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EXHIBIT

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Quantico, Virginia 22135  
June 15, 2006

Eric Harris;  
Dylan Klebold;  
Columbine High School  
April 20, 1999  
Assessment of "The Tapes"  
Jefferson County Sheriff's Office,  
Golden, Colorado

The following assessment was prepared by Supervisory Special Agent (SSA) Mary Ellen O'Toole, Federal Bureau of Investigation (FBI), and SSA Ronald F. Tunkel, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), both assigned to the FBI's Behavioral Analysis Unit (BAU), National Center for the Analysis of Violent Crime, (NCAVC). The NCAVC is part of the FBI's Critical Incident Response Group, located at the FBI Academy, Quantico, Virginia.

This assessment was the result of a consultation with other members of the BAU as well as an on-site consultation by SSA's O'Toole and Tunkel at the Jefferson County Sheriff's Office (JCSO), Golden, Colorado. Prior to its dissemination, this assessment was peer reviewed by members of the BAU. The observations and opinions provided in this assessment are the result of the following: extensive knowledge drawn from personal investigative experience of consulting and reviewing agents; educational background of the reviewing agents; specialized training and research conducted by members of the BAU; as well as an in-depth knowledge of significant research findings by other experts in areas such as school violence, and threat assessment.

SSA's O'Toole and Tunkel, along with other members of the BAU, coordinated and participated in the BAU research on school shootings that began in 1998 and culminated in the 1999 FBI National Conference on school shootings. This research and the findings from that conference are reflected in the September

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Eric Harris and Dylan Klebold

2000 FBI Publication entitled, "The School Shooter: A Threat Assessment Perspective."

The request of the FBI's BAU, by Sheriff Ted Mink of Jefferson County Colorado, was to review and assess the content of both videotapes and audiotapes, collectively referred to as "The Tapes", made by Eric Harris and Dylan Klebold prior to the Columbine High School shooting, and provide an expert opinion regarding their potential impact on other students who are already considering a school shooting or other similar act of violence.

As part of this review and assessment process, a consultation was held in February 2006, at the office of the BAU with Jefferson County Sheriff's Investigator Kate Battan. During this consultation, "The Tapes" were reviewed in their entirety by SSA's O'Toole and Tunkel, as well as other members of the BAU.

In April 2006, SSA O'Toole and Tunkel traveled to Golden, Colorado for an on-site consultation with members of the JCSO. At this time, they continued their assessment of "The Tapes", and reviewed additional case materials including crime scene photos, samples of writings and drawings made by both Harris and Klebold. They also visited Columbine High School to view the layout of the school.<sup>1</sup>

Case Background

On the morning of April 20, 1999, 18-year-old Eric Harris and 17-year-old Dylan Klebold, entered Columbine High School, Littleton, Colorado, armed with a number of firearms, bombs and other weapons. These two students ultimately shot and killed twelve fellow students and one teacher, and wounded twenty-one others before committing suicide.

This school shooting received extensive national and international media coverage and an investigation was initiated by the Jefferson County Sheriff's Office.

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<sup>1</sup>SSA O'Toole and Tunkel were advised of the modifications, changes and additions to Columbine High School following the April 20, 1999 shooting.

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During the investigation and as a result of search warrants, "The Tapes" were recovered from the home of Eric Harris. These tapes had been made in the months, weeks, days and hours before the April 20, 1999 shootings.

"School shootings and other violent incidents that receive intense media attention can generate threats of copycat violence elsewhere."<sup>2</sup>

To date, the shooting at Columbine High School is considered the most deadly school shooting in the history of the United States. In effect, this shooting could be considered the benchmark for school shootings, and, as such, sets the bar for other potential school shooters. Research information concerning copycat behavior in adolescents as well as case studies of school shootings, and threats of shootings occurring after Columbine indicate that many adolescents have been influenced or inspired in part, by the Columbine High School shooting.

It is the opinion of the BAU that "The Tapes" provide instructional material for how to successfully plan and implement a similar or even more violent act. In addition, they could serve as a strong motivating influence for emotionally troubled adolescents at risk for suicide and/or homicide. This opinion is based on three aspects of the tapes: the content of "The Tapes"; the manner, style and the status of the presenters, Eric Harris and Dylan Klebold, now considered notorious; and the potential perception by others susceptible to their messages. The basis for the FBI'S opinion is outlined below.

Content of "The Tapes"

"The Tapes" could be viewed by some as a "call to arms." Harris and Klebold characterize their situation as war and exhort others to commit similar acts. The tapes are instructional and provide their audience with blueprints for this lethal school shooting. They provide guidance as to obtaining, concealing and transporting weapons. They allow the viewer to identify personally with the shooters, hearing and seeing what they were experiencing and feeling in the time virtually leading

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<sup>2</sup>O'Toole, Mary Ellen, Ph.D., "The School Shooter: A Threat Assessment Perspective," Critical Incident Response Group, FBI Academy, Quantico, VA, September 2000.

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up to the morning of the shooting. What they report experiencing appears as if it is thrilling and empowering for them.

The content of their discussions are dynamic and extreme in tone but tempered in emotion. While Harris and Klebold appear to fuel each other's violent fantasies as they ratchet up their rhetoric, enthusiasm and commitment to their intended plans for violence, neither of them engages in what could be considered maniacal ranting and raving. They do not appear to be psychotic or delusional. There is no evidence either Harris or Klebold is experiencing hallucinations. They appear to be oriented in place and time. They do not appear to be intoxicated or under the influence of drugs, even though they appear at times, to take sips from a bottle of whiskey. They do not slur their words, appear forgetful or lethargic. They discuss their intended violence and the justification for this violence in a lucid, coherent, persuasive and logical manner. Their presentation style and the content of their discussions are a powerful combination which very likely will make an impact on some adolescents.

## The Presenters: Eric Harris and Dylan Klebold

Throughout the videotapes, Harris and Klebold can appear articulate, mature, intelligent, witty, and even insightful to the target audience. The messages in their conversations are clear and direct. At times, they look directly into the camera and talk to the viewer. Some who view these tapes could feel they are actually part of these discussions. Harris and Klebold, personalize their discussions with the viewer while emphasizing or explaining a particular point. This third party involvement in the conversations makes these tapes even more compelling. Their discussions of violence and killing others, together with their rationalizations and justifications for this behavior are done with a unique style of dark humor which could be appealing to vulnerable adolescents.

Harris and Klebold detail and discuss their plans and justification for violence, and their methods and motivations. They expound upon their philosophy of revenge, personal superiority and hatred for a wide range of people. They justify, rationalize and normalize their intended actions in a provocative manner. Vulnerable adolescents could identify with Harris and Klebold, and view their own feelings and circumstances as similar. They could become even more committed and determined

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that their decisions to act out in a similarly violent manner are both appropriate and necessary.

Harris and Klebold appear to enjoy being in front of the camera discussing their feelings and intended actions. However, there is a noticeable absence of any reality check between them and there is no tempering or questioning of each other's extreme ideation and plans for violence.

Harris and Klebold's perception of the finality of their intended actions, including their own deaths, appears distorted and unrealistic. They joke about remaining around as ghosts to haunt the living or becoming actual players within a violent video game. Death is glamorized and fantasized as a positive alternative to a life they describe as "pure hell on earth." This message could certainly resonate with other adolescents experiencing suicidal, as well as homicidal ideations. Harris and Klebold make a very prophetic proclamation that, because of their actions, they will be remembered forever. Seeking attention and fame are two of the commonly noted motivators for school shootings.<sup>3</sup> Therefore, the idea that one could achieve a similar degree of infamy even after death could also inspire others.

### Perception by Others

Harris and Klebold would likely strike a chord with a number of different groups or personalities. However, their target audiences are impressionable, vulnerable youths who relate to Harris and Klebold believing they themselves have experienced similar injustices - bullying; being misunderstood and underappreciated; frequent relocation; unrequited love; sexually frustrated. These themes would resonate with the right student or groups of students and offer mass violence as an acceptable way to deal with their problems. Harris and Klebold express their extreme ideation in a manner which could be perceived by vulnerable adolescents as a reasonable or even rational response to their own perceived injustices.

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<sup>3</sup>O'Toole, Mary Ellen, Ph.D., "The School Shooter: A Threat Assessment Perspective," Critical Incident Response Group, FBI Academy, Quantico, VA, September 2000.

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Eric Harris specifically talks about not having to worry about his future, final exams, going to college. This freedom from worry about the future is also a theme that other similar thinking adolescents could relate to because of their personal experiences with adolescent stressors and anxieties.

The fact that these messages would be presented by the most successful school shooters in US history, now essentially "from the grave," would give them an additional macabre degree of influence. This aspect could be particularly problematic with the potential lone shooter who, having lacked a partner to his schemes and fantasies, now has found a surrogate partner in the tapes.

## Conclusion

It is the opinion of the BAU that if these tapes are released, it is inevitable they would be immediately available to any person through the Internet or other forms of mass communication. There would be no control or ability to monitor the impact of these tapes on those individuals, particularly adolescents who are vulnerable, angry, depressed, isolated and/or contemplating similar acts of violence. Once released, these tapes could be modified for any purpose the viewer might have, and repeated exposure to them in part or in whole, could be sufficient to influence someone looking for the knowledge, justification, or encouragement to act out violently.

Should you have additional questions, please contact SSA O'Toole or Tunkel at the FBI Academy, National Center for the Analysis of Violent Crime, Quantico, Virginia 22135, (703) 632-4400.