

August 30, 2007

Virginia Tech Criticized for Actions in Shooting

By [IAN URBINA](#)

RICHMOND, Va., Aug. 29 — A state panel has sharply criticized decisions made by [Virginia Tech](#) before and after last April's shooting massacre, saying university officials could have saved lives by notifying students and faculty members earlier about the killings on campus.

Because university officials misunderstood federal privacy laws as forbidding any exchange of a student's mental health information, the panel's long-awaited report concludes, they missed numerous indications of the gunman's mental health problems.

After a judge ordered the gunman, [Seung-Hui Cho](#), to receive outpatient mental health care for making suicidal statements, Mr. Cho scheduled an appointment at the campus counseling center but was given only a pre-appointment interview, the report said, and no follow-up appointment occurred. Records of the interview are missing, and Mr. Cho's parents were never informed by campus or local officials of his statements or brief commitment to a mental health facility, the report said.

The panel, convened by Gov. Tim Kaine to investigate the April 16 shooting in Blacksburg that left 33 people dead, including Mr. Cho, planned to release its report on Thursday. Instead, it did so late Wednesday after being informed that The New York Times had obtained a copy, according to an e-mail from the governor's office.

Though the report's criticism was strong, it concluded that a campuswide lockdown after the first shootings, a double homicide, would have been impractical and probably ineffective in stopping Mr. Cho, 23.

"There does not seem to be a plausible scenario of a university response to the double homicide that could have prevented the tragedy of considerable magnitude on April 16," the report said. "Cho had started on a mission of fulfilling a fantasy of revenge."

But if the university had issued an alert earlier or canceled classes after Mr. Cho shot his first two victims, before moving on to shoot the rest in a classroom building, the death toll might have been lower, the report said. It found that even after university officials had learned the full scope of the massacre, their messages to students played down the unfolding emergency as a "routine police procedure."

"The events were highly disturbing and there was no way to sugarcoat them" in disseminating the news, the report said. "Straight facts were needed."

Campus and local police responses were "well-coordinated," the report said, but university police officers erred in prematurely concluding that their initial lead in the double homicide was a good one. The police initially believed the shooting was an isolated domestic dispute and erroneously pursued a suspect who they thought had left the campus.

"They did not take sufficient action with what might happen if the initial lead proved erroneous," said the report, which was written by an eight-member panel that was led by W. Gerald Massengill, a former state police superintendent, and included former Homeland Security Secretary [Tom Ridge](#), as well as other mental health, security and education specialists.

In a raucous conference call with the governor's office on Wednesday night, family members of victims voiced frustration that the university had not imposed a lockdown after the first shootings and criticized the report for not demanding that some officials be fired.

"Can you explain how 32 people were killed and no one has been fired, no one has been held accountable at that university?" one family member on the conference call asked.

"I can't answer that question," responded Larry Roberts, the chief counsel in the governor's office, adding that panel members did not consider it their job to make personnel recommendations.

The report, consisting of 147 pages and 14 appendices, said that while the campus police knew of Mr. Cho's repeated instances of inappropriate behavior and his stay at a mental health facility, that information never reached campus workers who deal with troubled students. Contrary to what university officials believed, the report said, federal privacy laws would have allowed them to communicate some information about Mr. Cho's mental health problems among local, state and campus security officials.

"Information privacy laws cannot help students if the law allows sharing, but agency policy or practice forbids necessary sharing," it concludes. The report also said "passivity" and lack of resources had hampered local and campus mental health workers.

A spokesman for Virginia Tech said officials there had not received a copy of the report and could not comment on it.

The panel said it found no clear explanation for why the gunman had selected his first two victims in a dormitory before moving on to a classroom building. While the report did not shed new light on Mr. Cho's motives, it traced his violent fantasies to the 1999 shootings at [Columbine High School](#) in Colorado.

After that massacre, Mr. Cho's middle school teachers in Fairfax County, Va., observed suicidal and homicidal thoughts in his writings and recommended psychiatric counseling, which he received. He also received medication in those years for a short time, the report said.

The panel's findings come a week after the university released its own report recommending ways to improve security and mental health systems.

Campus officials said they were leaving it to the governor's panel to critique the university's handling of Mr. Cho as a student and the decisions made by security officials in the emergency.

The release of the report, which was originally planned to occur last Monday on the first day of the fall semester at Virginia Tech, has been repeatedly delayed, and in recent weeks some victims' families have voiced frustrations at being denied a representative on the panel.

Some relatives have expressed concern at the potential for bias in having former law enforcement officials in charge of investigating decisions made by law enforcement officials.

The panel initially struggled to obtain records of Mr. Cho's encounters with the mental health system, but Mr. Kaine issued an executive order in June that gave the group greater access to health and academic records that are protected by privacy laws.

The report largely sidesteps the Second Amendment debate about access to guns in the state and the nation. It cites "deep divisions in American society regarding the ready availability of rapid-fire weapons and high-capacity magazines," stating that this debate was beyond its scope.

The report commends Mr. Kaine for having closed the loophole that allowed people like Mr. Cho, who had been mandated to receive outpatient mental health treatment, to buy guns. But it says a change is still needed in the state legal code to address the problem, and it calls for state legislation to establish "the right of every institution of higher education in the commonwealth to regulate the possession of firearms on campus if it so desires."

The report said Mr. Cho's purchase of two guns violated federal law because he had been judged to be a danger to himself and ordered to undergo outpatient mental health treatment.

"There is confusion on the part of universities as to what their rights are for setting policy regarding guns on campus," it said, recommending that Virginia require background checks for all firearms sales, including those at gun shows.

The report said that in a paper in a middle-school English class Mr. Cho indicated that he "wanted to repeat Columbine." He was sent to a psychiatrist, who gave him a diagnosis of "selective mutism," or an anxiety-related refusal to speak, and major depression. He was given a

prescription for the anti-depressant Paroxetine, which he took from June 1999 to July 2000, and “did quite well on this regimen.”

The doctor stopped the medication because Mr. Cho had improved.

In high school, after a teacher reported his barely audible voice to the guidance office, Mr. Cho was placed in special education for speech and emotional problems, which excused him from making oral presentations and answering teachers’ questions.

Despite Mr. Cho’s diagnosis of mutism and his educational accommodations in high school, when he applied to Virginia Tech, the university was never informed nor did it ask about Mr. Cho’s history, the report said.

It compliments the office of the chief medical examiner for its handling of the autopsies and the identification of the dead, but said that communication with families was “poorly handled.”

The report said the state’s procedures for providing professional staff members to help families get information, crisis intervention and referrals to other resources did not work.

Ariel Sabar contributed reporting.

[Click to Print](#)[SAVE THIS](#) | [EMAIL THIS](#) | [Close](#)

Report faults Va. Tech for slow response to shooting

By Laura Parker and Donna Leinwand, USA TODAY

Advertisement

The statewide panel charged with investigating the mass shooting at Virginia Tech sharply criticized the university for not quickly and clearly notifying students and staff after police responded to a double homicide in a campus dorm and for failing to respond when shooter Seung Hui Cho showed signs of mental illness his junior year.

Cho killed two students the West Ambler Johnston dorm early on April 16 before moving across campus to Norris Hall where he killed 30 people. The report says the panel and the police still don't know Cho's motive for the killings.

"In retrospect it seems clear that, in the immediate aftermath of the first shootings, the campus community should have been notified of the fatal shooting and the fact that the perpetrator was at large," said Gov. Timothy Kaine, speaking Thursday at a news conference. He described the report, prepared in just 136 days since the mass campus shootings, as "hard-hitting and fair."

ON THE WEB: [Read the report](#)

"The panel needed straight-forward answers," Kaine said.

In a nod to the family concerns that they were not part of the review process, Kaine added that the "answers needed to come from people who had the independence" to be objective.

The governor noted multiple breakdowns in communication and information exchange that contributed to the tragedy:

* Officials at Virginia Tech were unaware that Seung Hui Cho was "a very troubled young man," when he became a student.

* Although his continuing mental difficulties became known to students, parents, faculty and university counselors, there was "no effective mechanism" at Virginia Tech that allowed all that information "to fit together so that the university could make an intervention."

* Privacy laws impeded the sharing of information about Cho's mental condition.

* The delay by university administrators in getting a warning out to faculty and students after the initial shootings.

"In retrospect it seems clear that, in the immediate aftermath of the first shootings, the campus community should have been notified of the fatal shooting and the fact that the perpetrator was at large," Kaine said.

He said the report must be carefully studied and used to help reduce the threat of violence on college campuses.

"If we act in that way, we will honor the lives and sacrifices of all who suffered on that terrible day and advance the notion of service that is Virginia Tech's fundamental mission," he said.

The report, first posted on the Virginia state government's website late Wednesday, said, "The earlier and clearer the warning, the more chance an individual had of surviving."

Virginia Tech waited almost two hours after the dorm killings to notify students and faculty, violating its own policies, the report said.

However, the report concluded that a lockdown of the campus after the dorm shootings was impractical and may not have stopped Cho from killing others.

"From what we know of his mental state and commitment to action that day, it was likely that he would have acted out his fantasy somewhere on campus or outside it" that day, it said.

The report praised the coordinated police response to the shootings at the residence hall, but said the university police concluded prematurely that the dorm shooting was a domestic issue, which led them to look for the wrong person and report that the suspect had probably left campus.

The campus police department erred by not requesting a campus-wide notification, the report said.

The panel also said the university did not intervene effectively even though people at the school knew of "numerous incidents" during Cho's junior year that were "warnings of mental instability."

"Connecting some of the mental health dots might have averted the tragedy," Kaine said.

Roger Depue, a 20-year veteran of the FBI and one of eight members of the review panel, said Virginia Tech is not unique in its lack of preparation. "If you go out through the country, you'll find that most universities, most businesses are not picking up on the warning signs," he said.

Cho showed signs of mental health problems from childhood, the report found. He received help in middle and high school, including psychiatric treatment for selective mutism and depression, the report said.

Teachers observed suicidal and homicidal thoughts in Cho's writing after the school shooting at Columbine High in 1999 and referred him for psychiatric counseling, the panel said. Cho received counseling and medication for a short time, the report said.

When Cho arrived at Virginia Tech, the panel found that he did not receive the mental health services he needed in late 2005 and 2006. Records of Cho's treatment at Tech's Cook Counseling Center are missing.

In interviews with the panel, university staff, counselors, police and administrators said they did not share information about Cho's mental state because they were barred by federal privacy laws. The panel concluded that the university misinterpreted the laws.

"The system failed for lack of resources, incorrect interpretation of privacy laws, and passivity," the report said.

Kaine and panel chair Col. Gerald Massengill, a retired Virginia State Police superintendent, praised the Cho family for cooperating with the inquiry by sitting down for an extensive interview.

Massengill said they were "very forthcoming." He said even more important than the interview was the family's decision to release private medical information about Cho to the panel.

"The cooperation and the releases that we got quite honestly allowed the detail that you are reading in this report," he said.

Thursday, one victim's mother urged Kaine to "show some leadership" and fire the university's president and campus police chief for their lack of action during the April 16 attack.

Kaine, however, told the Associated Press that the school's officials had suffered enough without losing their jobs.

"This is not something where the university officials, faculty, administrators have just been very blithe," Kaine said. "There has been deep grieving about this and it's torn the campus up."

"I want to fix this problem so I can reduce the chance of anything like this ever happening again," he said. "If I thought firings would be the way to do that, then that would be what I would focus on."

Contributing: The Associated Press