase is utilized on the face of the petitions and is included as an independent variable. The phrase is used to refer to an individual taken into custody and placed into a mental health facility because that person is deemed an immediate threat to themselves or others as a result of mental illness.

Petition: The form filed with the circuit court to initiate the legal procedure seeking the entry of a risk protection order.

Petitioner: The term used to identify the person or entity seeking the entry of the risk protection order. In Florida, the Petitioner must be a member of law enforcement.

Red Flag Law/Legislation: The phrase used to describe Florida's gun control measure for risk protection orders pursuant to Florida Statute §790.401. The phrase is used interchangeably with "Risk Protection Order."

Respondent: The term used to identify the individual subjected to the risk protection order.

Risk Protection Order: A judicial order entered pursuant to Florida Statute §790.401 that prohibits an individual from owning or possessing a firearm for a period of time.

Risk Protection Order is interchangeable with “RPO” and “Red Flag” law.

Chapter 2: Literature Review

There are two components of necessary literature review: (1) available literature on the efficacy of risk protection orders; and (2) mass homicide offender typology. There is limited available research examining the legislation, particularly in reference to overall efficacy when compared with homicide rates because risk protection orders are relatively new. Because of the limited available research, studies examining prior gun control measures related to homicide rates and risk protection orders in relation to domestic violence were included for comparison. There is an abundance of research available addressing mass homicide offender typology. However, there is considerable debate amongst researchers regarding how mass homicide should be defined and categorized. Research identifying overall offender typology was included to establish the necessary background. In addition, because risk protection orders include identifiable factors related to mental illness, studies examining the correlation between mental illness and mass homicide typology were included. There is no known research specifically identifying the correlation between “Red Flag” gun control legislation and firearm-related homicides with an emphasis on mass homicide typology. This study examines the missing element in the available research.

Efficacy of Risk Protection Orders

Connecticut enacted its gun control legislation in 1999, and as such, there is some available data. However, the data does not specifically relate to the overall reduction in homicides (Norko & Baranoski, 2014). Norko and Baranoski evaluated Connecticut’s 1999 imminent risk legislation to determine whether the removal of firearms was significantly correlated with mental health history (Norko & Baranoski, 2014). Similar to

Florida's "Red Flag" legislation, Connecticut enacted its gun control law following a mass homicide incident involving a mentally ill perpetrator (Norko & Baranoski, 2014). On March 6, 1998, an accountant murdered four co-workers with a firearm and a knife before committing suicide (Norko & Baranoski, 2014). The individual had significant mental health history, including depression and suicide attempts (Norko & Baranoski, 2014). Within months of the murders, Connecticut passed Public Act 98-129 requiring that mental health facilities provide information related to individual commitments to the State (Norko & Baranoski, 2014). The objective of the legislation was to limit an individual's ability to possess a firearm permit if that individual had been committed to a mental health institution (Norko & Baranoski, 2014). Similar to Florida's legislation, the theory was that limiting firearm possession of mentally unstable individuals would reduce such tragedies.

Analysis of Connecticut's legislation revealed that as of March 1, 2013, nearly four years after enactment, approximately 7000 civil commitments were reported to the State. However, only one person attempted to obtain a firearm permit after a civil commitment (Norko & Baranoski, 2014). The statistical rate of occurrence was 0.015% (Norko & Baranoski, 2014). Following Act 98-129, Connecticut passed Act 99-212, which permitted firearm seizure from any person deemed to pose a "risk of imminent personal injury to himself or herself or to other individuals" (Norko & Baranoski, 2014). Almost identical to Florida, judges can review a person's history with firearms, prior use of force against others, use of controlled substances, and involuntary psychiatric hospitalization (Norko & Baranoski, 2014). Norko and Baranoski (2014) evaluated Connecticut's imminent risk statute with data from October 1, 1999, through July 31,

2013, and found that there were 764 warrants for gun seizures, with the majority of seizures occurring after the Sandy Hook massacre during the four years. Researchers found that the majority of cases involved no history of psychiatric treatment, and only 1% of the individuals were in active treatment (Norko & Baranoski, 2014). Thus, the researchers concluded that mental illness was not significantly correlated with firearm removal (Norko & Baranoski, 2014).

Kivisto and Phalen (2018) evaluated the correlation between firearm seizure laws in Indiana and Connecticut and suicide rates between 1981 and 2015 following Indiana's enactment of its firearm seizure law. The researchers found a 7.5% reduction in overall firearm suicides. Furthermore, an analysis of Connecticut's legislation initially showed a 1.6% reduction in firearm suicide rates. After the legislation was strengthened, the overall reduction was 13.7%. However, the researchers noted that the data was questionable because Connecticut's rates of firearm-related suicide were offset by non-firearm suicides (Kivisto & Phalen, 2018).

California introduced its risk protection order in 2016 after a mass shooting event (Wintemute, Pear, Schleimer, Pallin, Shol, Kravitz-Wirtz & Tomsich, 2019). The researchers evaluated 159 records from 2016 to 2018 to assess the efficacy of risk protection orders. In total, California only had 414 cases within the relevant time frame. The researchers concluded that the risk protection orders effectively targeted individuals posing an imminent threat. However, when evaluating the correlation to possible mass homicide offenders, the researchers noted that only two known cases nationwide pertain directly to mass homicide threats (Wintemute et al., 2019). In 2018, an 18-year-old became the first individual subjected to Vermont's risk protection legislation after

making multiple complimentary statements regarding the Parkland massacre, making threats of attacks, and writing out an entire plan of attack. Likewise, in 2018, a Washington court entered an order in reference to a man who made multiple known threats to conduct a mass shooting in a synagogue (Wintemute et al., 2019). In the California study, researchers found that 13% threatened mass shootings. However, the authors noted that the figure is likely not representative (Wintemute et al., 2019). The authors recognized that identifying individuals making mass threats was a critical component and noted that nearly 80% of known mass homicide offenders had evidence of significant planning and behavior indicating their intent to carry out an attack (Wintemute et al., 2019). Arguably, the inclusion of evidence related to planning an attack would be beneficial when conducting a correlation analysis to identify the possibility of high-risk offenders.

Researchers conducted the first statewide analysis of Washington's 2016 risk protection legislation in 2020 (Rowhani-Rahbar, Bellenger, Gibb, Chesnut, Lowry-Schiller, Gause, Haviland & Rivara, 2020). Although researchers were able to identify common factors among the 237 cases, researchers did not conduct any analysis pertaining to efficacy but noted that further research was necessary (Rowhani-Rahbar et al., 2020). A team of researchers thereafter published a 2020 study examining risk protection orders in King County, Washington (Frattaroli, Omaki, Molocznik, Allchin, Hopkins, Shanahan & Levinson, 2020). Researchers evaluated all petitions filed in 2017 and 2018, obtained court records associated with the petitions, and then conducted a descriptive analysis of the coded data (Frattaroli et al., 2020). Only 75 petitions were filed during the study period, all of which were granted, resulting in a one-year suspension of the individual's

ability to possess a firearm (Frattaroli et al., 2020). Notably, the researchers indicated that five specific cases included a “threat to others” that would have been classified as a mass shooting threat based upon a review of the individuals’ court records (Frattaroli et al., 2020). The researchers explained that to classify as a “mass homicide threat,” only two criteria were necessary: (1) the individual made a clear declaration of intent to commit a mass shooting or exhibited behavior evidencing such; and (2) the subject had or would have access to firearms (Frattaroli et al., 2020). In two specific cases, records indicated that facilities were evacuated because of the individual’s threat (Frattaroli et al., 2020). The study is the first known study to identify possible offender targets for mass homicide offenses. However, the study is limited to only 75 petitions filed in one jurisdiction. In addition, while identifying possible targets is a crucial component of the necessary research, relying entirely upon allegations in the petition to draw predictive conclusions as to an individual’s overall propensity to commit mass homicide, has its limitations. The researchers noted that further research was necessary and that data should include the perspectives of both the petitioners and the respondents. The Frattaroli et al.’s (2020) study did not include an analysis of pre-legislation and post-legislation firearm-related homicide rates.

Researchers recently analyzed Oregon’s risk protection legislation and found that although the gun control measure seemed to target individuals posing a risk to themselves or others, more work was needed to target high-risk individuals (Zeoli, Paruk, Branas, Carter, Cunningham, Heinze & Webster, 2021). Oregon’s legislation is similar to Florida’s. However, family and household members may file a petition seeking firearm removal (Zeoli et al., 2021). The researchers analyzed all petitions filed within the state

of Oregon during a 15-month period. However, only 119 petitions were filed, and 26 were excluded from the analysis. Thus, only 93 petitions were evaluated (Zeoli et al., 2021). Similar to Florida, Oregon uses a standard checklist format in its petition. Researchers identified characteristics for both the petitioners and respondents from the available data contained on the petition. The overwhelming majority of cases (73%) involved individuals with a history of suicidal ideation (Zeoli et al., 2021). This statistic is consistent with other studies conducted in various states (Frattaroli et al., 2020; Rowhani-Rahbar, Bellenger, Gibb, Chesnut, Lowry-Schiller, Gause, Haviland & Rivara, 2020; Swanson, Norko, Alanis-Hirsch, Frisman, Baranoski & Bonnie, 2017; Swanson et al., 2019). Notably, 70% of the individuals in the suicide category likewise threatened others' safety, such as domestic partners (Zeoli et al., 2021). Approximately 75% of respondents were involved in some type of interpersonal violence (Zeoli et al., 2021). Researchers found that five individuals made threats of school-related violence (Zeoli et al., 2021). Overall, the researchers concluded that sufficient evidence indicated that the risk protection orders targeted individuals posing a threat to themselves or others (Zeoli et al., 2021). However, researchers note that the link between suicidality and threats of violence is not demonstrated in other studies. Studies conducted in other states, including California, Indiana, and Washington, did not find such evidence (Frattaroli et al., 2020; Parker, 2015; Swanson et al., 2017; Zeoli et al., 2021). Researchers explained that the differences in the studies could be the result of the data contained on the petitions themselves. If the petition does not identify the different types of threats of violence, it would be impossible to conduct any type of correlation analysis. Researchers noted that

the variability in the information provided on the petitions poses a significant limitation to study further.

Gun Control Comparison

There is no reliable empirical data to analyze critical variables, including firearm-related homicide rates because risk protection legislation is in its infancy. However, a comparative analysis is available for previous gun control measures, such as the assault weapons ban in the US, weapon bans in Australia and Canada, and domestic violence-related gun control measures. Fox and DeLateur conducted a 2014 study evaluating FBI Supplementary Homicide Report data, including 672 mass shootings from 1976 to 2011 in relation to various gun control measures (Fox & DeLateur, 2014). The researchers included all homicides that included at least four victims in the sample (Fox & DeLateur, 2014). Ultimately, the researchers found no increase in shootings during the time frame. The researchers found that the 10-year window of the 1994 federal ban on assault weapons showed no effect on mass homicide or murder in general (Fox & DeLateur, 2014). Likewise, an examination of the “right to carry” laws from 1977 to 1999 concluded that the impact of the legislation was negligible in reference to homicide and had no relationship to mass shootings (Fox & DeLateur, 2014). The researchers concluded that gun control measures were ineffective preventative measures against mass homicide. However, the authors noted possible benefits from a broader public health perspective (Fox & DeLateur, 2014).

Similarly, Gius conducted a 2014 study analyzing the effects of concealed weapons laws and assault weapons bans on state-level murder rates and, interestingly, found an increase in gun-related murders (Gius, 2014). The authors used a fixed-effects

model to examine homicide rates from 1980 to 2009 at the state level. The dependent variable was the murder rate. The authors created dummy variables for weapon control/ban. Independent variables included state demographics and socioeconomic factors. The overall homicide incident data was obtained from the US DOJ Supplementary Homicide Reports. The results demonstrated that states with restrictions on carrying concealed weapons had higher gun-related murder rates than other states. Specifically, when the concealed weapon ban dummy variable was utilized, the overall incident rate was 10% higher (Gius, 2014). Assault weapons bans did not significantly affect murder rates (Gius, 2014). In fact, the authors found that homicide rates were 19.3% higher during the applicable time frame for the assault weapon ban (Gius, 2014). The authors noted several limitations to the study and questioned whether the laws were enforced properly and whether the states where gun control measures were enacted had higher firearm-related crimes when compared at the state level (Gius, 2014). Thus, there are additional factors that could not be controlled, and as such, the findings are limited.

Kwon and Baack concluded in a 2005 study that variables associated with law enforcement and socio-economic factors may be as significant as gun control measures (Kwon & Baack, 2005). The researchers analyzed state gun control measures to evaluate the effectiveness of the legislation on overall homicide rates (Kwon & Baack, 2005). The study used a multivariate linear regression analysis to analyze the relationship between variables, including gun control measures and firearm deaths per 100,000 inhabitants of each state. The dependent variable was derived from the annual publication Vital and Health Statistics of the Center of Disease Control and Prevention National Vital Statistic Report for 2000 (Kwon & Baack, 2005). The data included suicides, homicides, firearm

accidents, legal interventions, and deaths of unknown intent. Twenty-four states were included in the study, and the state with the highest rate of firearm deaths was Alaska (Kwon & Baack, 2005). A number of independent variables were considered: race, number of LEO employees, unemployment rate, population density, and gun control legislation (Kwon & Baack, 2005). The results demonstrated that comprehensive gun control lowered the number of gun-related deaths between one to six per 100,000 individuals in the states that have the most extreme legislation (Kwon & Baack, 2005). However, socio-economic and law enforcement factors are equal to gun control measures when evaluating gun-related fatalities (Kwon & Baack, 2005). There were significant limitations involving a large number of factors, including law enforcement, controlling for gun control measures had significant limitations (Kwon & Baack, 2005).

Gun control measures vary greatly between jurisdictions, so it is critical to identify the particular measure in question when evaluating overall efficacy related to homicide rates. Researchers in 2005 conducted a cross-sectional time study of firearm mortality rates from 1979 to 1998 and compared the data to five specific gun control laws: (1) "shall issue" laws allowing an individual to carry a concealed weapon, (2) a minimum age of 21 for handgun purchase, (3) minimum age of 21 for private handgun possession, (4) one gun a month law that limits purchase frequency, and (5) junk gun laws which ban the sale of certain cheaply constructed handguns (Rosengart, Cummings, Nathens, Heagerty, Maier & Rivara, 2005). A sample from all 50 states was included. The researchers found that "shall issue" laws were correlated with a higher firearm mortality rate than in jurisdictions that did not contain the legislation. However, none of

the control measures resulted in decreased firearm mortality rates (Rosengart et al., 2005).

Studies evaluating the link between gun control measures and homicide rates are not limited to the United States. Baker and McPhedran conducted a study evaluating Australia's gun control measures following a 1996 mass shooting incident (Baker & McPhedran, 2007). Following the massacre, Australia enacted expansive gun control legislation, and the purpose of the study was to examine the relationship between the legislation and firearm-related homicidal incidents (Baker & McPhedran, 2007). The study utilized publicly available data from 1979 to 2004 involving homicide rates. The emphasis was on firearm homicides, suicide, and accidental death. However, the authors examined trends in homicide (non-firearm) and suicide (non-firearm) to address questions related to confounding factors. The authors used the Auto Regressive Integrated Moving Average (ARIMA) model to predict selected sudden death categories (Baker & McPhedran, 2007). Suicide rates post-legislation were consistently lower than the predicted values. The authors noted that additional study was necessary because the model appeared to reflect that there had been an increase in suicides immediately prior to the enactment of the legislation. The ARIMA model was not effective in predicting non-firearm-related incidences when compared to observed values. Ultimately, the results suggested that the gun control legislation decreased the rate of firearm suicide in Australia. However, similar to Fox and DeLateur's 2014 study, the authors noted that the legislation had no impact on homicide patterns (Baker & McPhedran, 2007; Fox & DeLateur, 2014).

A similar study evaluated the effect of Canada's 1995 gun control legislation requiring licensure and registration on accidental, suicidal, and homicidal deaths (Bridges & Kunselmann, 2004). The researchers obtained publicly available data for the death statistics for the 1970–1995-time frame. The authors obtained data from the Canadian Mortality Database and Homicide Survey for three categories of incidents: the rate of accidental death from firearms, the average of the percentages of suicides and homicides by firearm, and the average of the percentages of suicides and murders by firearm. The authors utilized a Pearson correlation coefficient to determine the relationship between the variables (Bridges & Kunselmann, 2004). The availability of firearms was positively associated with the rate of homicide by firearms but not negatively associated with the rate of homicide by other means. Ultimately, the researchers found that during the 1974–1999-time frame, there was a decrease over time in total suicide and homicide rates for both firearm and non-firearm related incidents (Bridges & Kunselmann, 2004). The authors noted that although overall access to firearms was reduced, rates of utilizing other methods to commit suicide increased (Bridges & Kunselmann, 2004).

Although “Red Flag” laws are too new for existing empirical data, a comparative analysis could be made to studies designed to test the efficacy of gun control laws on domestic violence homicide offenses. Some studies evaluating homicide rates in states that restrict ownership of firearms based on either restraining orders or domestic violence convictions, show a reduction in firearm-related homicides (Vigdor & Mercy, 2006). Vigdor and Mercy found that in states that combine restraining orders with purchasing restrictions, the result was a 10% decrease in firearm-related homicide (Vigdor & Mercy, 2006). However, because the overall incident rate is statistically low, a 10% decrease

constituted a reduction of approximately 2 homicides (Vigdor & Mercy, 2006). Similarly, researchers concluded in a 2017 study that gun control measures restricting ownership and requiring firearm surrender resulted in a 14% reduction in firearm-related domestic related homicide rates (Diez, Kurland, Rothman, Bair-Merrit, Fleegler, Zuan, Galea, Ross, Kalesan, Goss & Siegel, 2017). In contrast, other studies have found no net positive results in firearm-related homicides in reference to gun control legislation (Kleck & Patterson, 1993). Kleck and Patterson assert that it is difficult to control for the litany of independent variables that may explain overall reduction in firearm-related homicides that are unrelated to gun control legislation, including pre-intervention efforts (Kleck & Patterson, 1993). Kleck and Patterson analyzed 29 studies evaluating the relationship between legislation and homicides. The vast majority showed no impact at all, and the few that showed favorable or mixed results were considered to be of questionable reliability because of the study parameters (Kleck & Patterson, 1993). Despite the negative findings, Kleck and Patterson recognize that gun control legislation may have a positive impact with certain types of offenders, including those who would likely only attack from a distance and who would not use a more personal form of attack, such as knives (Kleck & Patterson, 1993).

Frattaroli and Teret examined Maryland's Gun Violence Act of 1996 as applied to firearm surrender requirements related to domestic violence (Frattaroli & Teret, 2006). The Act authorized courts to order domestic batterers to surrender firearms through civil protective orders. The authors used a single-case, embedded design that allowed for an independent analysis of the court-ordered surrender provisions. The authors selected one urban, two suburban, and one rural locality as study sites. The authors did not intend to

generalize the findings to the population level. The data was derived from semistructured key informant interviews, field notes based on observations of protective order hearings, and documents related to the implementation process (Frattaroli & Teret, 2006). During 11 days of observation, the authors witnessed 27 protective order hearings and in five of the cases, the victims described firearms as part of the abuse. All five hearings resulted in protective orders being issued, but none of the orders required surrender (Frattaroli & Teret, 2006). Interviews with participants suggested deficiencies in the legislation related to the process for initiating the complaint and in securing an order for surrender (Frattaroli & Teret, 2006). The researchers noted that because state gun control measures often lack clarity and are dependent upon judicial discretion, evaluating efficacy has inherent limitations (Frattaroli & Teret, 2006).

Although most risk protection laws are created as a result of mass homicide incidences, the majority of firearm-related deaths are related to suicide (Pew Research Center, 2019). Andres and Hampstead conducted a study analyzing the relationship between firearm regulations and suicide among males (Andres & Hampstead, 2011). The authors noted that suicide is the 8th leading cause of death for males and that firearms are used in approximately 50% of suicides (Andres & Hampstead, 2011). Both the WHO and the CDC recommend restricting access to firearms as a method of suicide prevention (Andres & Hampstead, 2011). The study analyzed specific types of gun control measures throughout the United States and utilized negative binomial regression to evaluate male suicide rates from 1995-2004 (Andres & Hampstead, 2011). The dependent variable was male suicide rate broken into age categories, and the independent variables included socio-economic factors, gun supply and firearm regulations (Andres & Hampstead,

2011). The researchers found that firearm regulations designed to reduce overall gun availability had a significant deterrent effect on suicide. The most significant gun control measures were permit requirements and bans on sales to minors (Andres & Hampstead, 2011). Notably, legislation targeting specific individuals from possession or owning firearms had less of an effect (Andres & Hampstead, 2011). Although the Andres & Hampstead study has particular significance when evaluating general prohibitions versus targeting specific individuals within a population group, such as the risk protection orders, the study did not describe with sufficient detail the various gun control measures evaluated.

Similarly, a 2014 study evaluating the relationship between firearm control for individuals with serious mental illness and overall rates of murder by firearm ultimately concluded that legislation targeting individuals with mental illness for firearm removal will have little impact on mass homicide or firearm-related homicides (Matejkowski, Fairfax-Columbo, Cullen, Marcus & Solomon, 2014). The study included data from the official arrest records and court/health records on 95 individuals with serious mental illness, and 423 individuals without mental illness, all of whom had been convicted of murder in Indiana between 1990 and 2002 (Matejkowski et al., 2014). The authors used a bivariate analysis to examine the differences between the two groups and logistic regression models examined the relationship between the mental illness and offense characteristics (Matejkowski et al., 2014). Ultimately, only a small proportion of the convicted murderers had serious mental illness. Although mental illness was correlated with a greater likelihood of targeting a stranger, it was not correlated with mass homicide or firearm use in general (Matejkowski et al., 2014).

Although most of the literature supports the theory that gun control measures do not significantly impact firearm-related homicides, or mass homicides in general, there is support for the theory that mere firearm ownership is correlated with firearm homicide rates (Siegel, Ross & King, 2013). The purpose of the Siegel et al. (2013) study was to evaluate the correlation between household gun ownership and overall firearm-related homicide rates throughout the United States (Siegel et al., 2013). The researchers conducted a negative binomial regression analysis of the data from CDC's Web-Based Injury Statistics Query Systems Database on gun ownership and homicide rates from 1981 to 2010 for all 50 states (Siegel, et al, 2013). Ultimately, the researchers found that gun ownership was a significant predictor of firearm homicide rates (Siegel et al., 2013).

Similarly, a 2015 study found that mass shootings are associated with an increase in the number of monthly NICS background checks in reference to firearm purchases (Wallace, 2015). The purpose of the study was to evaluate the link between mass shooting incidences and rates of gun acquisition. Researchers used panel-data linear models and included a sample from six mass shooting incidents from 2000-2010 (Wallace, 2015). The theory postulated that if gun ownership correlates with higher rates of firearm-related homicides, then the opposite must also be true; however, the literature consensus does not support that contention.

Mass Homicide Typology

If the purpose of "Red Flag" laws is to prevent mass shootings, or to lessen the lethality rate, then an evaluation of the offender typology is necessary. The FBI has found no psychological profile containing identifiable personality or character traits that could be used as predictors to determine possible offenders (Agnich, 2015). The typology may

vary depending upon the type of mass homicide offender (Fridel, 2021). Recent research suggests that mass homicide offenders should be grouped into different categories, including family killers, public killers, and felony killers (Fridel, 2021). Family killers tend to target spouses and children, and generally commit suicide after the event (Fridel, 2021). Public killers can either target known victims, strangers or a combination (Fridel, 2021). Felony killers are those who commit murders involving four or more individuals during the commission of a particular felony, such as drug-related offenses, eliminating witnesses, etc. (Fridel, 2021). Each type of offender would classify as a mass homicide offender if the individual killed four or more people in the same incident without a cooling-off period. However, researchers suggest that the typology of each type of offender may vary (Fridel, 2021). Although there is wide variance in offender typology, there is consistent research identifying a number of typology characteristics, including demographics, motivating factors, evidence of planning, and precipitating factors evidencing strain.

General Characteristics

Capellan and Gomez conducted research in 2016 examining 294 mass public shootings in the United States from 1984 to 2015 (Capellan & Gomez, 2017). Most offenders are male and are often middle-aged (Duwe, 2004; Fox & Levin, 2003; Levin & Madfis, 2009). Capellan and Gomez confirmed that 97.7% of offenders from 1985-1999, and 96.1% of offenders from 2000-2015 were males with an average age ranging from 31.7 to 36.6 (Capellan & Gomez, 2017). Earlier shootings reflected that a strong 73.8% majority of offenders were white. However, the proportion dropped to 55.7% for later

offenses from 2000-2015 reflecting a possible demographic shift (Capellan & Gomez, 2017).

Many offenders present with “warrior mentality” and have a fascination with weapons and military-style training (Hempel et al. 1999). Capellan and Gomez did not control for firearm fascination, but included data indicating that 10.2% of offenders were either veterans or active military (Capellan & Gomez, 2017).

Offenders often exhibit a pattern of externalizing blame for their own perceived failures (Duwe, 2004; Fox & Levin, 2003). Many are identified as “loners” or present as socially isolated (Hempel et al., 1999). Some researchers have suggested that actual social isolation is not necessary; rather, the issue relates to the offender’s *perception* of social isolation (Dutton et al., 2013). Many offenders present with a paranoid personality type with “malignant narcissism,” wherein the offender *perceives* isolation, and then obsesses over the individuals responsible for the offender’s marginalization (Dutton et al., 2013).

There is a distinction between homicide offenders and mass homicide offenders in reference to suicide. Only 4% of homicide offenders commit suicide; however, up to 50% of mass homicide offenders commit suicide after the incident (Fridel, 2021). Researchers have suggested that all mass shooters are suicidal prior to the event because they do not anticipate escaping (Fridel, 2021; Lankford, 2015). Some researchers have taken the argument further to suggest that most mass homicide offenders are motivated to commit suicide, but first kills another for some other motivating reason such as revenge (Fridel, 2021; Frazier, 1975; Palermo, 1994).

Finally, there is debate regarding the role of mental illness. Much of the available research indicates that mental illness is not generally correlated, but that many offenders are identified with atypical behaviors and certain personality traits such as antisocial personality and narcissism (Hempel et al., 1999, Levin & Madfis, 2009). Some researchers suggest that many offenders experienced long-term mental health struggles from anecdotal evidence. However, the researchers note that the offenders were never formally diagnosed (Lankford & Silva, 2021). Thus, although there may be anecdotal support for the contention that an offender may have suffered from mental illness, there is not significant data supporting the correlation from a diagnostic perspective.

Revenge

Early research created motive-based categories to define mass homicide typology (Fox & Levin, 1998). Fox and Levin argued that the majority of offenders presented with clear motives centered on revenge, power, loyalty, profit, and terror (Fox & Levin, 1998). Revenge was seen as the critical motivating factor and was likely caused by a long history of frustration or failure (Fox & Levin, 1998; Duwe, 2013). Revenge is often associated with school and workplace shooters, of whom identify a desire to seek revenge on specific individuals (Fridel, 2021). The offender may seek revenge against a particular person. However, revenge may also be sought against society at large, or groups of individuals (Bowers et al., 2009). Capellan and Gomez confirmed the existing data, and found that revenge accounts for the majority of mass public shootings at 56.1% (Capellan & Gomez, 2017). The researchers noted that there was a noticeable increase in revenge-related shootings from 2000-2015 when compared to previous decades. In early decades, autogenic motivating factors (40.9%) were on par with revenge (48.8%) (Capellan &

Gomez, 2017). If the motivating factor is revenge, the offender will likely target specific individuals. While there is a perception that mass homicide is random and is conducted by an individual who has gone “berserk,” the majority of offenders target specific victims of whom are perceived to be the cause of the offender’s frustration or failure (Fox et al., 2018). The vast majority of victims know the offender, and only 24% of offenses committed between 1900 and 1999 involve strangers (Duwe, 2013). This research is consistent with Dutton et al.’s findings regarding the role of externalizing blame and obsessing over those perceived to be responsible for the offender’s marginalization (Dutton, et al., 2013).

While revenge may highlight a motivating factor for school and workplace shooters, not all public mass homicides are motivated by revenge. Acts of domestic terrorism, such as the 2016 Pulse Nightclub shooting, and the 2015 Charleston Church attacks, were likely motivated by the desire to instill fear and spread ideological messages (Fridel, 2021). Likewise, some attacks, such as the 2012 Aurora, Colorado movie theater attack, appear to have been motivated by delusions caused by psychosis (Fridel, 2021).

Precipitating Factors

Nearly 90% of adult offenders involve a precipitating factor such as a loss of a relationship or loss of employment (Levin & Madfis, 2009; Fridel, 2021). Precipitating factors are less common with adolescent offenders; however, precipitating factors may include excessive bullying, of which is associated with adolescent offenders (Levin & Madfis, 2009; Bowers, Holmes & Rhom, 2010). Research has found that 88% of school shooters had experienced some type of school-related problem prior to the incident (Lankford & Silva, 2021). The same study found that 97% of offenders who committed

workplace shootings had experienced work-related problems (Lankford & Silva, 2021). Capellan and Gomez reported that the majority of public shootings, (53.6%), between 1984-1999 could be traced to a specific precipitating event (Capellan and Gomez, 2017). The percentage increased to 63% for the 2000-2015 time frame. Likewise, Fridel found that precipitating factors involving strain commonly precede incidences involving family killings (Fridel, 2021).

Evidence of Planning

The typical pattern involves a well-calculated, and sometimes sophisticated plot, similar to methods used by serial homicide offenders, and the offenses are not committed in the form of random isolation (Levin & Madfis, 2009). Fox and Levin argue that if the offender is motivated by a “specific and focused” type of revenge, there will often be significant evidence of methodical planning (Fox & Levin, 1998). Capellan and Gomez reported similar findings in their 2016 study. A strong majority of offenders (59.8% to 68.8%) evidenced medium to high levels of planning prior to committing the homicidal act (Capellan & Gomez, 2017). Only 4.6% of shooters engaged in no planning prior to committing the act (Capellan & Gomez, 2017). Notably, Capellan and Gomez found that only 29.9% of offenders discussed their plans prior to committing the act during the 2000-2015 time frame. Almost half of offenders, 42.4%, are known to have discussed their plans prior to committing the act during the 1985-1999 time frame (Capellan & Gomez, 2017). From a policy perspective, the researchers emphasized that victim-specific shooters often raised multiple red flags prior to the mass homicide incident including making threats of attacks, and discussing or fantasizing about plans to others, (Capellan & Gomez, 2017). The researchers cautioned that although there was a decline

in the percentage of offenders discussing plans prior to the incident, such statements remain a critical variable for prevention strategy (Capellan & Gomez, 2017). Notably, a 2002 study analyzing 37 school shootings determined that in 66% of cases, the offender discussed his/her plans prior to committing the act (Vossekuil, Fein, Reddy, Borum & Modzeleski, 2002). Evidence of planning is a critical component that should not be overlooked by policymakers, particularly as it relates to the level of detail and planning that an offender engages in preparation for the massacre.

Evidence of Strain

Mass homicide offenders often present with long histories of frustration, humiliation, and failure (Aitken et al., 2008; Bowers et al., 2010). Levin and Madfis attempted to develop an explanatory theory applied to mass homicide offenders involving five stages: (1) chronic strain; (2) uncontrolled strain; (3) acute strain; (4) planning stage; and (5) the massacre (Levin & Madfis, 2009). Levin and Madfis used case studies to analyze factors present in each stage, including chronic rejection, social isolation, and bullying/harassment (Levin & Madfis, 2009). Chronic strain relates to frustration as a result of failure to obtain one's goals. (Levin & Madfis, 2009). A lack of social restraint can lead to uncontrolled strain whereby the individual expresses the frustration associated with chronic strain in a delinquent manner (Levin & Madfis, 2009). Many adolescent school shooters experienced chronic strain for years despite having a stable family life, of which systematically develops into uncontrolled strain and acute strain (Levin & Madfis, 2009). The experience of chronic strain may also lead the individual to hyper-focus on blaming others for their frustrations. Acute strain is often caused by a precipitating factor, such as a loss of job, or academic failure (Levin & Madfis, 2009). Immediately following

the acute strain, or precipitating factor, the individual begins the planning stage. Levin and Madfis isolated their research to known case studies. Because mass homicides in general are statistically rare, the sample size is small and as such, the study could not be generalized (Levin & Madfis, 2009).

Much of the literature identifies mass homicide offenders as “loners” of whom dealt with prolonged strain without the constraints of social norms (Fridel, 2021). Some suggest that the offenders suffered from excessive bullying. However, others suggest that the individual’s experience may have been exacerbated by psychological conditions, such as narcissism or paranoia (Fridel, 2021). Researchers theorize that individuals experience strain, externalize the blame towards others, and hyper-focus on the underlying frustrations, all of which can lead to “violent revenge fantasies” (Fox & Levin, 1994; Fridel, 2021; Lankford & Silva, 2021; Vossekuil et al., 2002;).

Leary et al. (2003) observed a similar typology in reference to school shooters. However, the authors noted that the limited sample size presents significant barriers to overall interpretation. The purpose of the study was to analyze the role of interpersonal rejection (strain), on school violence. The authors analyzed a sample of case studies involving school shooting incidents from 1995 to 2001. The researchers gathered data on each incident including: (1) whether the perpetrator had experienced ostracism or bullying; (2) an interest in guns, bombs or explosives; (3) a fascination with death; or (4) showed evidence of psychological disorder prior to the shooting (Leary et al., 2003). The total sample included 15 cases (Leary et al., 2003). Interpersonal rejection was indicated in almost all cases, and in at least 12 cases, the perpetrator was subject to malicious teasing/bullying (Leary et al., 2003). Victims often included individuals who teased,

bullied or rejected the shooter (Leary et al., 2003). Precipitating factors were only present in six cases (Leary et al., 2003). Notably, in this particular sample, ten out of the fifteen total cases, demonstrated some evidence of psychological problems (Leary et al., 2003). Although the research is consistent that mass homicide typology generally involves some kind of strain, of which may be associated with a perception of rejection, the limited sample size impedes interpretation. Despite the limitations associated with the studies, there is a consensus involving the presence of both strain and precipitating factors.

Mental Illness

Notably, one of the key factors missing from much of the research is the role of mental illness (Taylor, 2018). The media often portrays offenders as mentally ill, young, White males. However, the data does not support such contention (Taylor, 2018). Although much of the research, of which often emanates from media reports, acknowledges that offenders may suffer mental illness, it is not included in most of the typologies (Fox & Levin, 1998; Taylor, 2018). Taylor conducted a 2018 study analyzing 152 mass murders from 2007-2011 to identify motivating factors for mass homicide offenders and noted that mental illness is rarely a factor for mass homicide offenders (Taylor, 2018). Taylor analyzed a number of variables, including emotional triggers, general relationship issues, financial concerns, mental health, criminal gain and political motivation (Taylor, 2018). Similar to Fox and Levin, Taylor found that triggering events tended to precede the homicide incidences (Taylor, 2018). However, from a public health perspective, Taylor suggests that if an individual suffers from social isolation and is exposed to some triggering factor, mental health treatment as a form of intervention may be an appropriate preventative measure (Taylor, 2018).

One of the few studies evaluating the mental health link was conducted in 2001 by Meloy, Hempel, Mohandie, Shiva and Gray (Meloy et al., 2001). The study involved a nonrandom sample of adolescent murderers. Researchers evaluated 27 incidents with 34 adolescent offenders (Meloy et al., 2001). The offenses occurred between 1958 and 1999 (Meloy et al., 2001). Only twenty-three percent of the children (7/30, had documented mental health history. However, only two of the children (or six percent), presented with psychotic features at the time of the offense (Meloy et al., 2001). Seventy percent of the children were described as “loners,” 17% had a history of bullying others and 43% were bullied themselves (Meloy et al., 2001). The majority of the children came from intact families with only 37% coming from divorced/separated homes. Forty-four percent were described as “fantasizers” who had a preoccupation with fantasy, and forty-two percent had violent history. Forty-six percent had prior arrest history, and sixty-two percent had documented substance abuse history. The researchers concluded that an adolescent murderer is often predatory and does not necessarily show sudden or highly emotional warning signs (Meloy, et al, 2001).

The *USA Today* research compilation included mental health treatment and diagnosis as a variable when evaluating the 317 incidents between 2006 and 2016 (Fox et al., 2018). While the Meloy et al.’s study found a correlation of only 23% of offenders with prior mental health history, *Mother Jones* reports that nearly 60% of the offenders involved in the 2006 to 2016 offenses had noticeable mental health warning signs (Fox et al., 2018). The media often places emphasis on the purported link between mental health and mass homicide. However, the majority of the data identifying mental health history originated from neighbors, friends, associates, etc., and the anecdotal information was

presented after the incident, and as such, the reliability of the data may be questionable (Fox et al., 2018; Taylor, 2018). Fox, Levin and Fridel highlight that approximately 12.5% of the offenders were psychotic at the time of the offense, and another 12.5% presented with symptoms of depression or anxiety (Fox et al., 2018). However, when compared to the average incident rate of depression/anxiety within the general population, currently 18.1%, the 12.5% rate does not appear to be statistically out of range (Fox et al., 2018). This figure would be consistent with the limited findings established in the Meloy, et al. study. Overall, there is no literature to support the inclusion of mental illness in mass homicide offender typology.

Mental illness is a factor that courts may consider pursuant to “Red Flag” laws. However, if there is a weak correlation between mass shooters’ mental health and the crime itself, then it is plausible that an emphasis on mental health misses the point. Notably, this is precisely what the researchers found in Norko and Baranoski’s 2014 study finding only 1% of the individuals subjected to risk protection orders were receiving mental health treatment (Norko & Baranoski, 2014). Likewise, if offender typology involves calculated attacks, planned over weeks, months or even years, then restricting gun possession would arguably have no impact on preventing the offense because the offender could simply wait until the order expires, or could elect an alternative means to facilitate the crime.

Domestic Violence

Although the public perception of mass homicide often relates to public shootings, the majority of mass homicide incidences involve family killings (Duwe, 2013). Taylor conducted an analysis on mass murders from 2007 to 2011, and identified

the victim/offender relationship as, (1) stranger, (2) family, (3) acquaintance, or (4) combination of victim types (Taylor, 2018). Family-related mass homicide incidences accounted for 42.76% of all cases (Taylor, 2018). Stranger and acquaintance cases combined constituted 31.58% (Taylor, 2018). Taylor found that 50.66% of offenders experienced a known precipitating event prior to the offense, and 38.16% of offenders had evidence of relationship issues (Taylor, 2018).

A similar evaluation of homicides from the 2011 National Violent Death Reporting System confirms Taylor's findings and demonstrates that 48% of homicides occurred in the home, and approximately 38% of victims knew the perpetrator (Fan, 2015). The data demonstrated that the most prevalent risk factor for homicide was interpersonal violence in the past month and other interpersonal relationship problems (Fan, 2015).

Identifying Risk Factors as Prevention

The objective of Florida's Red Flag law is prevention. Gun control is only one means of preventing mass incidences, and there is literature identifying possible prevention strategies that go beyond removing firearms. Identifying risk factors is critical for determining appropriate prevention strategies (Lankford & Silva, 2021). Calhoun and Weston developed a model, Path to Intended Violence, to demonstrate the offender's progression towards violence (Calhoun & Weston, 2003). The model was originally derived from the Exceptional Case Study Project (ECSP) developed by the United States Secret Service for assassination threat assessment, but researchers found that school shooters often followed similar violence trajectory (Fein & Vossekuil, 1997; Vossekuil et al., 2004). Calhoun and Weston identified six specific steps in the violence model: (1)

grievance, (2) violent ideation, (3) research and planning, (4) pre-attack preparation, (5) probing and breaches, and (6) the attack (Calhoun & Weston, 2003). The stages correlate with strain, revenge and planning.

Building upon the ECSP, the Secret Service and the Department of Education created the Safe School Initiative to address targeted violence within schools (Vossekuil, et al., 2002). Like Florida's Red Flag law, the Safe School Initiative was developed after the Columbine High School mass attack in 1999 (Vossekuil, et al., 2002). The purpose was to identify information prior to the attack, and to incorporate preventative strategies (Vossekuil, et al., 2002). Researchers studied 37 school incidences involving targeted school violence from 1974 to 2000. The researchers identified 10 critical findings, of which are nearly identical to mass homicide offenders, in general:

1. Incidents are rarely sudden or impulsive;
2. Other people were aware of the offender's intentions prior to the act;
3. Most offenders did not threaten an individual target directly;
4. There is no accurate profile of the offender;
5. Most offenders engaged in concerning behavior prior to the attack;
6. Most had difficulty coping, suffered strain, and many considered suicide;
7. Many felt persecuted or bullied by others;
8. Most had access to weapons;
9. Some offenders had help from others; and
10. Law enforcement was not the primary tool to prevent offenses in most incidences.

(Vossekuil, et al., 2002).

Subsequent research has confirmed that many mass homicide offenders publicize their intentions prior to committing the act providing a critical opportunity for intervention (Lankford & Silva, 2021). Lankford and Silva noted three primary examples of previous shooters in their 2021 study. The 2007 Virginia Tech shooter made multiple threats to professors regarding committing a mass shooting event and clearly expressed

his desire to kill every person at the school. The 2016 Orlando Pulse nightclub shooter bragged to his co-workers that he wanted to die as a “martyr” and suggested attacking a club to his wife. The 2018 Parkland school shooter threatened to kill his classmates on multiple occasions (Lankford & Silva, 2021). Case study analysis on the Parkland shooter revealed that at least 30 people had first-hand knowledge of the offender’s behavior and express threats (Schildkraut, Cowan, & Mosher, 2022). Express statements of intent to commit mass homicide would obviously trigger preventative responses; however, many of the witnesses who heard the first-hand statements downplayed the severity despite some expressing fear (Schildkraut, et al., 2022).

Some researchers note that risk protection orders may have been useful in preventing the incidences (Lankford & Silva, 2021). However, the risk protection order is often seen as a possible preventative measure along with other tools, such as community intervention (Lankford & Silva, 2021). Researchers have suggested multiple approaches for prevention, of which included mental health, community and law enforcement measures (Lankford & Silva, 2021). Other researchers highlight the problems regarding information-sharing. In some circumstances, such as the Parkland shooting, there were multiple reports to numerous agencies, including the FBI; however, the information did not appear centralized (Schildkraut, et al., 2022). Researchers propose a countywide or state-level “fusion center” to maintain databases designed to collect and share information regarding at-risk individuals (Schildkraut, et al., 2022). If the offenders can be identified prior to committing the act, then a multi-faceted approach could be utilized to remove firearms, address mental health concerns, and to work with

employers and/or school officials to address associated problems (Lankford & Silva, 2021).

The multi-disciplinary approach is consistent with the findings from Vossekuil et al., (2002) research regarding the Safe School Initiative. Vossekuil et al., ultimately recommended the creation of a threat assessment, and the inclusion of multiple entities from education officials, community programs and law enforcement. In addition, the researchers suggested substantial information-sharing (Vossekuil, et al., 2002).

Summary

There is substantial debate regarding classification of mass homicide offenders, and the typology may vary depending upon the classification. However, regardless of the classification, there is significant literature to support the contention that mass homicide offenders may be motivated by revenge, may suffer from chronic strain, experience precipitating events, and may engage in long-term planning. Identifying key characteristics is critical in evaluating policy and creating effective preventative measures. As states continue to enact “Red Flag” laws it will be important to conduct further study to determine how the laws are operating in practice, who the laws are targeting, and whether the laws have any correlation with mass shootings or firearm-related homicides in general. This study examines two research questions designed to evaluate whether the gun control measure reduced overall firearm-related homicides, and whether the measure is effective at targeting possible high risk mass homicide offenders. The next chapter discusses the research methodology used in the present study.

Chapter 3: Methodology

The study aims to determine the efficacy of Florida's "Red Flag" legislation from two perspectives: (1) Whether there is a difference between rates of homicide prior to and after legislative implementation, and (2) Whether the orders target individuals demonstrating known mass homicide offender typology characteristics. The following research questions guide this study:

1. Is there a difference between rates of firearm-related homicide incidences prior to, and after, the creation of Florida's "Red Flag" law?
2. Do risk protection orders target individuals demonstrating known mass homicide offender typology characteristics?

To the researcher's knowledge, this study establishes the very first acknowledged analysis of Florida's 2018 Risk Protection legislation.

Participants

This study used pre-existing secondary data to answer the research questions. Two datasets were collected to answer the first research question. The first dataset included reports of acts of homicide associated with firearms for years 1999 to 2020. This data is publicly available from the Florida Department of Law Enforcement's Uniform Crime Reports. For comparison, the researcher included suicide data for the same time frame, obtained from the Florida Department of Health, Bureau of Vital Statistics. To compare data from year to year, while accounting for populations change, the researcher collected population information from the Office of Economic and Demographic Research website.

The dataset for the second research question was a list of 556 individuals subjected to risk protection petitions from three separate Florida counties, Pinellas ($N = 245$), Broward ($N = 269$), and Seminole ($N = 42$). All petitions filed in the respective counties for the relevant time frame, March 2018-March 2019, were included in the study. This information is publicly available pursuant to Florida Statutes Chapter 119.

Participants' Confidentiality

The data for this study, including the information regarding the identity of an individual, is already publicly accessible pursuant to Florida Statutes Chapter 119. However, to avoid the risk of maintaining or disclosing personal information, all identifiable data is excluded from the study. As such, maintaining the confidentiality or obtaining informed consent is not an ethical concern for this study. IRB approval was obtained for this study on November 18, 2021.

Generalizability of the Study

The generalizability of the study outcomes is based on the targeted population group. If case findings are to be generalized to the entire population of the state, study participants must preferably be gathered from various urban and rural centers throughout the entire geographical area. This suggests that considerable variation is needed in the strategies utilized to find participants. This study is limited to the State of Florida. As per the United States Census Bureau (2019a), the population of Florida has been estimated to be 21.48 million. The targeted population for the study is individuals subjected to the Risk Protection Orders (RPO). According to Blocher and Charles (2020), Florida's "Red Flag" law has been enacted more than 3,500 times since its passing into practice in 2018.

The state of Florida is comprised of a total of 67 counties. Out of these 67 counties, the top three most densely populated and three least densely populated counties are selected as the sample for the proposed study. The most densely populated counties of Florida include Pinellas, Broward, and Seminole. The three least densely populated counties include Glades, Franklin, and Liberty. Across the Florida state, Pinellas County has been positioned among the top four counties with a petition file for one out of every 2,000 residents (Spencer, 2020). Ultimately, only the three counties with the highest population density were used in the sample because the counties with the least population density recorded no petitions in the applicable time frame. The researcher expanded the possible scope of the study to an additional ten counties with low population density: Lafayette, Taylor, Dixie, Monroe, Gulf, Jefferson, Calhoun, Madison, Hamilton and Levy. Although the State does not maintain full statistical data for 2018, the Office of the Statewide Court Administrator identifies total petitions from 2018 to May 2021, and likewise maintains data for the full 2019 calendar year.

In 2019, only two of the ten counties recorded risk protection petitions. Madison County had three filings, and Levy County had one (1). In evaluating a 3-year time frame, all counties recorded a total of four or less petitions with the exception of Monroe, of which had 40 filings between 2020 and 2021, a timeframe outside of the scope of this study. Thus, there was no feasible method of incorporating counties with lower population density without applying random choice to the process. The study is therefore limited to petitions filed in the three counties with the highest population density. This limitation reduces the external validity of the study. Therefore, conclusions to the population must be drawn with caution. Replication of the study from a statewide larger

sample could confirm the findings from this study and provide more evidence for the population at large.

Description of the Selected Counties

The six counties of Florida State are distinct from each other in terms of demographics. This implies that a diverse sample will be selected for the proposed research. Pinellas County is located in the central west coast region of Florida state. Geographically, it is the neighboring county of Hillsborough County. It represents approximately five percent of the total state population with a population size of 0.97 million approximately as of 2019. Even though Pinellas County is not considered to be the most populous county of Florida, it is still the densest county with a resident density ratio of 3.6 thousand people within a square mile. Females account for 52% of the total population of the country and White is the highest prevalent race with a ratio of 82%. In terms of education, around 30% of the county's population has graduated college with a bachelor's level education, and 90% of the population is high school graduates. The average household income is reported to be \$54,090 and individual income is reported to be \$ 30,009 during the year 2019. The poverty level in the county has been estimated at 11%. It has been previously identified that Pinellas County is among the counties with the highest ratio of petition files for its residents (United States Census Bureau, 2019b). Therefore, Pinellas County is selected as one of the preferred counties for the research.

Broward County is positioned in the southeastern region of Florida and represents approximately nine percent of the total state population with a total population of 1.9 million. It is considered to be positioned as the second densest county with approximately

1600 individuals per square mile. The prevalence of the female population is 49% and the prevalence of the White race is 63%. The average household income is reported to be \$59,547. The poverty level in the county has been estimated at 12%. In terms of education level, around 32% of the county's population has graduated college with bachelor's level education, and 90% of the population is high school graduates (United States Census Bureau, 2019c).

Seminole County is located close to Orlando in the Central region of Florida and represents 2.2% of the total State population with 0.47 million residents. The population density is 1,525 individuals per square mile. The prevalence of the female population is 51% and 79% of the total population is White. In terms of education level, around 40% of the county's population has graduated college with a bachelor's level education, and 94% of the population is high school graduates. The average household income is reported to be \$66,768. The poverty level in the county has been estimated at 9% (Data USA, 2022a).

Liberty County is positioned close to Tallahassee in the panhandle region. It is considered the least populated county of Florida with 8,772 residents and a population density of 10.5 individuals per square mile. The prevalence of the female population is 38% and 77% of the population is White. In terms of education level, around 14% of the county's population has graduated college with a bachelor's level education, and 81% of the population is high school graduates. The average household income is reported to be \$38,015. The poverty level in the county has been estimated at 23% (United States Census Bureau, 2019d).

Glades County is situated in the south-central region of Florida and represents 0.1% of the State population with 13,121 residents and a population density of 16.3 people per square mile. Similar to Liberty County, Glades County also have a lower prevalence of female population with a ratio of 34% females and a majority of the White population with a ratio of 78%. In terms of education level, around 11% of the county's population has graduated college with a bachelor's level education, and 75% of the population is high school graduates. The average household income is reported to be \$40,977. The poverty level in the county has been estimated at 20% (United States Census Bureau, 2019e).

Franklin County is located within the panhandle region and represents 0.1% of the total population with 12,273 residents and a population density of 22.5 residents per square mile. The prevalence of the female population is 33% and 83% of the total population is White. In terms of education level, around 19% of the county's population has graduated college with a bachelor's level education, and 80% of the population is high school graduates. The average household income is reported to be \$46,643. The poverty level in the county has been estimated at 19%. The total population of these six counties collectively is approximately 3.4 million, which constitutes 16% of the total state population (Data USA, 2022b).

Instruments

Secondary data from publicly available datasets were used in this study. No instrument was needed for data collection.

Research Design & Methodology

This study used a non-experiment correlational design to evaluate existing secondary data to determine the relationship between multiple nominal variables. Because the study analyzes a pre-existing dataset, it is impossible to utilize an experimental design (Swart et al., 2019). Moreover, the nature of the study relates, in part, to homicide research, and it is neither possible nor ethical to randomize or create control groups for homicide. Correlational non-experiment design is, thus, the appropriate method to examine data from secondary sources (Creswell & Creswell, 2017; Goertzen, 2017).

Research Variables

For Research Question #1, the dependent variable is acts of homicide associated with firearms. The independent variable is the implementation of risk protection legislation. For Research Question #2, the dependent variable is evidence involving statements of mass attacks. The second research question is designed to evaluate the characteristics of the respondents in comparison to known characteristics of mass homicide offenders. Thus, the independent variables are selected from the factors contained within the petition itself along with known characteristics of offenders. There are 15 variables included in the petition, however, the 15th item is merely identified as “other.” Thus, the researcher will include the 14 primary variables identified on the petition as independent variables for this study. The 14 variables are as follows: (1) recent act or threat of violence; (2) engaged in an act of violence; (3) mental illness; (4) violation of a risk protection order; (5) prior subject of a risk protection order; (6) prior conviction of domestic violence offense; (7) use or threatened use of weapons against themselves or others; (8) unlawful or reckless display of a firearm; (9) used or threatened

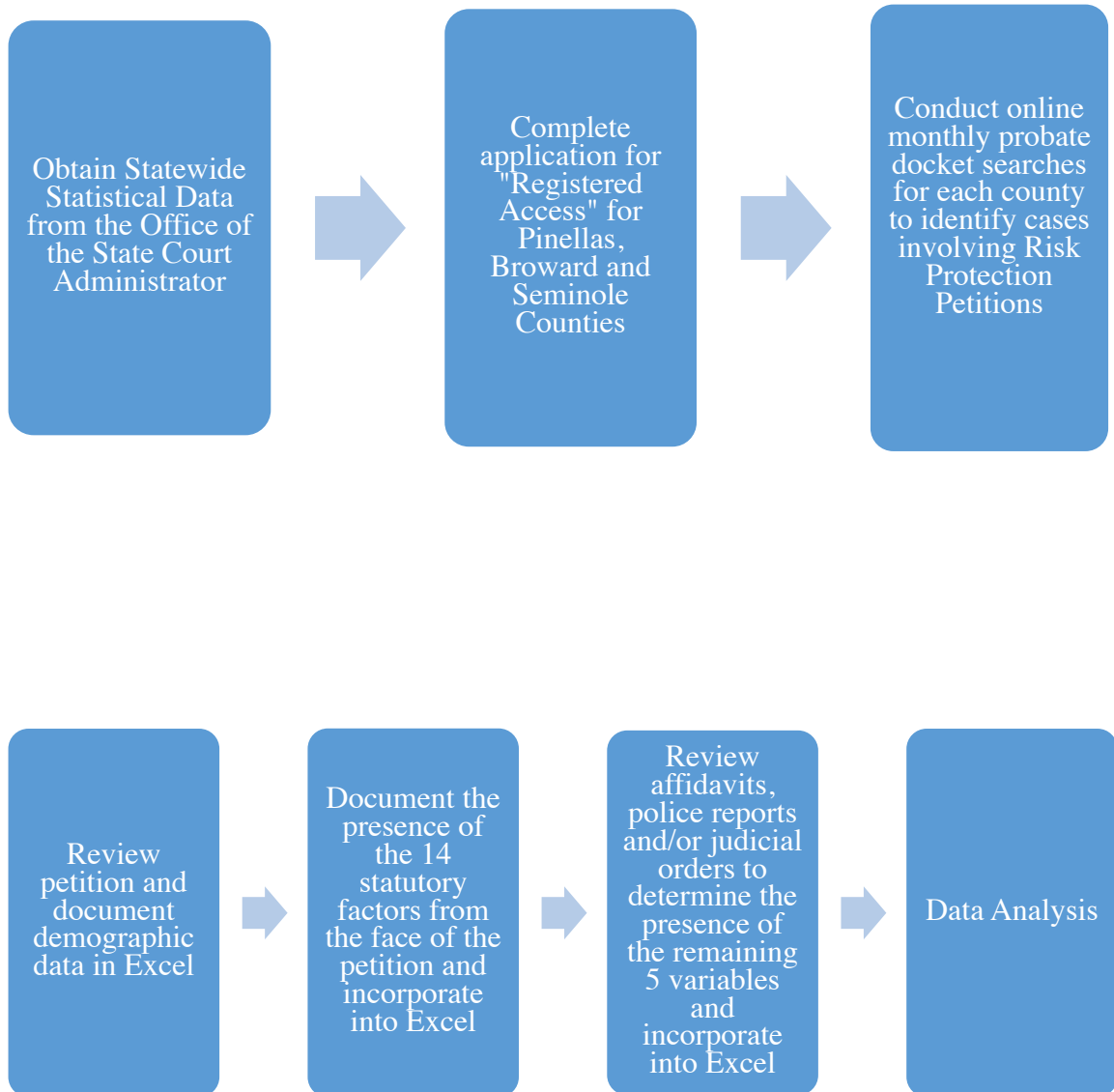
to use physical force against another; (10) arrested or convicted of crime of violence; (11) substance abuse; (12) recent acquisition of firearms; (13) required to use firearms for employment; and (14) subject to Baker Act proceedings. Additional variables are as follows: (1) evidence of planned revenge; (2) evidence of precipitating factors involving strain; (3) suicidal ideation; and (4) evidence of domestic violence. Data was limited, and as such the researcher combined planning and revenge.

Data Collection Technique

The present study used publicly available data. The first research question seeks to determine whether there has been a change in firearm-related homicides after the March 2018 legislative implementation. Secondary data was obtained from the Florida Department of Law Enforcement's Uniform Crime Reports from 1999-2020 to determine the statewide annual rates of firearm-related homicides and firearm-related suicides. Likewise, for comparison, secondary data was obtained from the Florida Department of Health, Bureau of Vital Statistics, on suicide prevalence during the time period in question.

The second research question seeks to determine a relationship between the issuance of a risk protection petition and known mass homicide offender typology characteristics. The researcher gathered secondary data from the Office of the State Court Administrator to analyze the state-wide prevalence of the risk protection petitions and related orders. The researcher then accessed public records from online court docket systems for Pinellas, Broward and Seminole Counties. Completing an application (available for any member of the public) for "registered access" was required for each county. Broward County required both "registered access" and "advanced" or "attorney"

access to review the documents online. Once the researcher obtained registered access, a search was conducted for every 30-day interval beginning March 2018 through March 2019 for probate case files. All risk protection petitions are classified as “probate” in online court dockets. The online docket identifies the type of probate proceeding, and as such, “Risk Protection Petitions” are labeled clearly and can be easily located in the monthly docket searches. Every case file identified as a “Risk Protection Petition” was then accessed and reviewed (see Appendix). The researcher viewed the physical petition, available affidavits, and related orders. The researcher then documented the following demographic data using Microsoft Excel: (1) case number; (2) date; (3) individual’s age; (4) sex; and (5) race. Pinellas and Broward Counties both included the individuals’ ages. However, Seminole County redacted any information pertaining to age. After documenting demographic data, the researcher identified the presence of the nineteen (19) variables used in support of the petition. The first fourteen (14) variables are present on the face of each petition and are clearly identifiable by check marks. The remaining five (5) variables involve more researcher discretion because the researcher obtained the information from individual affidavits or police reports. To avoid bias the researcher erred on the side of caution and only included the additional variables if the facts were explicitly clear on the face of the documents. Microsoft Excel was used to organize and maintain the data. The data were then analyzed.

Figure 1*Outline of the Process for the Second Research Question*

Data Analysis

The quantitative data was gathered and statistically analyzed to address the following research questions:

1. Is there a difference between rates of firearm-related homicide incidences prior to, and after, the creation of Florida's "Red Flag" law?
2. Do risk protection orders target individuals demonstrating known mass homicide offender typology characteristics?

Data analysis were conducted using SPSS software. Research question #1 was addressed first by conducting an independent t-test to compare the means between groups. The researcher grouped the data into group 1 (years 1999-2017), and group 2 (years 2018-2020) to compare the means of the annual proportion of firearm-related homicides and suicides. The researcher then used linear regression to conduct an OLS interrupted time series test to determine whether there were any changes to the rates of firearm-related homicides and/or suicides post-intervention. There is support in the literature for using an interrupted time-series analysis to evaluate the effects of legislative policies (Biglan et al., 2000). An interrupted time-series analysis is a valuable study design that researchers and policymakers are increasingly using to assess the effectiveness of an intervention (e.g., programs, policies, or educational interventions) by comparing data points from before and after the intervention. The design compares longitudinal trends before and after an intervention (i.e., the enactment of the "Red Flag" law). While there are benefits to utilizing the interrupted time-series analysis, a complex model cannot be used because there are limited data points after the intervention for this study.

Research question #2 involves both descriptive statistics and bivariate analysis. The descriptive statistics show demographic and variable characteristics for all 556 analyzed petitions. Simple demographic statistics were created in Microsoft Excel to demonstrate age, gender and race frequency. Likewise, Microsoft Excel was utilized to demonstrate the overall frequency of each of the nineteen variables. The researcher documented the variables in Microsoft Excel and identified all variables present for every petition. The table included the following identifiers for each petition: (1) case identification number; (2) petition filing date; (3) sex; (4) age; (5) race; (6) the fourteen statutory variables; and (7) the five additional variables used for this study. Data for the independent variables were measured at the nominal level. The dataset were then imported into SPSS for statistical analysis.

To answer the second research question, it was necessary to compare the outcome against the study variables to determine a statistically relevant relationship. The outcome used for this study relates to statements of intent to commit mass homicide. Statements of intent to commit mass homicide is not a statutory variable in the petitions. Thus, the researcher evaluated associated witness affidavits and police reports to determine whether witnesses reported that the individual threatened to commit mass homicide. The researcher utilized the FBI's definition of "mass homicide." If the documents reflected that the individual threatened to kill four or more people in one incident, the researcher marked the variable as present.

A cross-table was first created to analyze the demographic variables, including age, sex, race, and age group. Two of the three counties included age-related data. Seminole County redacted age from public records. Thus, when evaluating age

demographics, the total sample is reduced from 556 to 514. The same cross-table was then used to demonstrate the overall frequency of the independent variables.

The researcher then conducted a bivariate analysis. A chi-square test was used to conduct a 2x2 analysis to test the relationship between the outcome and all other independent variables. Chi-squared is a non-parametric test to determine if two or more nominal classifications are independent (McHugh, 2013). Fisher's Exact Test was used when necessary.

Chapter 4: Results

Introduction

The purpose of the current study is to examine the effect of Florida's Red Flag Law. The following research questions guide the study:

1. Is there a difference between rates of firearm-related homicide incidences prior to, and after, the creation of Florida's "Red Flag" law?
2. Do risk protection orders target individuals demonstrating known mass homicide offender typology characteristics?

Chapter Four presents the study results and is organized as follows: (1) Introduction, (2) Demographic characteristics of the sample, (3) Analysis of research questions, and (4) Summary.

Demographic Characteristics of the Sample

To answer the research questions, the researcher collected the following datasets from publicly available reports:

- Reports of firearm-related homicides and suicides from 1999 to 2020
- Florida population from 1999 to 2020
- List of individuals subjected to risk protection petitions from three separate Florida counties (Pinellas, Broward, and Seminole) from March 2018 to March 2019.

Tables 1 and 2 summarize the population, firearm homicide cases, and suicide prevalence in Florida from 1999 to 2020. The proportion of firearm-related homicide cases ranged from 29.31 to 47.46 per 1,000,000 people. The proportion of firearm-related suicide cases ranged from 65.19 to 89.49 per 1,000,000.

Table 1*Firearm Homicide Prevalence in Florida from 1999 to 2020*

Year	Population	Firearm Homicides	Proportion of Firearm Homicides*	Total Homicides	Percent Firearm Total
1999	15580244	460	29.52	856	53.74%
2000	15982824	499	31.22	890	56.07%
2001	16305100	502	30.79	867	57.90%
2002	16634256	552	33.18	906	60.93%
2003	16979706	586	34.51	924	63.42%
2004	17374824	555	31.94	946	58.67%
2005	17778156	521	29.31	881	59.14%
2006	18154475	740	40.76	1129	65.54%
2007	18446768	825	44.72	1202	68.64%
2008	18613905	780	41.90	1168	66.78%
2009	18687425	694	37.14	1017	68.23%
2010	18801332	669	35.58	987	67.78%
2011	18905070	691	36.55	985	70.15%
2012	19074434	722	37.85	1012	71.34%
2013	19259543	695	36.09	970	71.65%
2014	19507369	690	35.37	983	70.19%
2015	19815183	767	38.71	1040	73.75%
2016	20148654	874	43.38	1135	77.00%
2017	20484142	790	38.57	1056	74.81%
2018	20840568	836	40.11	1104	75.72%
2019	21208589	853	40.22	1120	76.16%
2020	21596068	1025	47.46	1285	79.77%

*Note.** Cases per 1.000.000 people.

Table 2*Suicide Prevalence in Florida from 1999 to 2020*

Year	Population	Firearm Suicides	Proportion of Firearm suicides*	Proportion of non-Firearm-Related Suicides*	Total Suicides	Percent Firearm Suicides
1999	15580244	1137	72,98	59,76	2068	54,98%
2000	15982824	1203	75,27	58,38	2136	56,32%
2001	16305100	1192	73,11	67,34	2290	52,05%
2002	16634256	1202	72,26	67,93	2332	51,54%
2003	16979706	1240	73,03	62,07	2294	54,05%
2004	17374824	1192	68,61	68,49	2382	50,04%
2005	17778156	1159	65,19	64,63	2308	50,22%
2006	18154475	1225	67,48	65,27	2410	50,83%
2007	18446768	1279	69,33	69,99	2570	49,77%
2008	18613905	1397	75,05	71,24	2723	51,30%
2009	18687425	1471	78,72	74,01	2854	51,54%
2010	18801332	1448	77,02	59,84	2573	52,60%
2011	18905070	1471	77,81	68,45	2765	53,20%
2012	19074434	1532	80,32	72,87	2922	52,43%
2013	19259543	1552	80,58	69,58	2892	53,67%
2014	19507369	1514	77,61	74,18	2961	51,13%
2015	19815183	1621	81,81	77,26	3152	51,43%
2016	20148654	1667	82,74	72,21	3122	53,40%
2017	20484142	1718	83,87	71,71	3187	53,91%
2018	20840568	1865	89,49	80,95	3552	52,51%
2019	21208589	1801	84,92	76,67	3427	52,55%
2020	21596068	1726	79,92	64,22	3113	55,44%

*Note.** Cases per 1.000.000 people.

Information regarding individuals subjected to risk protection petitions was collected from court records from Pinellas, Broward, and Seminole counties. A summary of the demographic characteristics of the respondents is shown in Table 3. Although the total sample involved 556 respondents, Seminole County redacted any reference to age, and as such, data related to age involved a total of 513. The mean age was 39.8 ($SD = 16.6$). The median age was 37, with a minimum known age of 12 and a maximum of 89.

The researcher grouped ages from 0 to 20 and in ten-year increments thereafter. The most prevalent age group was 20 to 30, with 141 respondents or 25.4%. The remaining age categories were dispersed in a relatively even manner, as shown in Table 3. Men represented the vast majority of the sample at 483 or 86.9%. The majority of respondents were White ($N = 407$), representing 73.2% of the sample. There were 97 Black respondents at 17.4%, 34 Hispanics at 6.1%, and 3 Asians at 0.5%. The race was either not defined or missing in 15 petitions.

Table 3

Demographic Characteristics of Risk Protection Respondents (Total Subjects = 556)

Demographic Variable	Total	Percentage
Age		
Mean (SD)	39.8 (16.6)	
Median [Min, Max]	37.0 [12.0, 89.0]	
Missing	43	7.7%
Sex		
Female	73	13.1%
Male	483	86.9%
Race		
Asian	3	0.5%
Black	97	17.4%
Hispanic	34	6.1%
Unknown	10	1.8%
White	407	73.2%
Missing	5	0.9%
Age Group		
0-20	51	9.2%
20-30	141	25.4%
30-40	102	18.3%
40-50	73	13.1%
50-60	72	12.9%
60-	74	13.3%
Missing	43	7.7%

In addition to demographic characteristics, there are 14 primary variables identified on the petition: (1) recent act or threat of violence, (2) engaged in an act of violence, (3) mental illness, (4) violation of a risk protection order, (5) prior subject of a risk protection order, (6) prior conviction of domestic violence offense, (7) use or threatened use of weapons against themselves or others, (8) unlawful or reckless display of a firearm, (9) used or threatened to use physical force against another, (10) arrested or convicted of crime of violence, (11) substance abuse, (12) recent acquisition of firearms, (13) required to use firearms for employment, and (14) subject to Baker Act proceedings. Since we also wanted to examine known mass homicide offender characteristics, the following variables were added: (1) statements involving intent to commit a mass attack; (2) evidence of planned revenge; (3) evidence of precipitating factors involving strain; (4) suicidal ideation; and (5) evidence of domestic violence. These additional variables were generated by reviewing the physical petition, available affidavits, and related orders. Descriptive analysis of the independent variables is provided in Table 4.

Table 4*Descriptive Analysis of Risk Protection Independent Variables*

		County						Total	
		Pinellas		Broward		Seminole		n	%
		n	%	n	%	n	%		
Involved in recent act or threat of violence against self or others	N	4	2%	32	12%	1	2%	37	6.7
	Y	241	98%	237	82%	41	98%	519	93.3
Engaged in act of violence over the last 12 months	N	8	3%	95	35%	2	4%	106	19.1
	Y	237	98%	174	65%	40	96%	450	80.9
Mental Illness	N	99	40%	102	38%	19	45%	220	39.6
	Y	146	60%	167	62%	23	55%	336	60.4
Violation of RPO or no contact order	N	239	90%	259	96%	0	.00	540	97.1
	Y	6	2%	10	4%	0	.00	16	2.9
Prior subject of RPO	N	0	.00	267	99%	0	.00	554	99.6
	Y	0	.00	2	1%	0	.00	2	0.4
Prior conviction of domestic violence	N	234	96%	254	94%	41	98%	529	95.1
	Y	11	4%	15	6%	1	1%	27	4.9
Use or threatened use of weapons	N	23	9%	69	26%	3	7%	96	17.3
	Y	222	90%	200	74%	39	93%	460	82.7
Unlawful or reckless display of a firearm	N	115	47%	184	68%	31	74%	330	59.4
	Y	130	53%	85	22%	11	26%	226	40.6
Used or threatened to use physical force against another on a recurring basis	N	177	72%	229	85%	27	64%	433	77.9
	Y	68	28%	40	15%	15	36%	123	22.1

		County						Total	
		Pinellas		Broward		Seminole		n	%
		n	%	n	%	n	%		
Arrested or convicted of a crime of violence	N	181	74%	179	67%	27	64%	387	69.6
	Y	64	26%	90	23%	15	36%	169	30.4
Substance abuse	N	133	54%	190	71%	30	71%	353	63.5
	Y	112	46%	79	29%	12	29%	203	36.5
Recent acquisition of firearms	N	195	80%	240	89%	39	93%	474	85.3
	Y	50	20%	29	11%	3	7%	82	14.7
Required use of firearms for employment	N	0	.00	267	99%	0	.00	554	99.6
	Y	0	.00	2	1%	0	.00	2	0.4
Baker Act	N	177	72%	121	45%	14	33%	313	56.3
	Y	68	28%	148	55%	28	67%	243	43.7
Suicidal ideation*	N	134	55%	162	60%	19	45%	315	56.7
	Y	111	45%	107	40%	23	55%	241	43.3
Evidence of planned revenge*	N	243	99%	265	99%	0	.00	550	98.9
	Y	2	1%	4	1%	0	.00	6	1.1
Statements involving mass attacks*	N	215	88%	232	86%	33	79%	480	86.3
	Y	30	12%	37	14%	9	21%	76	13.7
Precipitating factors involving strain*	N	234	96%	260	97%	37	88%	531	95.5
	Y	11	4%	9	3%	5	12%	25	4.5
Domestic Violence*	N	169	69%	221	82%	31	74%	421	75.7
	Y	76	31%	48	18%	11	26%	135	24.3

Note. * Variables are not included in the petition as statutory factors. Researcher added the variables for the study.

As demonstrated in Table 4, the most prevalent variables are the following: (1) involvement in a recent threat or act of violence towards oneself or others, (2) engaged in a violent act during the preceding 12 months, (3) mental illness and (4) the use of weapons in a threatening manner. A total of 519 respondents of the 556 sample were alleged to have been involved in a recent threat or act of violence, constituting 93.3% of the sample. There were 450 respondents engaged in an act of violence during the preceding 12 months, constituting 80.9% of the sample. Those with mental illness represented 60.4% of the sample, with 336 respondents. Finally, there were 460 respondents alleged to have used weapons in a threatening manner, constituting 82.7% of the sample. None of the remaining variables include more than 50% of the sample, ranging from 0.4% (prior subject of a risk protection order) to 43.7% (subject to Baker Act proceedings).

Analysis of Research Questions

Research Question 1: Is there a difference between rates of firearm-related homicide incidences prior to and after the creation of Florida's "Red Flag" law?

The researcher compiled data on firearm-related homicides and suicides from 1999 to 2020 (see Tables 1 and 2). To account for population changes, data for the study were aggregated from annual population statistics. A $(n/population) * 1,000,000$ formula was used to calculate the population proportion for homicide and suicide cases, where n is the number of cases in a specific year, and $population$ is the total population for the corresponding year. There were 22 data points from 1999 to 2020, 19 pre-intervention and three post-intervention. The researcher used IBM SPSS version 28 to perform the data analysis.

Two statistical analyses were conducted to answer the research question: an independent t-test and an interrupted time analysis with OLS regression. The independent t-test compared the mean proportion of firearm-related homicides prior to and after legislation. The interrupted time analysis was used to evaluate the impact of the red flag enactment on the proportion of firearm-related homicides and suicides in Florida from 1999 - to 2020. The legislation was implemented, in part, to remove firearms from individuals perceived to be a threat to themselves or others. As such, the researcher hypothesized that there were changes in firearm-related homicide and suicide cases after intervention (i.e., the enactment of Florida red flag legislation).

Independent t-test analysis. The researcher compared the proportion of firearm-related homicides from the years 1999-2017 as group 1 ($M = 36.16$, $SD = 4.5$) to the years 2018-2020 as group 2 ($M = 42.60$, $SD = 4.2$). The difference between Group 1 and 2 was statistically significant, $t(20) = -2.30$, $p = 0.16$, 95%CI [-12.27, -.60] (see Table 5). The results indicated a significant increase in firearm-related homicides in 2018-2020 compared to 1999-2017.

For comparison, the same analysis was then conducted on the proportion of firearm-related suicides in Groups 1 ($M = 75.4$, $SD = 5.3$) and 2 ($M = 84.76$, $SD = 4.7$). There was a statistically significant difference in firearm-related suicides between Group 2 and Group, $t(20) = -2.84$, $p = .010$, 95%CI [-16.25, -2.48]. The results indicated a significant increase in firearm-related suicides in 2018-2020 compared to 1999-2017.

Table 5*Independent T-Test Analysis Firearm-Related Homicides*

		Levene's Test for Equality of Variances		t-test for Equality of Means						
		F	Sig.	t	df	Sig. (2- tailed)	Mean Difference	Std. Error Difference	95% CI	
									Lower	Upper
prop_ firearm	Equal variances assumed	.049	.828	-2.30	20	.032	-6.43558	2.79882	-12.27	-.60
	Equal variances not assumed			-2.43	2.789	.100	-6.43558	2.64535	-15.23	2.35

Table 6*Independent t-Test Analysis for Firearm-Related Suicides*

		Levene's Test for Equality of Variances		t-test for Equality of Means						
		F	Sig.	t	df	Sig. (2- tailed)	Mean Difference	Std. Error Difference	95% CI	
									Lower	Upper
Prop_Fire_ suicide	Equal variances assumed	.423	.523	-2.84	20	.010	-9.36777	3.30032	-16.25	-2.48
	Equal variances not assumed			-3.10	2.861	.057	-9.36777	3.02468	-19.26	.528

The trends in firearm-related homicides and suicides can be seen in Figures 2 and 3. Figure 2 shows that the proportion of firearm-related homicides increased beginning in 2018. Interestingly, the proportion of firearm-related suicides drastically decreased beginning in 2018 (Figure 3). The researcher graphed non-firearm-related suicide rates for further comparison, as shown in Figure 4.

Figure 2

Annual trend in firearm-related homicides from 1999 to 2020

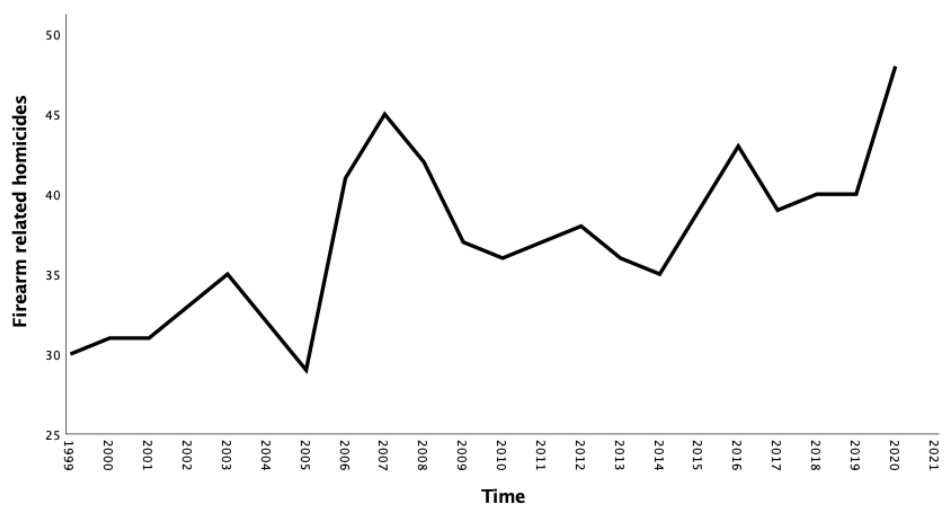


Figure 3

Annual trend in firearm-related suicides from 1999 to 2020

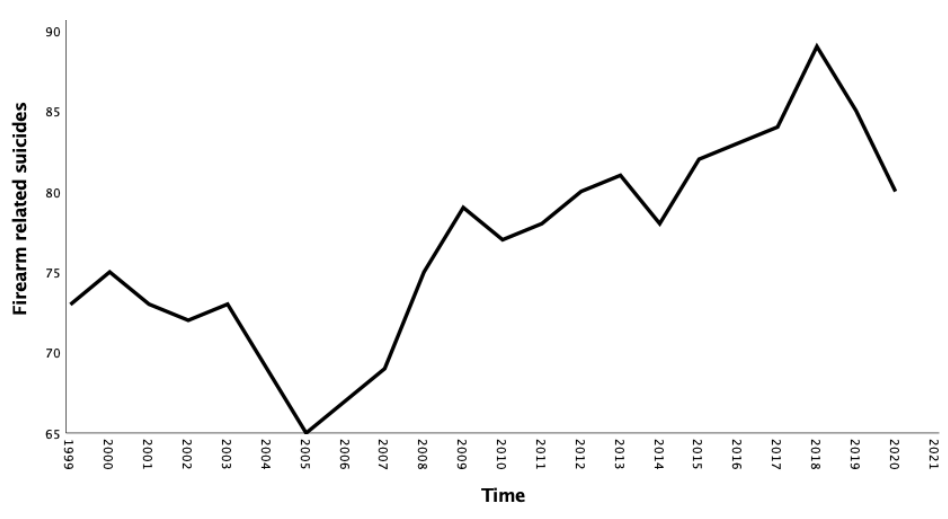
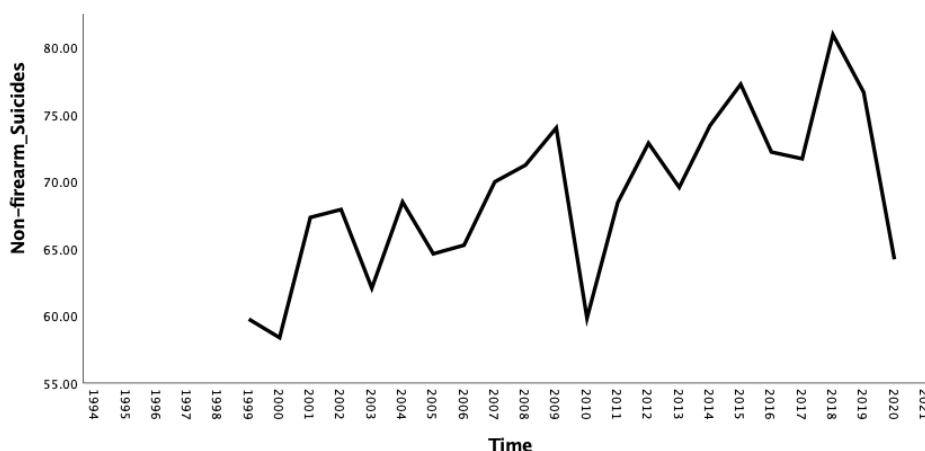


Figure 4

Annual trend in non-firearm-related suicides from 1999 to 2020



Linear Regression

The preliminary analysis involved a standard OLS regression using three dummy predictor variables (i.e., time, law, and trend). For l intervention at time t , the expected outcome for the analysis can be seen in (1). From the Equation, β_0 is the intercept, while ε_{lt} is an error term. $B_1.time$ models the data points in our data set and informs us of the existing trend. $B_2.law$ represents the intervention (i.e., the enactment of Florida red flag law) and informs us of the impact of the intervention. Data for law was coded with 0 for before the intervention and 1 for after the intervention. Lastly, $B_3.trend$ informs us of the change in trend after the intervention. Results of the OLS regression and the subsequent interrupted time series analysis are presented in the following subsections.

$$Outcome_{lt} = \beta_0 + \beta_1.time_t + \beta_2.law_l + \beta_3.trend_{lt} + \varepsilon_{lt} \quad (1)$$

Firearm-Related Homicides. The OLS model from the preliminary analysis using the proportion of firearm-related homicide cases as the dependent variable showed a statistically significant model, $p = .003$, $adj.R^2 = 47.7\%$, $F(3,18) = 6.889$. The coefficients from the preliminary analysis are found in Table 7. SPSS selected ARIMA

model 0, 1, 0, indicating no autoregression (AR) nor moving average (MA) parameters in the model. This is also confirmed by a visual inspection of the residual ACF and Residual PACF plots, which showed no residual autocorrelation in the series (see Figure 5).

Therefore, no correction for autocorrelation needed.

Table 7

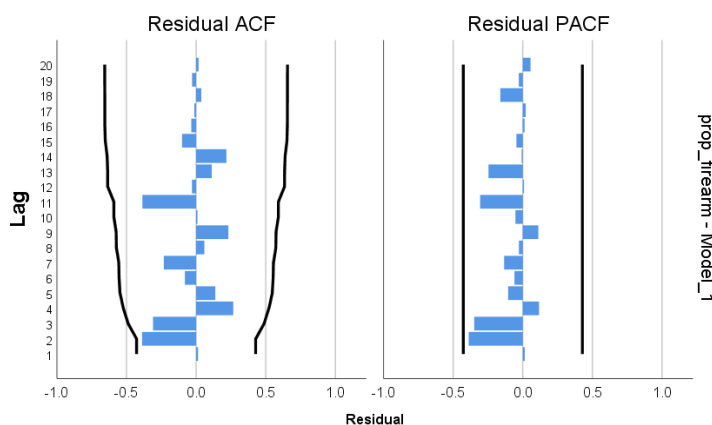
Coefficients of Standard OLS Regression Firearm-Related Homicides

Model	Unstandardized Coefficients		Standardized Coefficients	t	Sig.	95,0% Confidence Interval for B	
	B	Std. Error	Beta			Lower Bound	Upper Bound
1 (Constant)	31.207	1.740		17.936	.000	27.552	34.863
Time	.496	.153	.651	3.248	.004	.175	.816
Law	-5.373	5.793	-.382	-.928	.366	-17.543	6.797
Trend	3.179	2.581	.493	1.232	.234	-2.243	8.600

Note. Dependent Variable: Proportion of firearm-related homicide cases.

Figure 5

Residual ACF and Residual PACF Plots for Proportion of Firearm-Related Homicide Cases



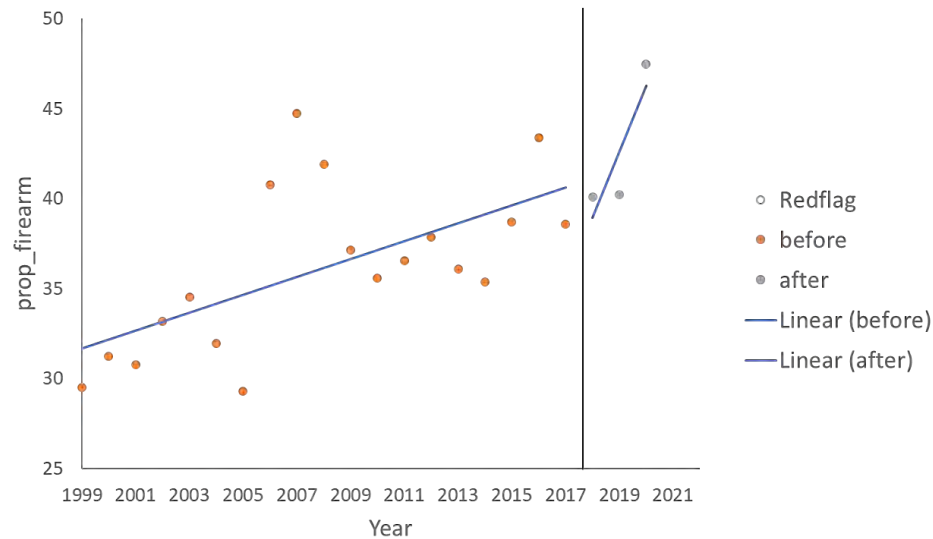
The interrupted time series analysis showed a statistically significant increase in the proportion of homicide cases after the enactment of the Florida red flag law, $p = .003$,

$\text{adj.}R^2 = 47.7\%$, $F(3,18) = 6.889$. Equation (2) shows the final formula to predict the proportion of homicide cases in Florida. Figure 6 shows the final plot of the model.

$$\text{Outcome}_{it} = 31.207 + .496.\text{time}_t - 5.373.\text{law}_t + 3.179.\text{trend}_{it} + \varepsilon_{it} \quad (2)$$

Figure 6

Effect of Florida Red Flag Law on the Proportion of Homicide Cases



Firearm-Related Suicides. The OLS model from the preliminary analysis using the proportion of firearm-related suicide cases as the dependent variable showed a statistically significant model, $p < .001$, $\text{adj.}R^2 = 65.3\%$, $F(3,18) = 14.169$. The coefficients from the preliminary analysis are shown in Table 8. When checking for autocorrelation, SPSS suggested ARIMA model 0, 1, 0, indicating no autoregression (AR) nor moving average (MA) parameters in the model, which is also confirmed by a visual inspection of the residual ACF and Residual PACF plots, which showed no residual autocorrelation in the series (see Figure 7).

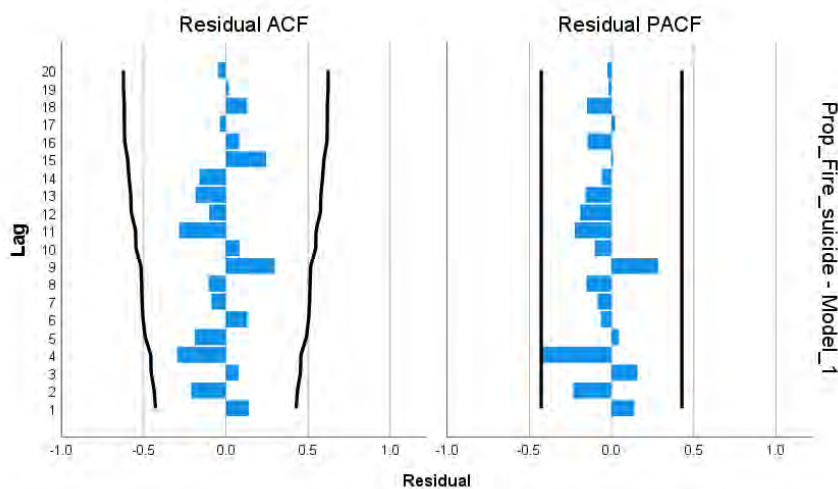
Table 8*Coefficients of Standard OLS Regression Firearm-Related Suicides*

Model		Unstandardized Coefficients		Standardized Coefficients	t	Sig.	95,0% Confidence Interval for B	
		B	Std. Error	Beta			Lower Bound	Upper Bound
1	(Constant)	68.361	1.728		39.571	.000	64.732	71.991
	Time	.705	.152	.745	4.651	.000	.386	1.023
	Law	12.592	5.752	.720	2.189	.042	.508	24.676
	Trend	-5.488	2.562	-.686	-2.142	.046	-10.872	-.105

Note. Dependent Variable: Proportion of firearm-related suicide cases.

Figure 7

Residual ACF and Residual PACF Plots for Proportion of Firearm-Related Suicide Cases

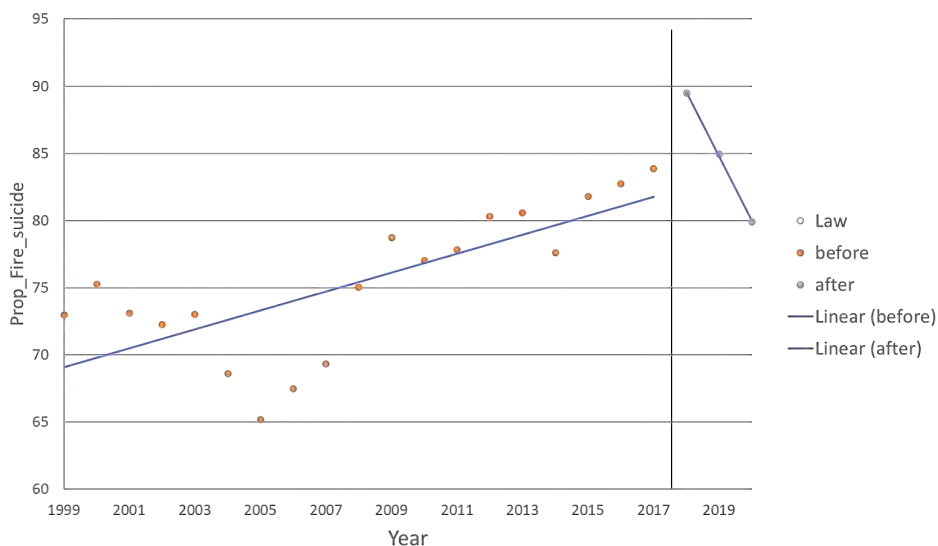


The interrupted time series analysis showed a statistically significant decrease in the proportion of suicide cases after the enactment of the Florida red flag law, $p < .001$, $\text{adj.}R^2 = 65.3\%$, $F(3,18) = 14.169$. Equation (3) shows the final formula to predict the proportion of suicide cases in Florida. Figure 8 shows the final plot of the model.

$$\text{Outcome}_{it} = 68.361 + .705.\text{time}_t + 12.592.\text{law}_t - 5.488.\text{trend}_{it} + \varepsilon_{it} \quad (3)$$

Figure 8

Effect of Florida Red Flag Law on the Proportion of Suicide Cases



Research Question 2: Do Risk Protection Orders Target Individuals Demonstrating Known Mass Homicide Offender Typology Characteristics?

To answer this research question, the researcher used the variable, statements involving planned mass attacks, as the output and then conducted a series of 2x2 association tests in SPSS 28 to determine whether there is an association between the remaining 18 variables. Table 9 provides the descriptive analysis of the variables specifically related to statements involving mass attacks.

Table 9*Descriptive Analysis Using Statements Involving Planned Mass Attacks as the Output*

Variable	No (N=480)	Yes (N=76)
Involved in recent act or threat of violence against self or others		
No	35 (7.29%)	2 (2.63%)
Yes	445 (92.7%)	74 (97.4%)
Engaged in an act of violence		
No	94 (19.6%)	12 (15.8%)
Yes	386 (80.4%)	64 (94.2%)
Mental Illness		
No	192 (40%)	28 (36.8%)
Yes	288 (60%)	48 (63.2%)
Violation of a prior Risk Protection Order or No Contact order		
No	465 (96.9%)	75 (98.7%)
Yes	15 (3.13%)	1 (1.32%)
Prior subject of a Risk Protection Order		
No	478 (99.6%)	76 (100%)
Yes	2 (0.417%)	0 (0%)
Prior conviction of domestic violence		
No	457 (95.2%)	72 (94.7%)
Yes	23 (4.79%)	4 (5.26%)
Use or threatened use of weapons		
No	88 (18.3%)	8 (10.5%)
Yes	392 (81.7%)	68 (89.5%)
Unlawful or reckless display of a firearm		
No	272 (56.7%)	58 (76.3%)
Yes	208 (43.3%)	18 (23.7%)
Used or threatened to use force against another on recurring basis		
No	378 (78.8%)	55 (72.4%)
Yes	102 (21.3%)	21 (27.6%)
Arrested or convicted of crime of violence		
No	338 (70.4%)	40 (64.5%)
Yes	142 (29.6%)	27 (35.5%)
Substance abuse		
No	299 (62.3%)	54 (71.1%)
Yes	181 (37.7%)	22 (28.9%)
Recent acquisition of firearms		
No	405 (84.5%)	69 (90.8%)
Yes	75 (15.6%)	7 (9.21%)

Variable	No (N=480)	Yes (N=76)
Required to use firearms for employment		
No	479 (99.8%)	75 (98.7%)
Yes	1 (0.208%)	1 (1.32%)
Subject to Baker Act		
No	264 (55.0%)	49 (64.5%)
Yes	216 (45.0%)	27 (35.5%)
Evidence of suicidal ideation		
No	252 (52.5%)	63 (82.9%)
Yes	216 (45.0%)	13 (17.1%)
Evidence of planned revenge		
No	480 (100%)	70 (92.1%)
Yes	0 (0%)	6 (7.89%)
Precipitating factors involving strain		
No	465 (96.9%)	66 (86.8%)
Yes	15 (3.13%)	10 (13.2%)
Evidence of domestic violence		
No	354 (73.8%)	67 (88.2%)
Yes	126 (26.3%)	9 (11.8%)

Table 9 demonstrates that the most common variables involving statements of mass attacks are the following: (1) involvement in a recent threat of violence against oneself or another (97.4%); (2) engaged in an act of violence during the preceding 12 months (94.2%); (3) use or display of weapons in a threatening manner (89.5%); and (4) mental illness (63.2%).

Statistical analysis was then conducted to confirm or reject any association between the variables. Before running the analysis, the researcher checked for the expected cell frequencies for each cell. A chi-square test for association was used when all expected cell counts were larger than five. A Fisher's exact test was selected whenever this assumption was not met. Table 10 demonstrates whether chi-squared or fisher's exact test was used, the chi-squared results, phi value and significance level for each of the 18 variables. Five of the 18 variables proved to be statistically significant

when compared to the output: (1) unlawful or reckless display of a firearm, (2) suicidal ideation, (3) planned revenge, (4) precipitating factors involving strain, and (5) evidence of domestic violence. The results are summarized below.

Table 10

Summary of Results for Independent Variables When Compared to the Output

Variable	Chi-Square / Fisher's Exact test	<i>p</i>	<i>φ</i>
Recent act or threat of violence against self or others	Fisher's Exact test	.293	
Engaged in an act of violence	$\chi^2(1) = .212$	.645	
Mental illness	$\chi^2(1) = .217$	.641	
Violation of RPO	Fisher's Exact test	.706	
Subject to a prior RPO	Fisher's Exact test	1.000	
Prior conviction of domestic violence	Fisher's Exact test	.770	
Use or threatened use of weapons	$\chi^2(1) = 3.771$	.052	
Unlawful or reckless display of a firearm	$\chi^2(1) = 8.895$	.003	-.130
Used or threatened to use physical force against another on a recurring basis	$\chi^2(1) = 2.312$	.128	
Arrested or convicted of a crime of violence	$\chi^2(1) = 1.563$	.211	
Substance abuse	$\chi^2(1) = 2.235$	.135	
Firearms required for employment	Fisher's Exact test	.137	
Baker Act	$\chi^2(1) = 2.585$	.108	
Suicidal Ideation	$\chi^2(1) = 24.683$	<.001	-.211
Planned revenge	Fisher's Exact test	<.001	.262
Precipitating factors involving strain	Fisher's Exact test	<.001	.166
Evidence of domestic violence	$\chi^2(1) = 7.408$	.006	-.115

Unlawful or Reckless Display of Firearms. A chi-square test for association was conducted between the output and the remaining variables. All expected cell frequencies were greater than five, and as such, the researcher used chi-squared to determine association. The test showed a statistically significant association between the variables, $\chi^2(1) = 8.895, p = .003$. The (see Tables 11 and 12). The association was weak and negative, as indicated by $\phi = -.130, p = .003$.

Table 11

Crosstabs Counts for Planned Mass Attacks V. Reckless Display of a Firearm

		Unlawful or reckless display of a firearm			
		no	yes	Total	
Statements involving planned mass attacks	no	Count	256	54	310
		Expected Count	267.6	42.4	310.0
	yes	Count	198	18	216
		Expected Count	186.4	29.6	216.0
Total		Count	454	72	526
		Expected Count	454.0	72.0	526.0

Table 12

Chi-Square Analysis for Planned Mass Attacks V. Reckless Display of a Firearm

	Value	df	Asymptotic Significance (2-sided)	Exact Sig. (2-sided)	Exact Sig. (1-sided)
Pearson Chi-Square	8.895	1	.003		
Continuity Correction	8.143	1	.004		
Likelihood Ratio	9.378	1	.002		
Fisher's Exact Test				.003	.002
Linear-by-Linear Association	8.878	1	.003		
N of Valid Cases	526				

Suicidal Ideation. All cell frequencies were above 5, and, as such, chi-square was the appropriate test for the 2x2 association test. The results reflect $\chi^2(1) = 24.683, p \leq .001$. The association was moderately negative, as indicated by $\phi = -.211, p \leq .001$. A moderately strong negative correlation exists between the outcome and Suicide, as indicated by $\phi = -.216, p < .001$ (see Tables 13 and 14).

Table 13

Crosstabs Counts for Planned Mass Attacks V. Suicidal Ideation

		Evidence of suicidal ideation		Total	
		no	yes		
Statements involving planned mass attacks	no	Count	230	224	454
		Expected Count	249.4	204.6	454.0
	yes	Count	59	13	72
		Expected Count	39.6	32.4	72.0
Total		Count	289	237	526
		Expected Count	289.0	237.0	526.0

Table 14

Chi-Square Analysis Planned Mass Attacks V. Suicidal Ideation

	Value	df	Asymptotic Significance (2-sided)	Exact Sig. (2-sided)	Exact Sig. (1-sided)
Pearson Chi-Square	24.568	1	.000		
Continuity Correction	23.320	1	.000		
Likelihood Ratio	26.742	1	.000		
Fisher's Exact Test				.000	.000
Linear-by-Linear Association	24.521	1	.000		
N of Valid Cases	526				

Planned Revenge. One of the cell frequencies was zero, and as such, Fisher's Exact Test was selected. The results showed a significant relationship between planned mass attacks and planned revenge, $p \leq .001$ (see Tables 15 and 16). The association is moderately strong and positive, $\phi = .262$.

Table 15

Crosstabs Counts for Planned Mass Attacks V. Planned Revenge

			Evidence of planned revenge		Total
			no	yes	
Statements involving planned mass attacks	no	Count	454	0	454
		Expected Count	449.7	4.3	454.0
	yes	Count	67	5	72
		Expected Count	71.3	.7	72.0
Total	Count	521	5	526	
	Expected Count	521.0	5.0	526.0	

Table 16

Chi-Square Analysis Planned Mass Attacks V. Planned Revenge

	Value	df	Asymptotic Significance (2-sided)	Exact Sig. (2-sided)	Exact Sig. (1-sided)
Pearson Chi-Square	31.830	1	.000		
Continuity Correction	24.882	1	.000		
Likelihood Ratio	20.194	1	.000		
Fisher's Exact Test				.000	.000
Linear-by-Linear Association	31.770	1	.000		
N of Valid Cases	526				

Evidence of Precipitating Factors Involving Strain. Fisher's Exact Test was conducted because one of the cell values was less than 5. The results showed a significant relationship between planned mass attacks and precipitating factors involving strain, $p \leq .001$ (see Tables 17 and 18). The association is weak and positive, $\phi = .166$.

Table 17

Crosstabs Counts for Planned Mass Attacks V. Precipitating Factors Involving Strain

			Evidence of precipitating factors involving strain		Total
			no	yes	
Statements involving planned mass attacks	no	Count	439	15	454
		Expected Count	433.3	20.7	454.0
	yes	Count	63	9	72
		Expected Count	68.7	3.3	72.0
Total	Count	502	24	526	
	Expected Count	502.0	24.0	526.0	

Table 18

Chi-Square Analysis Planned Mass Attacks V. Precipitating Factors Involving Strain

	Value	df	Asymptotic Significance (2-sided)	Exact Sig. (2-sided)	Exact Sig. (1-sided)
Pearson Chi-Square	12.069	1	.001		
Continuity Correction	10.049	1	.002		
Likelihood Ratio	9.021	1	.003		
Fisher's Exact Test				.002	.002
Linear-by-Linear Association	12.046	1	.001		
N of Valid Cases	526				

Evidence of Domestic Violence. A chi-square test for association was conducted between the variables. All expected cell frequencies were greater than five. The test showed a statistically significant association between statements involving threats of mass attacks and evidence of domestic violence, $\chi^2(1) = 7.408$, $p = .006$ (see Tables 19 and 20). It was a weak and negative association between the two variables, $\phi = -.115$, $p = .006$.

Table 19

Crosstabs Counts for Planned Mass Attacks V. Evidence of Domestic Violence

		Evidence of Domestic Violence			
		no	yes	Total	
Statements involving planned mass attacks	no	Count	333	121	454
		Expected Count	341.8	112.2	454.0
	yes	Count	63	9	72
		Expected Count	54.2	17.8	72.0
Total	Count	396	130	526	
	Expected Count	396.0	130.0	526.0	

Table 20

Chi-Square Analysis Planned Mass Attacks V. Evidence of Domestic Violence

	Value	df	Asymptotic Significance (2-sided)	Exact Sig. (2-sided)	Exact Sig. (1-sided)
Pearson Chi-Square	6.689	1	.010		
Continuity Correction	5.950	1	.015		
Likelihood Ratio	7.575	1	.006		
Fisher's Exact Test				.008	.005
Linear-by-Linear Association	6.676	1	.010		
N of Valid Cases	526				

Summary

In this chapter, the researcher presented the results of the statistical analyses. When comparing means, the independent t-test established a statistically significant increase in both firearm-related homicides and suicides from 2018-2020. However, the interrupted time series analysis showed an increase in only homicides. The interrupted time series revealed a statistically significant increase in the proportion of firearm-related homicide cases after the enactment of the Florida red flag law. Conversely, the proportion of suicide cases decreased significantly after intervention. The researcher then tested for the associations between the 18 variables and the subjects' history of having a statement involving a planned mass attack. Of the 14 statutory variables, only one variable was associated with the outcome, unlawful or reckless display of a firearm. The association was negative and weak. Of the remaining variables added to the study by the researcher, all variables were associated with the outcome. The outcome positively correlated with two of the added variables: (1) evidence of planned revenge, and (2) evidence of precipitating factors including strain. The association with planned revenge was moderately strong. Strain had a weak association with the outcome. Suicidal ideation was negatively and moderately associated. The fourth added variable, domestic violence, proved to have a weak negative association with the outcome. Discussions of the findings from the current study are presented in the next chapter.

Chapter 5: Discussion

Mass homicide incidences remain statistically rare when compared to homicide rates in general. However, media reporting tends to be sensationalized and sparks public fear and outrage, of which in turn can result in a push toward implementation of legislative action to prevent such occurrences. The outrage associated with the 2018 Parkland School shooting is precisely what caused the implementation of Florida's 2018 Red Flag Law. There are now 19 states with similar forms of legislation, and despite apparent widespread support, there is little empirical data evaluating the efficacy of the gun control measure. Moreover, Florida's 2018 legislation was designed, in part, as a preventative measure against a particular type of violence - public mass shootings. However, there is no known literature or data to suggest a relationship between such types of legislation and mass homicide. This study was conducted to evaluate whether there was a difference between firearm-related homicides prior to and after legislative implementation, and whether the risk protection petitions targeted individuals displaying mass homicide offender typology characteristics.

Identifying effective preventative measures related to mass homicide is critical to policymakers. However, gun control measures taken in isolation are largely ineffective at reducing overall firearm-related homicides. Here, the legislative intention was not to impose a general gun control restriction; rather, to the contrary, the intention was to target specific individuals with characteristics demonstrating an immediate threat of harm to oneself or others. The question then must analyze whether the petitions are effective at targeting possible mass homicide offenders. This study demonstrates that rates of firearm-related homicide increased after legislative implementation and that the petitions,

as used between 2018 and 2019, did not adequately identify individuals with known mass homicide offender characteristics.

Results

Research Question 1: Is there a difference between rates of firearm-related homicide incidences prior to, and after, the creation of Florida's "Red Flag" law?

The researcher hypothesized that there would be a reduction in firearm-related homicide incidences after implementation of Florida's 2018 risk protection legislation. However, established research clearly indicates that gun control measures, taken in isolation, generally do not correlate with a reduction in firearm-related homicides. The research is consistent with the findings here.

The researcher used two different tests to evaluate rates of firearm-related homicides for the time frame in question. The first analysis involved a means comparison with the independent t-test. The proportion of firearm-related homicides clearly increased from 2018-2020 ($M = 42.60$, $SD = 4.2$) when compared to the mean from 1999-2017 ($M = 36.16$, $SD = 4.5$). Likewise, the interrupted time series regression analysis reflects a statistically significant increase in firearm-related homicides post-intervention $p = .003$, $adj.R^2 = 47.7\%$, $F(3,18) = 6.889$.

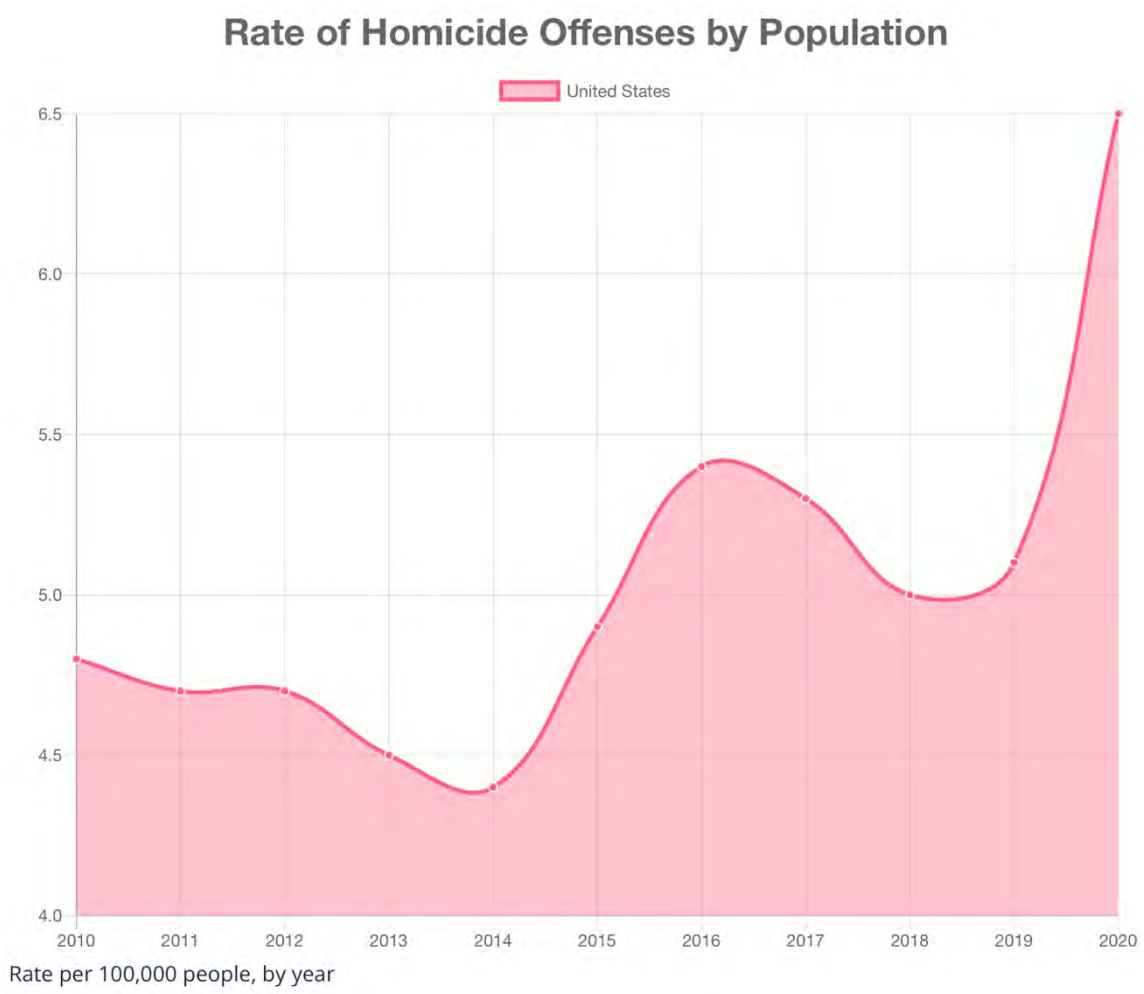
Although the finding clearly indicates a statistically significant increase in firearm-related homicides, this conclusion must be met with caution. There are limited data points available to assess an overall trend post intervention. Moreover, although the post-intervention group included three years, the researcher used 2018 in the post-intervention category, however, the law first went into effect in March 2018. Further study should be conducted from a longitudinal perspective to document trends.

Figure 2 demonstrates a number of sharp decreases and increases in firearm-related homicides during the relevant time frame. There was a significant drop in 2005 followed by a sharp rise between 2006 and 2007, another drop in 2009 at which point the rates appeared to stabilize. Between 2015 and 2016 there was another sharp rise, of which peaked in 2020. National rates of homicide showed a decrease in much of the 2000s, however, there was a sharp increase in homicide rates nationwide in 2015, and this would be consistent with the increase shown here (Rosenfeld & Wallman, 2019). There is no existing data to explain the drastic increase in firearm-related homicides for 2020. However, this was the year of the COVID-19 pandemic, and there is some research in its infancy addressing crime trends specifically related to the pandemic time frame (Kim & Phillips, 2021). Some early research has found that homicide rates increased in June 2020 and declined late summer and fall (Lopez & Rosenfeld, 2021). In addition, domestic violence increased by 8.1% nationally after the issuance of stay-at home orders (Lopez & Rosenfeld, 2021). Notably, the FBI reported a significant surge in gun sales from February to March 2020, thus implying a substantial increase in firearm possession (Kim & Phillips, 2021). An increase in firearm possession is correlated with gun-related homicides (Kim & Phillips, 2021; Siegel et al., 2013).

The Federal Bureau of Investigation (FBI, 2022) reports national homicide trends in its Summary Reporting System (SRS). The reported statistical graph representing national rates of homicide during the same time frame follows a similar pattern as demonstrated in this study. The upward trend beginning between 2014 and 2015 to 2020, as shown in Figure 9, is nearly identical to the trend shown in this study.

Figure 9

Rate of Homicide Offenses by Population



Note. Reprinted from FBI Crime Data Explorer, FBI (2022, March 15). Retrieved from <https://crime-data-explorer.fr.cloud.gov/pages/explorer/crime/crime-trend>

There are a number of confounding variables that could address homicide trends. The similarity between Florida’s 2018-2020 homicide rates as compared to the nationwide rates could reasonably infer that the increase shown here is not related to the implementation of the Red Flag Law.

For comparison, the researcher added firearm-related suicides to the study.

Although the relative mean of firearm-related suicides increased post-intervention, the

interrupted time series analysis demonstrated a statistically significant reduction in firearm-related suicides. This finding is easily shown in Figure 3 demonstrating the downward trajectory of firearm-related suicides post-intervention. The distinction between the independent t-test and the interrupted time series could be related to the sharp upward trend beginning several years earlier in 2015, the same point demonstrating an increase in firearm-related homicides. The sharp rise in rates prior to intervention would have increased the overall mean for the time frame in question. Although the study clearly revealed a positive finding, this too should be met with caution. As discussed above the available data is a significant limitation to this study. Further study is recommended.

Research Question 2: Do risk protection orders target individuals demonstrating known mass homicide offender typology characteristics?

The researcher conducted a series of 2x2 association tests to determine whether there is a correlation between the 14 variables and the subjects' history of having a statement involving planned mass attacks. Chi-square is an appropriate test to determine association between variables. However, the chi-square test for association requires all expected cell counts to be greater than five. Fisher's exact test was selected in cases where at least a cell has an expected cell count lower than five. A statistically significant relationship was found between statements of mass attacks and five variables: (1) unlawful or reckless display of a firearm; (2) evidence of suicidal ideation; (3) evidence of planned revenge; (4) evidence of precipitating factors involving strain; and (5) evidence of domestic violence. Phi (ϕ) was used to determine the strength of the correlation.

Unlawful or Reckless Display of a Firearm

A total of 454 respondents were identified as having unlawfully or recklessly displayed firearms. A total of 76 respondents made statements involving mass attacks. Of the 76 respondents, 18 (23.6%) were identified as having unlawfully or recklessly displayed firearms. The results of the 2x2 chi-square test demonstrated a statistically significant association between the variables $\chi^2(1) = 8.895, p = .003$. However, the strength of the association is negative and weak, $\phi = -.130$. This finding is consistent with available literature detailing various offender typology characteristics. There is no known support to positively correlate reckless display of a firearm with mass homicide typology. Arguably, an unlawful or reckless display of a firearm could fall in the category associated with impulsive behavior, of which would be contrary to mass homicide typology.

Statements of Suicidal Ideation

A total of 241 respondents were identified as having suicidal ideation. Of the 76 respondents identified as having made statements involving mass homicide, 13 (17.1%) also presented with suicidal ideation. The results of the 2x2 chi-square test demonstrated a statistically significant association between the variables, $\chi^2(1) = 24.683, p \leq .001$. Phi (ϕ) score demonstrated a moderate negative association, $\phi = -.211$. Some researchers suggest that mass homicide offenders are suicidal, and that the mass homicide incident is merely a means to an end; however, this research is largely speculative and focuses on the offender's behavior after the fact, and does not correlate with demonstrated evidence of suicidal ideation *prior to* the event (Fridel, 2021; Frazier, 1975; Palermo, 1994). Further study would be valuable to confirm the negative association between the

variables. None of the statutorily required variables distinguish between self-harm and harm to others. However, from a preventative public policy perspective, individuals at risk of self-harm may require distinct services and may benefit from tailored wrap-around programs.

Statements of Planned Revenge

Revenge is noted as a significant motivating factor for mass homicide offenders, and, as such, the researcher hypothesized that revenge would be positively correlated with statements of plans for mass attacks. The analysis supported the hypothesis. The association is positive and moderately strong with a phi (ϕ) value of .262. The researcher combined planning and evidence of revenge for this variable because of the limitation of available data. Although only six out of the 76 petitions involving threats of mass attacks expressly indicate a desire for revenge, the researcher urges caution in underestimating the role of revenge. Revenge is not a statutory variable required in the petition, and because of considerable discretion afforded to law enforcement regarding omitting or including factual detail, it is not possible to confirm the prevalence of this variable. The following case study demonstrates an example of a narrative expressly, including planned revenge.

Case Study A

A middle-aged white man had apparently been struggling professionally for some time. The narrative reflected that he had not been performing well, and he externalized blame for his work-related problems onto his co-workers. As work-related problems increased, the man's externalized anger positively increased, and he was alleged to have made a number of derogatory comments towards other employees, of which culminated

in multiple threats of violence. The man had a fascination with firearms and would often display photographs of his weapons to employees when he had become angered. After experiencing a triggering event in the work-place, again related to his alleged job performance, the man expressed that he would commit a mass shooting, and would target those of whom he had perceived had wronged him.

Case Study B likewise involves employment-related problems, and associated perceived anger. However, the narrative did not provide sufficient factual detail to identify revenge as a motivator.

Case Study B

A middle-aged white man lost his employment nearly one year prior to the application for the risk protection order. After suffering a precipitating event (loss of employment) the man engaged in frequent behavior resulting in former employees fearing for their safety. The man returned to his former employer on multiple occasions to angrily confront employees, of which resulted in stalking injunctions. The man then made frequent comments regarding his recently acquired firearm collection, and made gestures towards others whereby he mimicked firing a gun. He contacted judicial officials and indicated his willingness to commit a mass attack. Anecdotal evidence suggested that he may suffer from PTSD.

It is unknown what caused the man's employment separation, and it is also unknown whether he suffered from chronic strain prior to experiencing the precipitating events. Unlike Case Study A, where the narrative expressly indicated that the man sought revenge against former employees the factual details in Case Study B provided only inferences. Those facts would be helpful in identifying potential mass homicide offender

characteristics. Despite the lack of factual detail, the case study establishes that the man was, at a minimum, suffering from acute strain possibly triggered by the precipitating event. The man expressed anger towards employees, of which could indicate his belief that he was somehow wronged by others, thus leading to possible revenge. His recent acquisition of firearms and associated fascination with weapons is likewise consistent with the typology.

The researcher included revenge as a variable for Case Study A because the narrative clearly identified the individual's motivation. Although Case Study B could certainly have been similarly motivated, there was no express language in the narrative to make such assumption. Thus, revenge was not included. Notably, work or school strain that occurs within the year prior to an attack constitutes common stressors for offenders (Lankford & Silva, 2021). Researchers have found that 88% of school shooters and 97% of workplace shooters had experienced work or school-related problems, and there was often a precipitating event, such as being suspended, fired or disciplined prior to the incident (Lankford, 2013; Lankford & Silva, 2021). Properly identifying this type of motivating factor would be critical for not only identifying a possible offender but for preventative measures to provide the individual with necessary services.

Evidence of Strain

The study results indicated a weak positive association, $\varphi = .166$, $p < .001$, between the two variables. This study combined evidence of strain with precipitating events because of an inherent limitation regarding data exclusion/inclusion in the petitions. Given the nature of the narratives included within the filed petitions, it is difficult, if not impossible, to discern any distinction between an individual's experience

with strain versus a precipitating event. Out of the 76 respondents who made threats of mass homicide, 10 respondents, (13.2%), were identified as having experienced precipitating events and/or strain. The finding here is consistent with available literature regarding the mass homicide offender's experience with precipitating events and/or strain prior to the incident. Although a stronger correlation between the variables would be expected given existing literature, it is likely that the strength of the correlation shown here is underestimated because of discretionary exclusion/inclusion of factual details within the petitions.

Evidence of Domestic Violence

The study results indicated a weak negative association, $\chi^2(1) = 7.408, p = .006, \phi = -.115, p = .006$, between the two variables. The most common type of mass homicide involves the family "annihilator," and as such the researcher hypothesized that an association would be positive. The finding here should be viewed with caution. The researcher found 135, (24%), cases involving domestic violence, 9 of which made statements of intent to commit mass homicide. The researcher only included statements of intent to commit mass homicide if the records indicated that the individual intended to kill 4 or more persons in the same incident. Thus, if the individual made a general threat of domestic-related homicide, such fact would not satisfy the mass homicide requirement, unless the documents clearly reflected the required number of persons. The available data did not consistently identify the number of persons within the household. The limitation of data could demonstrate an underestimation of the strength of the association between the variables.

Most Common Variables as a Default

From a percentage perspective, the most common variables associated with the outcome in this study are the following: (1) involvement in a recent threat of violence against oneself or another (97.4%); (2) engaged in an act of violence during the preceding 12 months (94.2%); (3) use or display of weapons in a threatening manner (89.5%); and (4) mental illness (63.2%). These are the same variables most commonly found even when not controlling for the outcome, as shown in Table 4. None of the variables are statistically significant to the outcome. However, it is clear that the above variables are the most utilized to obtain risk protection orders. The variables are vague and could encompass a vast array of behaviors. As a result of the near 100% inclusion in the first two variables, it is possible to suggest that the variables are selected as default. Moreover, it would be impossible to determine whether the individual intended to threaten himself or others from the language of the most common variables. From a public policy perspective, it would certainly be valuable to determine whether the individual poses a threat to others rather than oneself, particularly where the legislation was created to minimize mass attacks.

Relying upon, what could be, default variables misses critical opportunities to identify possible offenders. The following case studies demonstrate how the variables are used when respondents allegedly made statements of mass homicide.

Case Study C

Law enforcement identified a white male juvenile as having made a threat of violence and a threat involving the use of a weapon. The juvenile allegedly made specific threats to commit a school shooting, and in doing so, emphasized prior attacks and

explained how the planning could occur. He made similar statements on a social media platform. The juvenile appeared to fantasize about prior school shooters. The narrative did not identify whether the juvenile had particular targets. However, the juvenile made generalized target statements and indicated that some people deserved to die. The juvenile had experience with firearms and was alleged to have possession of weapons.

While there are general statements, the narrative did not provide factual detail to identify the respondent's possible motive, whether he suffered a strain, a precipitating event, or whether he sought revenge on any particular person or group of individuals. Likewise, although the narrative indicated that the individual could plan an attack, there was no factual detail provided to indicate that the respondent did, in fact, engage in planning. Thus, none of those variables were included in the dataset. On the contrary, the only variables associated related to the threat of violence and the threat involving the use of weapons.

Case Study D

Case study C is nearly identical to Study D. A white juvenile female made statements in school indicating that she had a gun. The child had multiple writings and drawings depicting previous mass shooters, and indicated a willingness to make a plan, but there was no evidence that she did, in fact, conduct any planning. The child expressed a desire to commit mass homicide, and made multiple drawings depicting graphic images of murder. The narrative provided ample information in reference to possible criminality. However, the narrative completely omitted any details to explain the child's motive, her experience with strain, precipitating events, and whether she sought revenge for any legitimate or perceived reason.

From a statistical analysis perspective, these cases demonstrate how the data could be underestimated. There were 76 cases involving statements of planned attacks, and although there is a statistically significant association with all of the researcher's included variables, the association is often weak. The majority of the 76 cases involved in the output sample did not include specific evidence to identify the additional four variables. Thus, there is limited data available to conduct association analysis. Notably, most of the table cells related to the additional variables represent nearly de minimis values ranging from 6 to 13 participants. Because the additional four variables are not required on the face of the petition, and because law enforcement has significant discretion in omitting or including factual detail, it is possible that the strength of the associations found in this study are not accurately reflected. Further study would be necessary to confirm findings.

There is a danger in treating the risk protection order as an exhaustive preventative measure. Although some researchers suggest that risk protection orders may constitute an effective preventative measure, firearm removal is only one of the preventative components (Lankford & Silva, 2021). Removing a firearm does not eliminate the underlying problem, and should not be viewed in isolation. Determining whether the individual has suffered long term strain, a precipitating event, or whether he/she believed they had reason to seek revenge, could trigger necessary threat assessments and wrap around services as a more in-depth preventative measure. Utilizing the risk protection measure may be an effective means to not only remove firearms, but to identify possible offenders and to provide necessary services.

Conclusion and Summary

This study examined Florida's 2018 Red Flag Law to determine whether firearm-related homicides differed after implementation, and whether the use of risk protection petitions targeted individuals with possible mass homicide offender characteristics. The study revealed that there was a statistically significant increase in firearm-related homicides after implementation. However, the conclusion must be met with caution because of very limited data, and because of confounding variables impacting homicide trends. Suicide rates, on the other hand, decreased significantly post-implementation. This is a positive finding, and suggests that the risk protection measure may be effective at identifying at-risk individuals with suicidal ideation. However, this finding must also be met with caution because of limited data. Additional longitudinal study is recommended.

The researcher found 76 petitions involving express statements of planned mass attacks. The study found that statements of mass attacks were associated with all four researcher-selected variables identified as mass homicide offender characteristics. The association, for the most part, was weak, however, the dataset available for the offender characteristic variables was very limited. The limited data may be the result of discretionary omissions in factual detail within the petitions and supporting affidavits. This study only involved 556 petitions out of more than 3,000. There is considerable variance between counties regarding the amount of factual detail provided within affidavits and petitions. The findings cannot be generalized, and a more exhaustive study is recommended.

Risk protection laws are in their infancy, and there is little empirical data available to evaluate efficacy. It is not surprising that risk protection laws are widely supported by public opinion. Everyone can likely agree that it is good public policy to remove firearms from individuals who pose an immediate threat of harm to themselves or others. The question is not whether risk protection laws should be implemented; rather, the question is how can risk protection laws be used in an effective preventative manner. Failure to utilize the measure to identify possible offenders and provide them with necessary services may render the measure nothing more than gun control. Dialogue should occur to determine whether risk protection measures should be used not only as a tool to remove firearms but also as a means to identify at-risk individuals and provide necessary community services and/or threat assessment. Further research is necessary to determine the degree of efficacy from a preventative perspective.

Limitations

There were several limitations of the present study. The legislation is newly implemented, and as such, there are limited data points to evaluate firearm-related trends. In addition, limiting the data to only six out of 67 counties is anticipated to influence the generalization of the study and indicates the necessity of further research. The researcher attempted to control this limitation by including six counties representing the highest and lowest population density. However, the three counties with the lowest population density were excluded because no petitions were filed. Thus, further study will be needed.

Confounding variables impact internal validity. A confounding variable refers to the elements other than the studied variables and can pertain to both dependent and independent variables. The primary confounding variable relates to the availability of data obtained from the petitions and related documents. Significant variances occur regarding the decision to include or exclude factual details. Because the decision is entirely discretionary, it is impossible to determine whether facts pertinent to this study were omitted. Notably, the outcome in this study was identified based upon information that law enforcement elected to include in filed documents. Thus, it is impossible to determine whether simple omissions or factual exaggerations influenced the outcome data.

Finally, this study was conducted during the COVID-19 Pandemic, and it is unknown how the community response to the Pandemic may have impacted firearm-related homicides and crime in general. These are inherent limitations that cannot be

controlled, and future longitudinal studies will be needed to evaluate the rate of firearm-related homicides over a more extended period.

Implications of Findings and Recommendations for Future Research

The results of this study indicate the need for longitudinal analysis post-2019. Evaluating the efficacy of the legislation in terms of firearm-related homicide rates requires more data points. It is possible to hypothesize that the 2020 pandemic response impacted the dramatic increase in firearm-related homicides. Likewise, unlike other states that have implemented similar forms of legislation, there are more than 3,500 petitions filed in the State of Florida, and a more exhaustive analysis of filed petitions would provide additional analysis for generalization. It would inform regarding the need for policy change. Finally, a comparison between Florida and states with similar legislation is recommended.

Identifying high-risk individuals is the first critical stage in developing any prevention strategy. This study demonstrates that risk protection petitions can be used to identify possible mass homicide offenders, if sufficient factual information is included. The results of this analysis suggest a number of possible recommendations related to variables included within the petition.

1. Include a required variable identifying whether the respondent made statements involving planned mass attacks. Mass attacks should be defined as any killing involving four or more persons without a cooling-off period. There should not be a distinction between public or private killings. However, because demographic factors may vary depending upon the type of offender, a secondary variable should be included to indicate whether the statement relates to a public or private attack.

2. Include a required variable identifying whether the respondent has experienced a triggering precipitating event. The petition should identify the type of event, if known.
3. Include a required variable identifying whether the respondent experienced chronic strain. Strain can be challenging to assess and could lead to an overuse of discretionary inclusion or exclusion of factual details. Thus, it is recommended that the petition include specific factors generally observed in individuals suffering from chronic strain, such as bullying, social isolation, and the perception of oneself as a failure.
3. Include a required variable identifying whether the respondent has made statements or inferences regarding planned revenge. The petition should identify the target of the revenge and the nature of the problem.
4. There is a strong correlation between domestic violence, mass homicide, and homicide in general. The petitions currently identify prior convictions of domestic violence. However, the face of the petition does not identify whether the nature of the immediate problem is domestic-related. The face of the petition should identify whether the nature of the problem is domestic.
5. This study did not evaluate any correlation with weapon fascination because the petitions and related narratives do not include such data. Fascination with firearms is widely accepted as a common characteristic associated with mass homicide offenders. This researcher recommends a required variable to assess whether the respondent is known to express fascination with firearms or military-style training.

The inclusion of the above variables may assist in identifying individuals at risk for mass homicide offenses and homicide in general.

Removing firearms from possible offenders is only one measure and is ordinarily an insufficient preventative policy. Consistent with available literature, this researcher recommends policymaker dialogue regarding the expansion of Florida's legislation to include the development of threat assessments, information-sharing, and community wrap-around services for at-risk individuals subjected to risk protection orders. Wrap-around services may include schools, the Department of Children and Families, mental health facilities, human services, and healthcare agencies. In addition, incorporation of educational training for a variety of entities such as law enforcement, educators, human resource officials, and Department of Children of Families may provide individuals with more tools to effectively identify characteristics that we recognize as "red flags."

References

- Agnich, L. E. (2015). A comparative analysis of attempted and completed school-based mass murder attacks. *American Journal of Criminal Justice, 40*(1), 1-22.
<https://doi.org/10.1007/s12103-014-9239-5>
- Aitken, L., Oosthuizen, P., Emsley, R., & Seedat, S. (2008) Mass murders: Implications for mental health professions. *The International Journal of Psychiatry in Medicine, 38*(3), 261-269. <https://doi.org/10.2190%2FPM.38.3.c>
- Andrés, A. R., & Hempstead, K. (2011). Gun control and suicide: The impact of state firearm regulations in the United States, 1995–2004. *Health Policy, 101*(1), 95-103. <https://doi.org/10.1016/j.healthpol.2010.10.005>
- APM Research Lab. (2019). *APM survey: Americans' views on key gun policies*.
<https://www.apmresearchlab.org/gun-survey>.
- Baker, J., & McPhedran, S. (2007). Gun laws and sudden death: Did the Australian firearms legislation of 1996 make a difference?. *The British Journal of Criminology, 47*(3), 455-469. <https://doi.org/10.1093/bjc/azl084>
- Barry, C. L., McGinty, E. E., Vernick, J. S., & Webster, D. W. (2013). After Newtown: Public opinion on gun policy and mental illness. *New England journal of medicine, 368*(12), 1077-1081. <https://doi.org/10.1056/NEJMp1300512>
- Biglan, A., Ary, D., & Wagenaar, A. C. (2000). The value of interrupted time-series experiments for community intervention research. *Prevention Science, 1*(1), 31-49. <https://doi.org/10.1023/A:1010024016308>
- Blocher, J., & Charles, J. D. (2020). Firearms, extreme risk, and legal design: “Red Flag” laws and due process. *Virginia Law Review, 106*(4), 1285-1294.

<https://www.virginialawreview.org/articles/firearms-extreme-risk-and-legal-design-red-flag-laws-and-due-process/>

Bowers, T. G., Holmes, E. S., & Rhom, A. (2010). The nature of mass murder and autogenic massacre. *Journal of Police and Criminal Psychology*, 25(2), 59-66.

<https://doi.org/10.1007/s11896-009-9059-6>

Brezenski, T. F. (2018). Inside the 23rd Congressional District (FL) gun violence task force: real-time crisis policymaking in the wake of the Marjory Stoneman Douglas School shootings. *Journal of Multidisciplinary Research (1947-*

2900), 10. [https://jmrpublication.org/wp-content/uploads/Web-](https://jmrpublication.org/wp-content/uploads/Web-JMR10Spring2018.pdf#page=37)

[JMR10Spring2018.pdf#page=37](https://jmrpublication.org/wp-content/uploads/Web-JMR10Spring2018.pdf#page=37)

Bridges, F. S., & Kunselman, J. C. (2004). Gun availability and use of guns for suicide, homicide, and murder in Canada. *Perceptual and motor skills*, 98(2), 594-598.

<https://doi.org/10.2466%2Fpms.98.2.594-598>

Broom, S. (2018, November 20). *Gun seizures under Maryland 'red flag' law exceed expectations*. WUSA9. <https://www.wusa9.com/article/news/local/gun-seizures-under-maryland-red-flag-law-exceed-expectations/65-616308100>

Calhoun, F. S., & Weston, S. W. (2003). Contemporary threat management: A practical guide for identifying, assessing, and managing individuals of violent intent. Specialized Training Services.

Campbell, S., Yablon, A., & Mascia, J. (2020, December 2). *Red flag laws: Where the bills stand in each state*. The Trace. <https://www.thetrace.org/2018/03/red-flag-laws-pending-bills-tracker-nra>

- Capellan, J. A., & Gomez, S. (2018). Change and stability in offender, behaviours, and incident-level characteristics of mass public shootings in the United States, 1984–2015. *Journal of Investigative Psychology and Offender Profiling*, *15*(1), 51-72. <https://doi.org/10.1002/jip.1491>
- Carlton, S. (2019, October 22). *Dangerous but disarmed: How Florida has confiscated thousands of guns*. Tampa Bay Times. <https://www.tampabay.com/special-reports/2019/10/22/dangerous-but-disarmed-how-florida-has-confiscated-thousands-of-guns/>
- Creswell, J. W., & Creswell, J. D. (2017). *Research design: Qualitative, quantitative, and mixed methods approaches*. Sage publications.
- Data USA. (2022a). *Seminole County, FL*. Retrieved April 13, 2022, from <https://datausa.io/profile/geo/seminole-county-fl#:~:text=In%202018%2C%20Seminole%20County%2C%20FL,%2467%2C470%2C%20a%205.34%25%20increase>
- Data USA. (2022b). *Franklin County, FL*. Retrieved April 13, 2022, from <https://datausa.io/profile/geo/franklin-county-fl#:~:text=In%202018%2C%20Franklin%20County%2C%20FL,%2442%2C855%2C%20a%203.85%25%20increase>
- Davis v. Gilchrist County Sheriff's Office, 280 So. 3d 524 (2019). <https://casetext.com/case/davis-v-gilchrist-nty-sheriffs-office?resultsNav=false>
- Díez, C., Kurland, R. P., Rothman, E. F., Bair-Merritt, M., Fleegler, E., Xuan, Z., Galea, S., Ross, C. S., Kalesan, B., Goss, K. A., & Siegel, M. (2017). State intimate partner violence-related firearm laws and intimate partner homicide rates in the

United States, 1991 to 2015. *Annals of internal medicine*, 167(8), 536-543.

<https://doi.org/10.7326/m16-2849>

Domestic Violence, Fla. Stat. §741.28 (2018).

http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0700-0799/0741/Sections/0741.28.html

Domestic Violence; Injunction; Powers And Duties Of Court And Clerk; Petition; Notice And Hearing; Temporary Injunction; Issuance Of Injunction; Statewide Verification System; Enforcement; Public Records Exemption, Fla. Stat. §741.30 (2018). <https://www.flsenate.gov/laws/statutes/2018/741.30>

Duwe, G. (2013). *Mass murder in the United States: A history*. McFarland.

Duwe, G. (2017). Mass shootings are getting deadlier, not more frequent. *Politico Magazine*. <https://www.politico.com/magazine/story/2017/10/04/mass-shootings-more-deadly-frequent-research-215678/>

Extreme Risk Protection Orders, R.I. Gen. Laws Ann. § 8-8.3-3 (2018).

<https://law.justia.com/codes/rhode-island/2018/title-8/chapter-8-8.3/>

Fan, M. D. (2015). Disarming the dangerous: Preventing extraordinary and ordinary violence. *Indiana Law Journal*, 90(1), 151-178.

<https://digitalcommons.law.uw.edu/faculty-articles/104/>

Federal Bureau of Investigation (2008). *Serial murder*. <https://www.fbi.gov/stats-services/publications/serial-murder>.

Federal Bureau of Investigation. (2013). *A study of active shooter incidents in the United States between 2000 and 2013*. <https://www.fbi.gov/file-repository/active-shooter-study-2000-2013-1.pdf/view>

- Federal Bureau of Investigation. (2022). *Federal Bureau of Investigation crime data explorer*. Retrieved March 15, 2022, from <https://crime-data-explorer.app.cloud.gov/pages/home>
- Fein, R. A., & Vossekuil, B. (1997). Preventing assassination: Secret Service exceptional case study project. Retrieved from US Department of Justice website <https://www.ncjrs.gov/pdffiles1/Photocopy/167224NCJRS.pdf>.
- Fox, J. A., & DeLateur, M. J. (2014). Mass shootings in America: Moving beyond Newtown. *Homicide studies*, 18(1), 125-145. <https://doi.org/10.1177%2F1088767913510297>
- Fox, J. A., & Levin, J. (1994). *Overkill: Mass and serial killing exposed*. Plenum Press.
- Fox, J. A., & Levin, J. (1998). Multiple homicide: Patterns of serial and mass murder. *Crime and Justice*, 23, 407-455. <https://doi.org/10.1086/449274>
- Fox, J. A., Levin, J., & Fridel, E. E. (2018). *Extreme killing: Understanding serial and mass murder*. Sage Publications.
- Frattaroli, S., Omaki, E., Moloczniak, A., Allchin, A., Hopkins, R., Shanahan, S., & Levinson, A. (2020). Extreme risk protection orders in King County, Washington: The epidemiology of dangerous behaviors and an intervention response. *Injury Epidemiology*, 7(44), 1-9. <https://dx.doi.org/10.1186%2Fs40621-020-00270-1>
- Frattaroli, S., & Teret, S. P. (2006). Understanding and informing policy implementation: a case study of the domestic violence provisions of the Maryland Gun Violence Act. *Evaluation Review*, 30(3), 347-360. <https://doi.org/10.1177/0193841x06287684>
- Frazier, S.H. (1975). Violence and social impact. In J.C. Schooler & C.M. Gaitz (Eds.),

Research and the psychiatric patient. New York: Brunner & Mazel.

- Fridel, E. E. (2021). A multivariate comparison of family, felony, and public mass murders in the United States. *Journal of interpersonal violence*, 36(3-4), 1092-1118. <https://doi.org/10.1177/0886260517739286>
- Gaudiano, N. (2018, March 25). ‘Red flag’ laws that allow for temporary restrictions on access to guns gain momentum across nation. *USA Today*.
<https://www.usatoday.com/story/news/politics/2018/03/25/red-flag-laws-allow-temporary-restrictions-access-guns-gain-momentum-across-nation/454395002/>
- Gius, M. (2014). An examination of the effects of concealed weapons laws and assault weapons bans on state-level murder rates. *Applied economics letters*, 21(4), 265-267. <https://doi.org/10.1080/13504851.2013.854294>
- Goertzen, M.J. (2017). Introduction to quantitative research and data. *Library Technology Reports*, 53(4), 12-18.
<https://journals.ala.org/index.php/ltr/article/view/6325/8274>
- Hempel, A. G., Meloy, J.R. & Richards, T. C. (1999). Offender and offense characteristics of a nonrandom sample of mass murderers. *Journal of the American Academy of Psychiatry and the Law Online*, 27(2), 213-225.
<https://pubmed.ncbi.nlm.nih.gov/10400430/>
- Kim, D. Y., & Phillips, S. W. (2021). When COVID-19 and guns meet: A rise in shootings. *Journal of Criminal Justice*, 73(101783), 1-10.
<https://doi.org/10.1016/j.jcrimjus.2021.101783>
- Kim, T. K. (2015). T test as a parametric statistic. *Korean Journal of Anesthesiology*, 68(6), 540–546. <https://dx.doi.org/10.4097%2Fkjae.2015.68.6.540>.

- Kivisto, A. J., & Phalen, P. L. (2018). Effects of risk-based firearm seizure laws in Connecticut and Indiana on suicide rates, 1981–2015. *Psychiatric services*, 69(8), 855-862. <https://doi.org/10.1176/appi.ps.201700250>
- Kleck, G., & Patterson, E. B. (1993). The impact of gun control and gun ownership levels on violence rates. *Journal of Quantitative Criminology*, 9(3), 249-287.
- Kwon, I. W. G., & Baack, D. W. (2005). The effectiveness of legislation controlling gun usage: a holistic measure of gun control legislation. *American Journal of Economics and Sociology*, 64(2), 533-547. <https://doi.org/10.1111/j.1536-7150.2005.00378.x>
- LaGrone, K., & Apthorp, M. (2018, July 31). More than 450 people in Florida ordered to surrender guns after new gun law took effect. *ABC News*.
<https://www.abcactionnews.com/news/local-news/i-team-investigates/more-than-450-people-in-florida-ordered-to-surrender-guns-months-after-new-gun-law-took-effect>
- Lankford, A. (2013). A comparative analysis of suicide terrorists and rampage, workplace, and school shooters in the United States from 1990 to 2010. *Homicide Studies*, 17(3), 255-274. <https://doi.org/10.1177%2F1088767912462033>
- Lankford, A., & Silva, J.R. (2021). The timing of opportunities to prevent mass shootings: a study of mental health contacts, work and school problems, and firearms acquisition. *International review of psychiatry*, 33(7), 638-652.
<https://doi.org/10.1080/09540261.2021.1932440>
- Leary, M. R., Kowalski, R. M., Smith, L., & Phillips, S. (2003). Teasing, rejection, and violence: Case studies of the school shootings. *Aggressive Behavior: Official*

Journal of the International Society for Research on Aggression, 29(3), 202-214.

<https://doi.org/10.1002/ab.10061>

Levin, J., & Madfis, E. (2009). Mass murder at school and cumulative strain: A sequential model. *American behavioral scientist*, 52(9), 1227-1245.

<https://doi.org/10.1177%2F0002764209332543>

Lopez, E., & Rosenfeld, R. (2021). Crime, quarantine, and the US coronavirus pandemic. *Criminology & public policy*, 20(3), 401-422.

<https://doi.org/10.1111/1745-9133.12557>

McHugh, M. L. (2013). The chi-square test of independence. *Biochemia medica*, 23(2), 143-149.

Matejkowski, J., Fairfax-Columbo, J., Cullen, S. W., Marcus, S. C., & Solomon, P. L. (2014). Exploring the potential of stricter gun restrictions for people with serious mental illness to reduce homicide in the United States. *The Journal of Forensic Psychiatry & Psychology*, 25(3), 362-369.

<https://doi.org/10.1080/14789949.2014.909868>

Meloy, J. R., Hempel, A. G., Mohandie, K., Shiva, A. A., & Gray, B. T. (2001). Offender and offense characteristics of a nonrandom sample of adolescent mass murderers. *Journal of the American Academy of Child & Adolescent Psychiatry*, 40(6), 719-728. <https://doi.org/10.1097/00004583-200106000-00018>

Miller, K. (2018, April 17). Divided legislative panel endorses 'red flag' gun bill for Maine. *Press Herald*. <https://www.pressherald.com/2018/04/17/divided-legislative-panel-endorses-red-flag-gun-bill-for-maine/>

Palermo, G. B. (1994). Murder-suicide—An extended suicide. *International Journal of*

Offender Therapy and Comparative Criminology, 38(3), 205-216.

Petition, MD Public Safety §5-602 (2018).

<https://law.justia.com/codes/maryland/2018/public-safety/title-5/subtitle-6/section-5-602/>

Pew Research Center (2019, August 16). What the data says about gun deaths in the U.S.

<https://www.pewresearch.org/fact-tank/2019/08/16/what-the-data-says-about-gun-deaths-in-the-u-s/>

Public Records, Fla. Stat. Ch.119 (2021).

http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0119/0119.html

Norko, M. A., & Baranoski, M. (2013). Gun control legislation in Connecticut: Effects on persons with mental illness. *Connecticut Law Review*, 46(4), 1609-1631.

<https://link.gale.com/apps/doc/A392827835/AONE?u=anon~5222996e&sid=googleScholar&xid=df2551e4>

Petition For Extreme Risk Protection Order, Vt. Stat. Ann. Tit. 13, §4053 (2017).

<https://legislature.vermont.gov/statutes/section/13/085/04053>

Risk protection orders, Fla.Stat. §790.401 (2018).

<https://www.flsenate.gov/laws/statutes/2018/790.401>

Rosenfeld, R., & Wallman, J. (2019). Did de-policing cause the increase in homicide rates?. *Criminology & Public Policy*, 18(1), 51-75. <https://doi.org/10.1111/1745-9133.12414>

Rosengart, M., Cummings, P., Nathens, A., Heagerty, P., Maier, R., & Rivara, F. (2005).

An evaluation of state firearm regulations and homicide and suicide death

rates. *Injury Prevention*, 11(2), 77-83.

<https://dx.doi.org/10.1136%2Fip.2004.007062>

Rowhani-Rahbar, A., Bellenger, M. A., Gibb, L., Chesnut, H., Lowry-Schiller, M., Gause, E., Haviland, M. J., & Rivara, F. P. (2020). Extreme risk protection orders in Washington: A statewide descriptive study. *Annals of internal medicine*, 173(5), 342-349. <https://doi.org/10.7326/m20-0594>

Schildkraut, J., Cowan, R. G., & Mosher, T. M. (2022). The Parkland Mass Shooting and the Path to Intended Violence: A Case Study of Missed Opportunities and Avenues for Future Prevention. *Homicide Studies*, 10887679211062518.

Siegel, M., Ross, C. S., & King III, C. (2013). The relationship between gun ownership and firearm homicide rates in the United States, 1981–2010. *American journal of public health*, 103(11), 2098-2105.

<https://dx.doi.org/10.2105%2FAJPH.2013.301409>

Spencer, T. (2020, February 14). Florida ‘red flag’ gun law used 3,500 times since Parkland. *The Associated Press*.

<https://apnews.com/article/6560501986455adcb0ef57fdb370035a>

Swanson, J. W., Norko, M. A., Lin, H. J., Alanis-Hirsch, K., Frisman, L. K., Baranoski, M. V., ... & Bonnie, R. J. (2017). Implementation and effectiveness of Connecticut's risk-based gun removal law: does it prevent suicides. *Law & Contemp. Probs.*, 80, 179.

Swanson, J. W., Easter, M. M., Alanis-Hirsch, K., Belden, M. C., Norko, M. A., Robertson, A. G., Frisman, L. K., Lin, H. -J., Swartz, M. S., & Parker, G. F. (2020). Criminal justice and suicide outcomes with Indiana’s risk-based gun

seizure law. *J Am Acad Psychiatry Law* 47:188–97.

<https://doi.org/10.29158/JAAPL.003835-19>

Swanson, J. W. (2020). The color of risk protection orders: Gun violence, gun laws, and racial justice. *Injury epidemiology*, 7(1), 1-6. <https://doi.org/10.1186/s40621-020-00272-z>

Swart, L. A., Kramer, S., Ratele, K., & Seedat, M. (2019). Non-experimental research designs: Investigating the spatial distribution and social ecology of male homicide. *Research Methods in the Social Sciences*, 19.

Taylor, M. A. (2018). A comprehensive study of mass murder precipitants and motivations of offenders. *International journal of offender therapy and comparative criminology*, 62(2), 427-449.

<https://doi.org/10.1177%2F0306624X16646805>

United States Census Bureau. (2019a, July 1). *Florida*.

<https://www.census.gov/quickfacts/fact/table/FL/PST045219>

United States Census Bureau. (2019b, July 1). *Pinellas County, Florida*.

<https://www.census.gov/quickfacts/fact/table/pinellascountyflorida/RHI225219>

United States Census Bureau. (2019c, July 1). *Broward County, Florida*.

<https://www.census.gov/quickfacts/browardcountyflorida>

United States Census Bureau. (2019d, July 1). *Liberty County, Florida*.

<https://www.census.gov/quickfacts/fact/table/libertycountyflorida/PST045219>

United States Census Bureau. (2019e, July 1). *Glades County, Florida*.

<https://www.census.gov/quickfacts/fact/table/gladescountyflorida/PST045219>

- Vielkind, J. (2018, June 5). Cuomo bill would allow teachers to ask judge to take guns from students. *Politico*. <https://www.politico.com/states/new-york/albany/story/2018/06/05/cuomo-bill-would-allow-teachers-to-ask-judge-to-take-guns-from-students-451058>
- Vigdor, E. R., & Mercy, J. A. (2006). Do laws restricting access to firearms by domestic violence offenders prevent intimate partner homicide?. *Evaluation review*, 30(3), 313-346. <https://doi.org/10.1177/0193841x06287307>
- Vossekuil, B., Fein, R. A., Reddy, M., Borum, R., & Modzeleski, W. (2002). The final report and findings of the Safe School Initiative. *Washington, DC: US Secret Service and Department of Education*.
- Wallace, L. N. (2015). Responding to violence with guns: Mass shootings and gun acquisition. *The Social Science Journal*, 52(2), 156-167.
<https://doi.org/10.1016/j.soscij.2015.03.002>
- Web-based Injury Statistics Query and Reporting System (WISQARS). *Centers for Disease Control and Prevention, National Center for Injury Prevention and Control; 2018*. Center for Disease Control and Prevention.
<https://www.cdc.gov/injury/wisqars/index.html>
- Wintemute, G. J., Pear, V. A., Schleimer, J. P., Pallin, R., Sohl, S., Kravitz-Wirtz, N., & Tomsich, E. A. (2019). Extreme risk protection orders intended to prevent mass shootings: A case series. *Annals of internal medicine*, 171(9), 655-658.
<https://doi.org/10.7326/m19-2162>
- Zeoli, A. M., Paruk, J., Branas, C. C., Carter, P. M., Cunningham, R., Heinze, J., & Webster, D. W. (2021). Use of extreme risk protection orders to reduce gun

violence in Oregon. *Criminology & Public Policy*, 20(2), Pages 243-261.

<https://doi.org/10.1111/1745-9133.12544>

Appendix

Florida's Risk Protection Petition

Florida's Risk Protection Petition

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT,
IN AND FOR _____ COUNTY, FLORIDA

_____,
Petitioner
(Law Enforcement Officer/Agency)

Case No.: _____

v.

Division: _____

_____,
Respondent

PETITION FOR RISK PROTECTION ORDER

(With or Without Request for Temporary Ex Parte Risk Protection Order)

This petition DOES or DOES NOT request a Temporary Ex Parte Risk Protection Order.

SECTION I. PETITIONER

Petitioner must be a law enforcement officer or a law enforcement agency.

1. Petitioner's full legal name or name of petitioning agency: _____
2. Petitioner's office/agency is located at *{street address, city, state, and zip code}*:

3. Petitioner's telephone number for 24 hour accessibility: _____

SECTION II. RESPONDENT *{Petitioner is to fill out as much information as possible.}*

1. Respondent's full legal name: _____
2. Respondent's address: *{street address, city, state, and zip code}*

3. Identifying information of Respondent:
Race: _____ Gender Expression: Male Female Other _____
Date of Birth: _____
Height: _____ Weight: _____ Eye Color: _____ Hair Color: _____
4. Distinguishing marks or scars: _____
5. Vehicle: *{make/model}* _____ Color: _____ Tag #: _____
6. Other names Respondent goes by: *{aliases or nicknames}* _____
7. Respondent's email address: _____

8. Respondent's telephone number: _____

9. Respondent's Driver's License number: _____

10. Respondent's attorney's name, address, and telephone number: _____

11. Is Respondent in jail? Yes No

If yes, date of arrest _____ Jail #: _____ Cell #: _____

12. Is Respondent a juvenile? Yes No

SECTION III. BASIS FOR PETITION

In support of this petition, the undersigned Law Enforcement Officer/Agency alleges:

1. Respondent poses a significant danger of causing personal injury to themselves or others by having a firearm or any ammunition in their custody or control or by purchasing, possessing, or receiving a firearm or any ammunition.

Respondent poses a significant danger of causing personal injury to themselves or others in the near future. [Required for a Temporary Ex Parte Risk Protection Order.]

2. An affidavit (or affidavits) alleging specific facts that give rise to a reasonable fear of significant dangerous acts by the Respondent is attached to this petition as Exhibit A and is incorporated by reference. {If a temporary risk protection order is requested, facts supporting the allegation that Respondent poses a significant danger of causing personal injury to themselves or others IN THE NEAR FUTURE must be provided from someone with PERSONAL KNOWLEDGE of those facts.}

3. The quantities, types, and locations of all firearms and ammunition the Petitioner believes to be in the Respondent's ownership, possession, custody, or control are listed below and/or on the attached Exhibit B.

Quantity: _____ Type: _____ Location: _____

Quantity: _____ Type: _____ Location: _____

Quantity: _____ Type: _____ Location: _____

Respondent was issued was not issued a concealed weapon/firearms license.

See attached Exhibit B for firearms and/or ammunition.

4. Petitioner is aware is not aware of an existing protection order governing the

Respondent under s. 741.30, s. 784.046, or s. 784.0485, Florida Statutes, or under any other applicable statute. If aware, list the existing protection order case number(s) and attach a copy, if available. _____.

5. Relevant evidence for the Court's consideration is detailed in the attached affidavit(s) that demonstrates the Respondent:

- was involved in a recent act or threat of violence against themselves or others;
- engaged in an act or threat of violence, including but not limited to acts or threats of violence against themselves, within the past 12 months;
- may be seriously mentally ill or may have recurring mental health issues;
- has violated a risk protection order or no contact order issued under section(s) 741.30, 784.046, or 784.0485, Florida Statutes;
- is the subject of a previous or existing risk protection order;
- has violated a previous or existing risk protection order;
- has been convicted of, had adjudication withheld on, or pled *nolo contendere* in Florida or in any other state to a crime that constitutes domestic violence as defined in s. 741.28, Florida Statutes;
- has used, or threatened to use, against themselves or others, any weapons;
- has unlawfully or recklessly used, displayed, or brandished a firearm;
- has used, or threatened to use on a recurring basis, physical force against another person or has stalked another person;
- has been arrested for, convicted of, had adjudication withheld, or pled *nolo contendere* to a crime involving violence or a threat of violence in Florida or in any other state;
- has abused or is abusing controlled substances or alcohol;
- has recently acquired firearms or ammunition;
- is required to possess firearm(s) and/or ammunition in the scope and duties of their occupation;
- has been the subject of proceedings under the Baker Act or Marchman Act;
- other (Additional relevant information may be included as attached exhibits. This may include reports or conclusions from a threat assessment team.).

SECTION IV. NOTICE

Petitioner has made a good faith effort to provide notice to a family or household member of the Respondent and to any known third party who may be at risk of violence in compliance with s. 790.401(2)(f), Florida Statutes; or

Petitioner will take the following steps to provide notice as required by s. 790.401(2)(f), Florida Statutes.

SECTION V. [TEMPORARY] RISK PROTECTION ORDERS

For the foregoing reasons, Petitioner requests the Court to:

enter a Temporary Risk Protection Order.

schedule a hearing to be held within 14 days of the date of the order to determine if a Final Risk Protection Order should be entered.

Respectfully submitted this ____ day of _____, 20 ____.

Signature of Petitioner

Name of person filing petition

Law Enforcement Agency

Service address

Email address

Telephone Number