

THREAT ASSESSMENT AND MANAGEMENT CASE STUDY: THREAT TO PROSECUTORS

*THE WORLD Vs THE SUPER-HIGH
POWERED EX-CRIME INTELLIGENCE
OPERATIVE*

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BACKGROUND



- 10 July 2012 a request for assistance is received from the office of the *Director of Public Prosecutions* (DPP) regarding threatening communications that were received aimed at two High Court prosecutors
- The suspect was known and had identified himself in the communications

- Offender's complaints go back to 2010 when there was a domestic dispute between the offender and his wife
- Dispute led to charges and counter-charges of domestic violence by offender and his wife against each other
- DPP had decided not to prosecute either, and referred offender for counselling
- He attended 4 sessions with a counsellor between October 2010 and June 2011

- **The communications sent consisted of**
 - Letter dated 14 June 2012 (17pages)
 - Letter dated 14 June 2012 (13 pages)
 - Independent Complaints Directorate complaint (8 pages)
 - Letter dated 29 March 2011 (10 pages)
 - Letter dated 8 Feb 2012 (10 pages)
 - Letter dated 13 April 2012 (8 pages)

- **All hand written**

I'm not a holy cow, I'm not writing this as a
buddy-buddy Member and her loyal Secret forces are
very evasive and untruthful. My feeling is one of
powerlessness. **I feel like going on a murder spree.**

My thought I would do that until it became a
necessity, because I have to deal with the physical and
emotional scars suffered on my days of horror.

(9)

From my fact-finding mission, my submissions made
to NAPP showed that Member, Germebergen and

THREATENING STATEMENTS IN LETTER 1

- *“I’m hereby like to warn you and your allies that my emotions of fear inside me have disappeared and I will never be silenced by you...”*
- *“The war against corruption is a matter of life and death.”*
- *“But I will ensure to stop this madness one and for all. You and those monsters you declined to prosecute for serious severe accusations, you will be waited at the Pearly gates.”*

- *“You know I’m no-nonsense man and the risk is just too great and the outcome will be permanent, also you like it or not that cases will be reinstated.”*
- *“You pose a serious threat to the public.”*
- *“You all messed with the wrong guy, at wrong time and wrong province (?)”*

THREATENING STATEMENTS IN LETTER 2

- “My feeling is one of powerlessness. *I feel like going on a murder spree.*”
- “Bear in mind in a war situation *there is casualties.*”
- “This is a time of *ticking bomb.*”
- “*Judgement day will unfold for what is all about against me.*”

THREATENING STATEMENTS IN LETTER 3

- *“Is either the NDPP Prosecute and Convict or else I will take on my massive revenge on each every person involved in this saga including the main suspects. This is not a threat’s! I mean it I give a damn anymore. I’ve been pushed far to the edge”*
- *“I have nothing to lose in this battlefield against DPP & SAPS, i.e. Pro-(XXX) forces and dictators of the worst kind.”*
- *“I will never hesitate to remove them by myself”*

DELUSIONAL STATEMENTS (GRANDIOSE)

- *“Fighting crime begins with me.”*
- *“...vanguard of struggle, I’m not a drunkard, corrupt and heavy smoker. I’m just a normal super-high powered ex-crime int operative, anti-corruption silent war machine pain ass-kicker, the viper and no-nonsense member, not a coward, fear no one*

DELUSIONAL STATEMENTS (PARANOID)

- “As a victim of conspiracy...and smear campaign by you and your allies...”
- “XXX together with your cronies you are accountable for this mess.”
- “Detective Constable YYYY and both two Prosecutors had maliciously ignored the alleged cases, intentionally to sabotage me.”

- *“This saga from the onset was meticulously planned and premeditated. Now I’ve detected that my plight fall into or under deaf ears.”*

- *“This is emotional mental genocide.”*

- “I know now that I’m being blackmailed and labelled that I’m out of my mind”
- “Everything fell apart from the onset. Justice Minister Radebe & Minister of Police Mr Nathi Mthethwa are liable for act’s of violence against me.”
- “I’m constantly targeted by DPP, SAPS & SANDF for no apparent reasons.”
- “I’m also demanding a copy of abridged secret report statements written by Prosecutor ZZZ to Advocate XXX before the charges were withdrawn against the suspects.”

THREATS SPECIFICALLY AT PROSECUTORS

- “Rest assured you are a factory-fault, full of criminal influenza capacity...”
- “Both of you are pure evil and puppet masters who took Advantage of the man.”
- “...you don't have fairness and respect to my dignity.”
- “You are all a pure evil menace to the public.”

- “(Prosecutor X), (Prosecutor Y), ZZZ, ####, Captain %%%, W/O \$\$\$\$\$, Cst @@@@ and WWW are forever nothing but worst order hypocrites, faked moralists, paedophiles, psycho-killers, (corrupt achievers), oxygen thieves, traitors, dictators, blood-suckers, replicas and hangers of justice system, incompetent civil servants.”

- The prosecutor had referred the matter to their internal “*Security and Risk Management Service Centre*” and produced a 2 page report on 5 July 2012

SECURITY & RISK MANAGEMENT REPORT

- The mere fact someone was an **ex-Crime Intelligence Operative** for the Military Police doesn't necessarily mean he is a danger for society
- There is a history of **domestic violence**
- He had been sent for **counselling** but counsellor report indicated he was cooperative but bitter that his wife had opened charges against him
- Counsellor's report doesn't mention offender is a **danger to society**

SECURITY & RISK MANAGEMENT REPORT CONTINUED...

- *“In evaluation of the current information available it therefore stands to reason that although his letters have become progressively more intimidating he does not pose a life threat to Advocate XXXX or any of her team”*

RECOMMENDATIONS BY SECURITY & RISK MANAGEMENT

- Advocate XXX must open an **intimidation case** at the police
- Advocate XXX must be **vigilant**
- Inform *Security & Risk Management* of **new developments**
- Advocate XXX must be sensitised to be **vigilant** and now allow anyone to visit her without **prior confirmation**

- Advocate XXX should **revisit her decision** not to prosecute the offender's wife and inform him in writing of the grounds/reasons
- If Advocate has to meet the offender, a **third party** must be present during the meeting

WHAT DID THE PROSECUTOR THINK OF THIS?

- Prosecutor was less than impressed with their findings
- Contacted the *Investigative Psychology Section*

TIMELINE CONTINUED

- On the 11th July 2012 we consulted with the prosecutor and obtained all the documentation she had received up to that point
- We obtained a Police background check
 - Accused of kidnapping in 2000 (case withdrawn)
 - Malicious injury to property in 2008
 - Assault 2010 domestic violence (withdrawn)
- Weapon: Pistol 9x19mm previously

- South African National Defence Force contacted to determine the military background of the offender
 - No specialised training



■ 11 July 2012 interview with Counsellor

- Interview with the counsellor who had seen him in 2010/2011
- *“He spoke at 100 miles per hour”*
- Jumped from one topic to another
- Family ganged up against him
- *“He doesn’t listen”*

- **“Control freak”**
- **Claims he never threatened anyone but that others threatened him (wife and employer)**
- **Paranoid**
- **Doesn't come across as stable**
- **Volatile uncontrolled emotions**

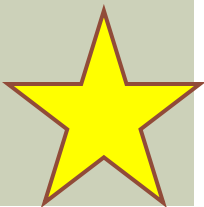
■ **What did she say in her counselling report for court 7 Feb 2012:**

- **Gave full cooperation**
- **Complained about headaches**
- **Blamed headaches on assault from wife**
- **Wanted to reconcile with wife**
- **Bitter about assault charge**
- ***“Case against him may be withdrawn”***

- 11 July 2012 more letters received from prosecutor

- 24 July 2012 consulted with estranged wife of the offender
 - Offender last seen their 2 children in September 2011
 - Offender was dismissed from his security guard job in Jan 2011
 - He would intimidate her with his security firearm
 - He was a normal Military Policeman
 - Conflict with people in workplace
 - Previous violent acts and threats to kill

- Initially a gentleman then shortly after moving in together he became abusive
- He had taken protection orders against her and she had been arrested on 3 occasions
- Wife was asked for pictures of offender and to keep me informed of any contact with the offender
 - Aggressive contact but also positive contact (eg apologizing)



PICTURES OBTAINED FROM HIS WIFE



- 25 July 2012: report finalised for prosecutor
- Mental health concerns: delusional (grandiose & paranoid)?
 - The world is out to get him
 - He is a crusader for justice
- Paranoid circle becoming increasingly bigger
- Cannot ignore threats

- He has unrealistic expectations that are not going to happen
- Changes in offender's attitude towards prosecutor should be taken with concern
- Preparatory actions?

RECOMMENDATIONS

- Placing of **photographs** at security so that they can be aware of offender and not allow access
- Improve **physical security** (nobody was monitoring the metal detectors and didn't ask for ID when entering building)
- Final feedback on decision to prosecute should not be done at the office of the prosecutor
 - I suggested their Head Office which has better security control

- Final feedback must **not** be given by the two prosecutors he threatened
- Male person must give feedback
 - His pattern is to intimidate females

- He must be informed that this is the **final decision** regarding prosecution
- Must be conveyed that while is emotions are understandable, any **further insults or threats will not be tolerated**
- **I requested to be present** when feedback is given
- Further communications must be **brought to my attention**

MILESTONE EVENTS

- Feedback regarding decision to prosecute wife
- Divorce & custody decisions/events

Mr Edison Ernst MUSI
ID: 670409 5567 088



Most recent photograph



Oldest Photograph

**Do NOT allow access to the
building**

Contact Adv [redacted] or
Advocate [redacted]

PROBING/BREACHING?

- 29 August 2012: offender arrives at the offices of the prosecutor
- Offender upset that security had photographs of him
- Refused access
- He wrote another letter

FOLLOW-UP REPORT

■ 31 August 2012

- Due to the breach at the prosecutor's office
- Additional letter by offender received 27 August 2012

■ What was different?

- Previous letters focused on various persons
- Current letter focused more on Adv XXX
- Her name was mentioned 10 times
- Estranged wife only mentioned 2 times
- Focus more on his 'persecution'

PARANOID STATEMENTS

- *“assassination plot”*
- *“Rest assured I know very well of their planned criminal conditions that I must be taken out for whistle blowing”*
- *“...as my life is in hostile situation and serious danger...”*
- *“I’ve been targeted because I’ve exposed the corruption saga by (Prosecutor XXX) and her cronies and Fraud by the main suspect i.e. N.A.Musi”*

ACTION STATEMENTS

- “I cant allow this Anarchy to continue”
- “Their actions or *Modus-operandi* have served me as a trigger to set in motion the assassination plan. Now they have overstepped the boundaries”
- “I promise you I will declare warfare and use my specialized weapon of mass destruction legal multiple approach.”

HOPELESSNESS STATEMENT

- “I’ve lost confident, but I’ve nothing to loose, I will sacrifice with my own life from these dark forces.”

DEADLINE

- “I give only seven working days to respond.”

OPINION ABOUT CURRENT THREAT STATUS

- Offender's **threat status** should be **upgraded**.
- While anyone involved in his self-defined 'plot' against him could become a target for violence, Adv XXX currently appears to be a focus of his attention.

RECOMMENDATIONS

- Should be given an answer as soon as possible with regards to the prosecution of his estranged wife. delaying is not making matters better.
- The feedback should be seen as a ‘milestone-moment’ and those involved in informing him of the DPP’s final decision, and those whom he has previously threatened, should be forewarned when this is to take place and of the background relating to this situation. The necessary security personnel should also be informed of this.

- Offender requests answers relating to the photographs in possession of the security at the DPP's offices...I think it is possible to inform him of the following should he still require answers:
 - The photographs were obtained by the SAPS and provided to the DPP's security officials as he had made threats towards DPP staff
 - He is denied access to the DPP's offices due to threats he has made towards DPP staff

ANOTHER PROBE/BREACH

- 20 November 2012
- Arrives again at the Office of the Director of Public Prosecutions
- Created a commotion at security
- Accused security guards of being part of the conspiracy
- Will return on 28th with police to arrest security

FOLLOW-UP LETTER FROM ME

- 21 November 2012
- Commented that none of the previous recommendations had been acted upon
- *“The ‘hope and pray’ approach that seems to have been adopted by the NPA toward the safety of its staff members and security employees...endangers safety of those on the premises...exposes the NPA to legal liability should he actually cause any damage to property or person”*
- ‘Think and act’ approach would be better

ACTION

- 27 November 2012
- A final decision regarding the prosecution was taken
- A date was set to give feedback (10 December 2012)

■ 7 December 2012

- Offender contacts ex-wife and says he is coming to collect the children for the holidays
- Family Violence unit informed
- Military Police and members from my unit go to the ex-wife's place of residence to assist
- Suspect doesn't arrive

FEEDBACK MEETING

- 10 December 2012
- Two senior prosecutors from Head Office and myself present
- Feedback given
- He asked where photographs were obtained
- He apologised for the treats and promised not to go back to the prosecutor's offices

- Feedback given to prosecutor and wife of offender

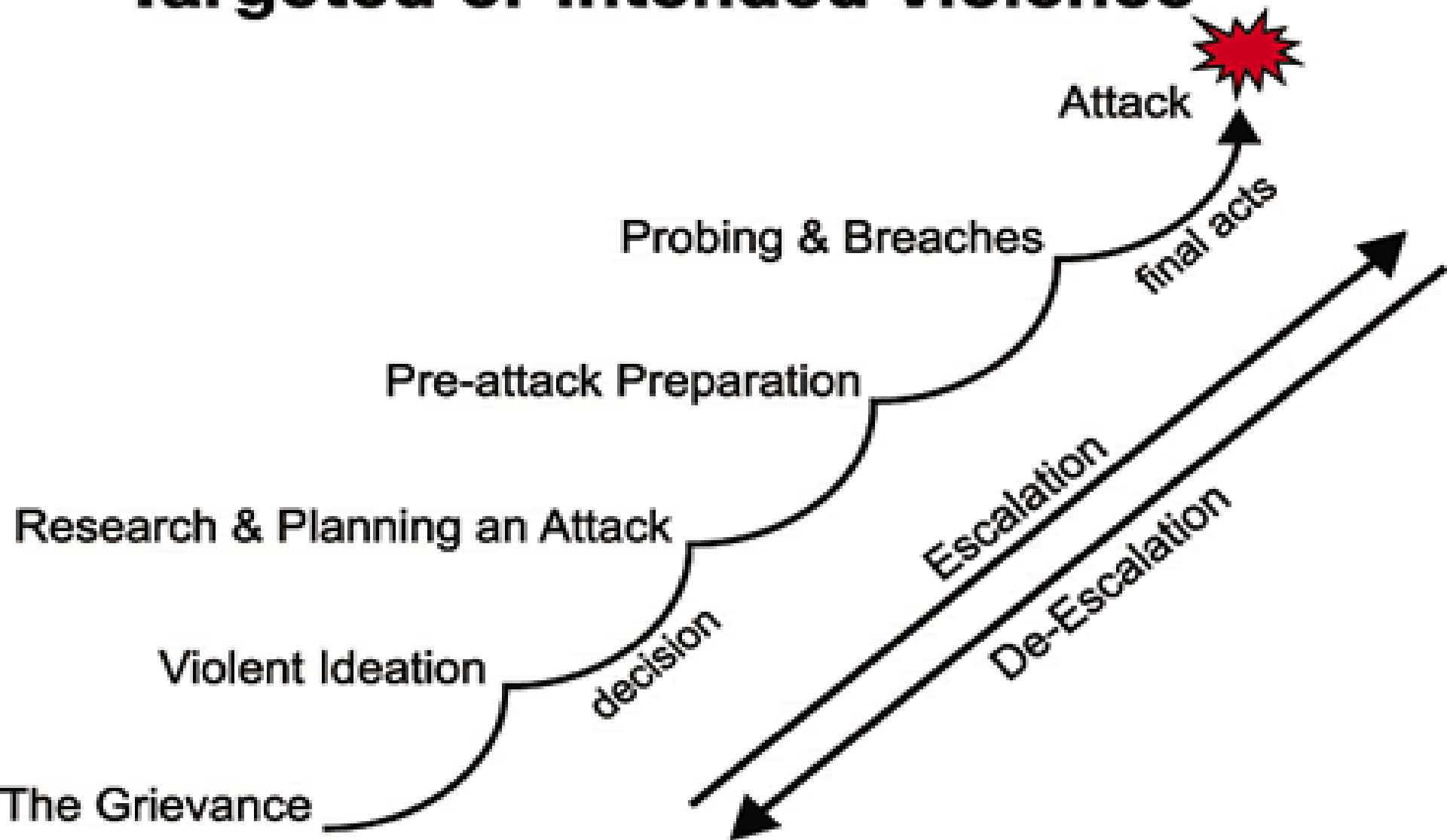
PHONECALL

- 11 December 2012
- He phones me to say he wasn't happy about meeting
- Feels the Advocate didn't speak to him decently
- Wanted to open a police case
- Said he is going to go to the *Public Protector*
- Got his mother to speak to me
- I told him I will arrest him if he threatens anyone further

FOLLOW UP

- Follow-up in May 2014: the offender had not bothered either prosecutors or sent any more letters

Pathway to Workplace Targeted or Intended Violence



Adapted with permission from F.S. Calhoun and S.W. Weston (2003). *Contemporary Threat Management: A Practical Guide for Identifying, Assessing and Managing Individuals of Violent Intent*.

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WHAT COULD HAVE BEEN DONE DIFFERENTLY?

- Scenario planning
 - Risk for what? (eg assault GBH, murder)
 - To whom? (eg prosecutor, security, wife, police)
 - Under what circumstances?
- Widened it to more potential victims
 - Police members involved
 - Lower court prosecutors
 - Security guards

WHAT COULD HAVE BEEN DONE DIFFERENTLY? CONTINUED...

- Should I have been dealing with the prosecutor who was also the victim?
 - If it had been a junior prosecutor

**THE END,
I HOPE**