

# Feeling Threatened vs Being Threatened





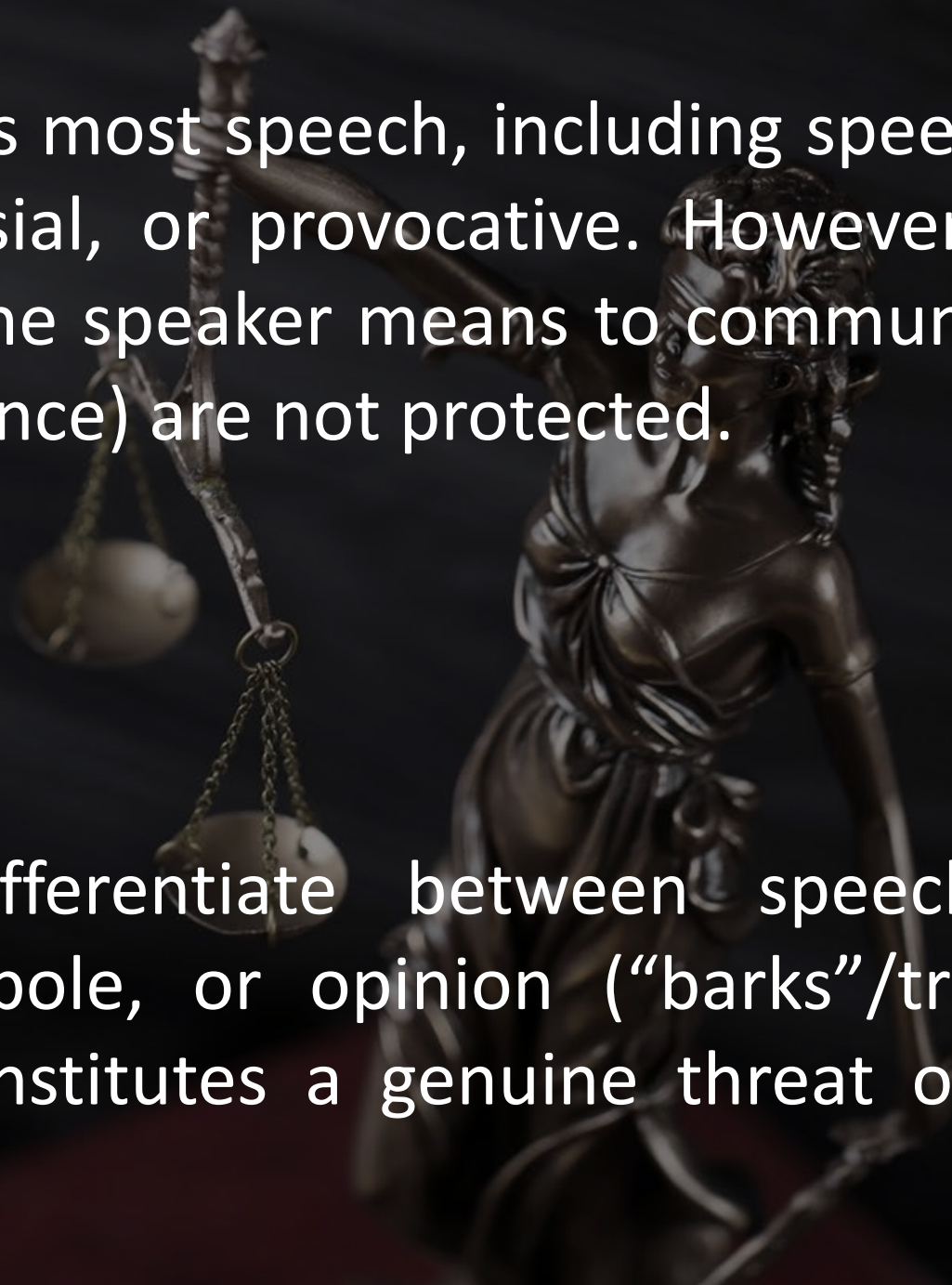


Faculty and staff often encounter speech or behavior that feels uncomfortable but is not legally or policy-wise a “threat.”

The goal is to train them to separate discomfort (a subjective, emotional reaction) from danger (an objective, evidence-based risk).

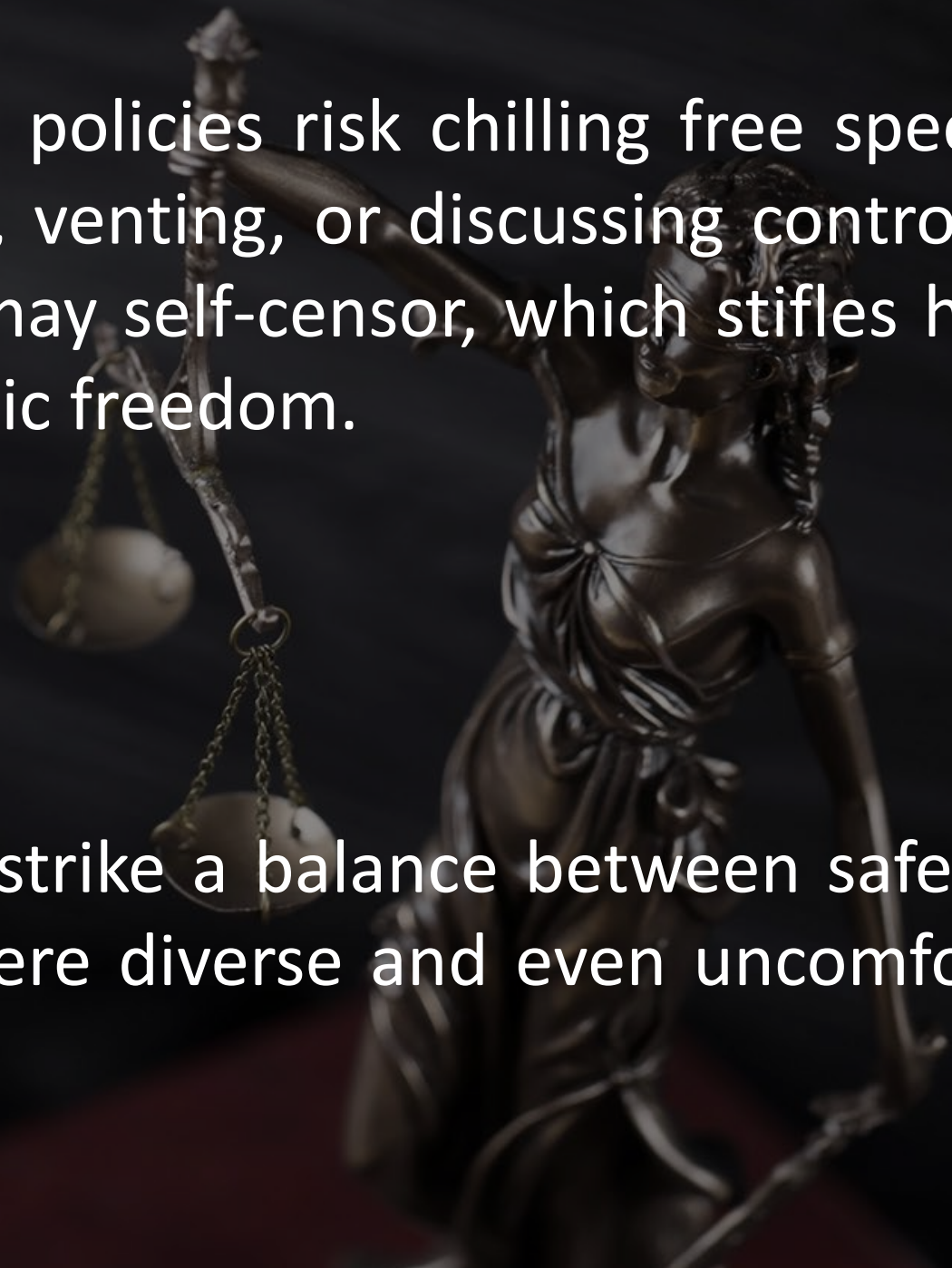
The First Amendment protects most speech, including speech that may be offensive, controversial, or provocative. However, “true threats” (statements where the speaker means to communicate a serious intent to commit violence) are not protected.

Colleges must carefully differentiate between speech that expresses frustration, hyperbole, or opinion (“barks”/transient threats) and speech that constitutes a genuine threat of harm (“bites”/substantive threats).



Overly broad or vague threat policies risk chilling free speech by punishing students for joking, venting, or discussing controversial topics. As a result, students may self-censor, which stifles healthy debate, dialogue, and academic freedom.

Campus administrators must strike a balance between safety and fostering an environment where diverse and even uncomfortable viewpoints can be aired.





Students have a right to due process when accused of making threats, including clear definitions and evidence of threat assessment. Policies should specify what constitutes a “threat” to avoid arbitrary or discriminatory enforcement. Transparent procedures protect both campus safety and individual rights.

### **Protected Speech**

Controversial opinions, political statements, personal beliefs, even if offensive to some.

### **Unprotected Speech**

True threats, incitement to violence, harassment, stalking.

## ASK

Is there a clear, specific expression of intent to harm a person or group?

## CHECK

Is there evidence of planning, capability, or steps toward carrying out that harm?

## CONTEXT

Was this said in a debate, a joke, a moment of frustration, or as part of artistic or political expression?

- “If the Wi-Fi goes out again, I’m going to lose my mind”  
(venting about frustration).
- “I’m going to fail this test and that will be the end of me”  
(hyperbolic self-expression with no plan or capability).
- “I can’t stand this place today”  
(expressing displeasure without a target or threat).
- Political commentary that includes extreme language but does not meet the legal standard for incitement.
- A heated argument in class where a student raises their voice but does not threaten anyone.

# THE BINARY

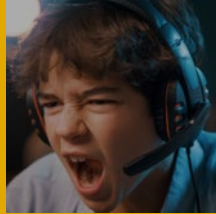
Affective



Targeted



Transient



Substantive



Howling



Hunting



Bark



Bite





# Affective Violence

- Emotional reaction
- Fight, flight, freeze
- Reaction to situational stressors
- Poorly planned and immediate





# Targeted Violence

- Strategic and tactical
- Mission oriented
- Involves detailed planning
- Willingness to die; blaze of glory

# Transient Threats



Transient threats are not serious and often made in the heat of the moment, as a joke, or out of frustration, without intent to cause harm.

These threats are often made in anger. or jest, are retracted quickly when confronted, have no sustained intent or planning and do not contain concrete steps taken toward action.

A student says, “I’m gonna fail this test and just blow up,” then apologizes and explains it was a joke.



# Substantive Threats



A threat that appears intended to be carried out, with some evidence of planning, means, or genuine intent to harm.

These threats involve a specific target, time, place or method. Statements are repeated or reinforced over time.

The threats may be accompanied by planning behaviors (weapons acquisition, scouting locations).

A student who says, “On Friday, I’m going to stab Jake in the common lounge on the library second floor,” and has already has a knife in his dorm room.



# HUNTERS

Conceal themselves  
and avoid making  
threats







# HOWLERS

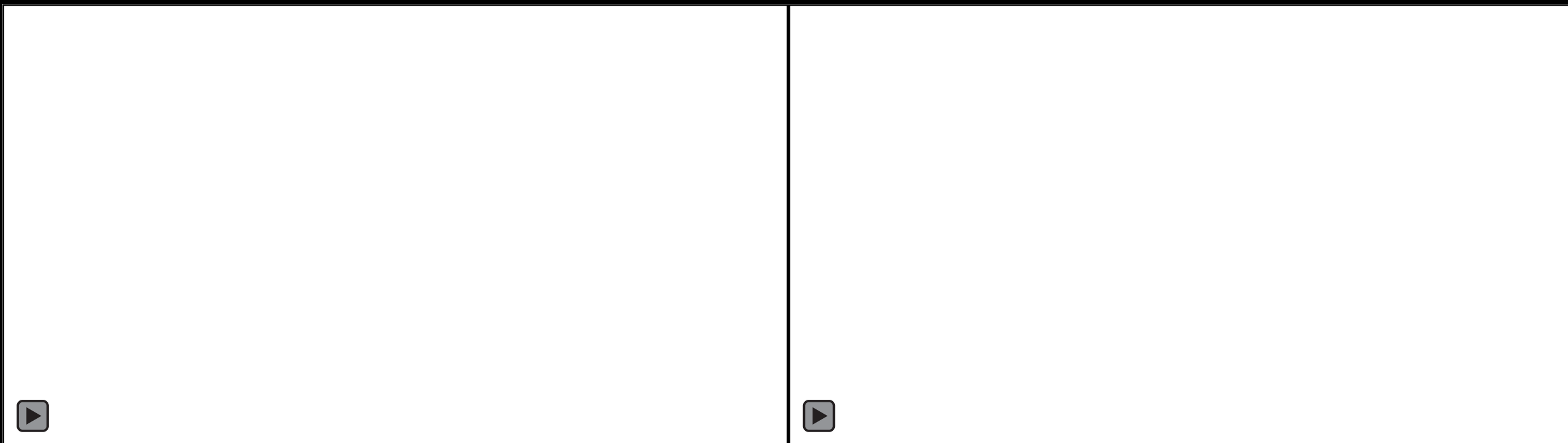
Have no real  
intent to carry out  
their threats





Dr. Manny Tau, a forensic psychologist, explores the difference between statements or behaviors that sound threatening (“bark”) and those that truly indicate danger (“bite”).





**BARK**

**BITE**

He describes Bark as verbal statements, gestures, or behaviors that may be alarming but are not necessarily predictive of harm.

**Bark (sound alarming but pose a low intent/risk)**

“I’m so done with this class; I could just kill this project.” *(said while laughing with friends)*

“If I fail this exam, I might just die.” *(figure of speech, no plan)*

“Ugh, I hate everyone here today.” *(venting after a bad day, no specific target)*

“I could throw my laptop out the window right now.” *(expressing frustration at tech issues)*

“Don’t tempt me, I might just flip this table.” *(said jokingly in a game night)*



He describes “bite” as clear actions, planning, or patterns that signal intent and capability to cause harm.



<b>Bite (contain clear intent/capability, higher risk)</b>
“I’m going to hurt my roommate tonight, and I already bought a knife.”
“Next week, I’ll make them pay for what they did—you’ll see.” <i>(with detailed plan or list of targets)</i>
Researching weapon laws and security camera locations on campus forums.
Drawing detailed maps of a building with escape routes blocked off.
Sending repeated threatening messages to a specific person along with photos of weapons.



Overreacting to barks can waste resources and damage trust. Underreaction to bites can lead to tragic circumstances.

The key to safety is not treating every loud bark as a deadly bite, but also not ignoring the quiet dogs who are preparing to attack.