WASHINGTON
MASS SHOOTINGS
WORK GROUP

Findings and Recommendations
December 3, 2018

Washington Association of Sheriffs and Police Chiefs
Phone: 360.486.2380
Web: www.waspc.org
# Work Group Members

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Entity/Organization</th>
<th>Stakeholder Group</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brian Burnett</td>
<td>Sheriff</td>
<td>Chelan County</td>
<td>Local Law Enforcement</td>
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<tr>
<td>Kevin Dresker</td>
<td>Chief of Police</td>
<td>City of Oak Harbor</td>
<td>Local Law Enforcement</td>
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<tr>
<td>Bill Parramore</td>
<td>Sergeant</td>
<td>Pasco Police Department</td>
<td>Local Law Enforcement</td>
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<tr>
<td>Jason Granneman</td>
<td>Deputy</td>
<td>Clark County Sheriff’s Office</td>
<td>Local Law Enforcement</td>
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<tr>
<td>Martin Mueller</td>
<td>Assistant Superintendent</td>
<td>Office of the Superintendent of Public Instruction</td>
<td>Office of the Superintendent of Public Instruction</td>
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<tr>
<td>Brian Smith</td>
<td>Assistant Executive Director</td>
<td>Washington Interscholastic Activities Association</td>
<td>School Safety Center Advisory Committee</td>
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<tr>
<td>My Tran</td>
<td>Director-Public Safety</td>
<td>Bellevue College</td>
<td>State Board for Community and Technical Colleges</td>
</tr>
<tr>
<td>John Vinson</td>
<td>Assistant Vice-President for Student Life/Chief of Police</td>
<td>University of Washington</td>
<td>Council of Presidents</td>
</tr>
<tr>
<td>Scott McCoy</td>
<td>Captain</td>
<td>Washington State Patrol</td>
<td>Washington State Patrol</td>
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<tr>
<td>Yasmin Trudeau</td>
<td>Legislative Director</td>
<td>Office of the Attorney General</td>
<td>Office of the Attorney General</td>
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<tr>
<td>Lew Cox</td>
<td>Founder</td>
<td>Violent Crime Victim Services</td>
<td>Victims of Mass Shootings</td>
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<tr>
<td>Vanessa Hernandez</td>
<td>Youth Policy Director</td>
<td>American Civil Liberties Union of Washington</td>
<td>American Civil Liberties Union of Washington</td>
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<tr>
<td>Jan Dobbs</td>
<td>Chief Operating Officer</td>
<td>Frontier Behavioral Health</td>
<td>Washington Council for Behavioral Health</td>
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The work group was facilitated by the Washington Association of Sheriffs and Police Chiefs.
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Recommendations

The following recommendations were developed and refined by the Work Group members over the previous several months, and adopted during the Work Group’s November 7, 2018 meeting. All members of the Work Group were present at the November 7 meeting, except that the member representing the School Safety Center Advisory Committee, who needed to leave prior to the formal adoption of the report. All recommendations were unanimously adopted by the Work Group, except for recommendation #1, which was adopted with 11 votes in favor and one opposed.

These recommendations were not prioritized by the Work Group, and the Work Group deliberately chose to adopt these recommendations without consideration of the possible financial implications to the state, should they be implemented.

**School Resource Officers (K-12)**

1) State funding should be made available for additional school resource officers in K-12 schools.
2) The role of sworn law enforcement in Washington K-12 schools should be defined in the law. Agreements to place school resource officers in schools should reflect this definition. *(Look at the National Association of School Resource Officers (NASRO) Best Practices and Strategies for Youth best practice as options)*
3) K-12 school resource officers should focus on keeping students out of the criminal justice system when possible, and should not be used to attempt to impose criminal sanctions for matters that are more appropriately handled within the educational system.
4) Standardized training should be required for K-12 school resource officers. The training should be made readily available and based on best practices. Such training ought to include education about implicit bias and interacting with students with disabilities.
5) Policies and training should be made available to K-12 school personnel on best practices to be used in interacting with school resource officers.
6) A model agreement should be developed for use by K-12 schools and law enforcement agencies for school resource officer positions. Schools should be required to adopt agreements consistent with that model.

**Multi-Stage Threat Assessment Process**

7) The Legislature should mandate a standardized multi-stage threat assessment process in all Washington schools (K-12 and higher ed).
8) There is no need to define any specific model, though it may be valuable to identify components of a threat assessment.
   a) The assessment model should determine threat based on behaviors, not characteristics of individual.
   b) The assessment model should be evidence-based, and implementation of the model should adhere to model fidelity.
9) Adequate training, coordination and evaluation on the threat assessment model needs to be provided to schools (K-12 and higher ed), districts and ESDs, and other entities involved in the threat assessment process.
10) Schools (K-12 and higher ed), districts and ESDs, and OSPI need to have sufficient resources to provide follow up services based on the recommendations of the threat assessment process, and incorporating the recommendation of the threat assessment process into the school’s broader system of student supports.
   a) Whenever possible, the threat assessment process should specifically include engagement with the student’s parents/family.
   b) Special attention and consideration should be given to threat assessments involving students with Individual Education Programs, disabilities, or other special needs.

11) A student’s return to K-12 school after a suspension or expulsion for violent or threatening behavior pursuant to re-engagement plan should be communicated with law enforcement and service providers as appropriate.

**Extreme Risk Protection Orders**

12) The availability of ERPOs to both law enforcement and the public should be promoted and additional funding should be provided to law enforcement to ensure proper and efficient service of the orders when granted.

13) A person’s second conviction for violation of ERPO should forfeit the individual’s right to bear arms.

14) There appears to be a legitimate question of whether or not ERPOs can be sought against a juvenile, who does not have the legal right to own firearms under Washington law, but does have the right to access and possess firearms under certain circumstances. The Legislature should modify the ERPO statute to make it clear that ERPOs can be sought against a juvenile, and ERPOs should not unnecessarily publicly label a juvenile in a way that will impact them for the rest of their lives.

15) The statute regarding ERPOs should be clarified to address access to a firearm legally owned by a person other than the ERPO respondent, and how to effectively prohibit access to that firearm by the respondent (particularly juveniles) while preserving the firearm owner’s individual firearms rights.

**General**

16) Increased investment should be made to ensure sufficient and effective K-12 school counselors, psychologists, mental health professionals, family engagement coordinators, school social workers, and other investments in positive school climate, including restorative discipline. These resources should be required to be spent for their intended purpose.

17) Accessible and effective mental health services can be an effective means of intervening against a potential perpetrator of mass shootings. Resources should be provided to improve the overall mental health system in Washington.

18) The use of systems for students (K-12 and higher ed) to report suspicious/threatening behavior should be encouraged.

19) Schools (K-12 and higher ed) should be encouraged to provide education to students about the conditions that should trigger the reporting of a ‘see something say something’ type of event.

20) The Legislature should fund an active, public campaign to promote ‘see something say something.’

21) Pursuant to RCW 28A.335.010, K-12 school districts should design and remodel school facilities with security and mitigation/minimization of mass shooting events in mind. These considerations could include the physical design of the buildings, the number and location of entrances and exits, the ability to lock individual rooms, etc.
22) School (K-12 and higher ed) students and staff should be trained on what to do in the instance of an active shooter.
   a) Such drills need to be carefully carried out so as to not frighten students or staff.
   b) Such drills need to be carefully crafted to be appropriate for the school (high school v elementary school).

23) Steps should be taken to ensure that ample resources and support (counseling, etc) are provided to school students and staff (K-12 and higher ed), law enforcement, and families of each following incidents of mass shooting.

24) Suicide and bullying prevention outreach and education efforts should be supported and modernized.

25) State funding should be made available for community and technical colleges to fund a law enforcement presence on campus.
Dissenting Views

Each member of the Work Group was offered an opportunity to submit a dissenting views. Members may choose to join with other members to jointly submit dissenting views, and members are not prohibited from submitting a dissenting view on a recommended that they voted in favor of. The following dissenting views are provided exactly as they were submitted.
November 26, 2018

Subject: Minority Report Submitted in Supplement to the Recommendations to the Washington State Legislature from the Legislative Work Group on Mass Shootings, High-Capacity Magazine Limits

Dear Members of the Legislative Work Group on Mass Shootings:

I agree with the Recommendations of the Work Group. However, I am extremely disappointed that the group failed to include common sense, evidence-based firearms safety reforms that would make our schools and communities safer.

Despite my request that they do so, a majority of the Work Group declined to support inclusion of a recommendation that Washington law be changed to limit the sale, manufacture, and transfer of ammunition magazines that hold over 10 rounds.

Based on the following facts, I submit this Minority Report so that my objections can be made public and included in the Report to the Legislature:

1. High-Capacity Magazines allow an active shooter to rapidly fire multiple rounds without having to reload, exponentially increasing lethality.

2. At least six states limit magazine capacity to 10 rounds, allowing an exemption for law enforcement, military and recreational shooting ranges. Federal appellate courts have repeatedly upheld the constitutionality of a 10-round limit.¹

3. Washington State places no limits on magazine capacity, allowing the purchase of 30-round, 60-round, and even 100-round magazines.

4. In the past three years, two mass shootings involving high-capacity magazines occurred in Washington State resulting in the deaths of five individuals. In July 2016, a 19-year-old used a 30-round magazine to kill three teenagers and seriously wound another in Mukilteo. Less than two months later, a 20-year-old used a 30-round magazine to kill five people at a Burlington shopping mall. Victims ranged in age from 16 to 95.

¹ Silveira v. Lockyer, 312 F.3d 1052 (9th Cir. 2002); NY State Rifle & Pistol Assn., et al. v. Cuomo, et al., No. 14-319 and Shaw v. Malloy, No. 15-1030 (2nd Cir. 2015), cert. denied; Friedman v. Highland Park, No. 14-3091 (7th Cir. 2015), cert. denied; Stephen v. Koob, No. 14-1945 (9th Cir. 2017), cert. denied.
ATTORNEY GENERAL OF WASHINGTON

5. High-capacity magazines facilitated some of the worst mass shootings ever committed in the United States, including:

- Newtown, Connecticut (30-round magazines; 26 deaths, 2 injured);
- Aurora, Colorado (100-round magazine; 12 deaths, 70 injured);
- Orlando, Florida (30-round magazines; 49 deaths, 58 injured);
- Las Vegas, Nevada (100-round magazines; 58 deaths, 500+ injured); and
- Sutherland, Texas (30-round magazines; 26 deaths, 20 injured).

6. The mass shooting at a high school in Parkland, Florida ended only after 17 people were killed and the assailant’s assault weapon jammed as he attempted to reload.\(^2\)

7. According to a Johns Hopkins study, each year there are an average of 500 homicides and 2,500 individuals wounded in shootings involving high-capacity magazines in the United States.\(^3\)

Unfortunately, a majority of the Mass Shootings Work Group declined to recommend that Washington law be changed to limit magazine capacity even though the Legislature directed the group “to develop strategies for identification and intervention against potential perpetrators of mass shootings and to report on recommendations for their prevention.” High-capacity magazines make dangerous individuals more dangerous. This change to Washington law is critical to protect the residents of this state, and our students in particular.

In the likely event Washington State experiences another mass shooting made more violent due to a high-capacity magazine, the people of this state will ask why this group did not recommend a limit on high-capacity magazines.

Sincerely,

Bob Ferguson
Attorney General

RWF/Jlg

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\(^{2}\) Miami Herald, "Florida school shooter’s AR-15 may have jammed, saving lives, report says."

November 26, 2018

Re: ACLU of Washington Minority Report

Dear Members of the Legislative Work Group on Mass Shootings,

The ACLU of Washington (ACLU-WA) requests that this letter be included as a minority report in the official report of the work group. The ACLU-WA is a statewide, nonpartisan organization with over 80,000 members, dedicated to protecting civil liberties and civil rights, including protecting the constitutional rights to education and due process for young people and preventing discrimination on account of race and disability. The ACLU-WA was a member of the workgroup.

The ACLU-WA disagrees with the workgroup’s recommendation to create a dedicated source of state funding for police officers in Washington schools, and encourages the Legislature to focus state resources on interventions to create a positive school climate and additional student supports. Positive school climate investments are likely to prevent school shootings, and are also likely to increase students’ educational outcomes and school health overall. Comprehensive prevention of violence in schools involves universal programs to improve school climate, supports in schools to help struggling students (including counselors, psychologists, and additional staff for special education), and intervening with students who are moving down a pathway to violence. The workgroup’s recommendations to increase student support personnel and investments in positive school climate should be the highest priority.

There is a dearth of evidence that school police deter mass shootings. The nonpartisan Congressional Research Service has twice noted the absence of empirical evidence to support the position that school police prevent shootings. School police or security officers were present at about 1/3 of the schools with recorded instances of gunfire during school hours between 1999 and 2018, including at 4 of the 5 schools with the most serious incidents; perpetrators in some of those schools specifically sought engagement with police officers in their school. The research on whether school police prevent other forms of violence is, at best, mixed, with some researchers finding small reductions in certain types of school violence due to the presence of a school police officer, and some researchers finding no impact or even increases in school police.

Increasing police presence in schools can put students outcomes in jeopardy, especially when students are from historically marginalized communities. In Washington, school police disproportionately arrest and refer for prosecution students who are black, Latino, Native American or receive special education services. Students of color and students who
have been victimized by violence report feeling less safe in schools with police officers.\textsuperscript{11} Students' fear of a punitive school climate can also act as a deterrent to positive bystander behavior, and undermine students' willingness to report their concerns to adults.\textsuperscript{12}

We appreciate the collegial discussion of workgroup members and recognize that each of the members shares a desire to keep young people safe. Nonetheless, we remain concerned that the workgroup lacked members representing classroom teachers, students in K-12 public schools, parents of young people in K-12 public schools, communities of color, or people who have identified disabilities or mental health needs. The absence of those stakeholders prevented the workgroup from having a full conversation about how to create systems that support the behavioral health of students and establish positive school climates that prevent violence. We look forward to continued conversations about those issues.

Thank you for your consideration.

Sincerely,

Vanessa Torres Hernandez
Youth Policy Director
ACLU of Washington


\textsuperscript{12} James and McColloch, School Resource Officers: Law Enforcement Officers in Schools, Congressional Research Service (June 26, 2013) ("The available research on the effectiveness of [school resource officer] programs is noticeably limited, and the research that is available draws conflicting conclusions about whether SRO programs are effective at reducing school violence. In addition, the body of research on the effectiveness of SROs does not address whether their presence in schools has deterred mass shootings"). Congressional Research Service. School Resource Officers: Issues for Congress (July 5, 2018) (noting that "much of the research evaluating the effectiveness of SRO programs has examined their effect on more common crimes and not school shootings, and the findings are mixed. . . The extent to which the presence of an SRO has prevented school shooting, however, is unknown.")

\textsuperscript{11} Cox and Rich, Scarred by school shootings. The Washington Post (March 25, 2018); identifying 197 incidents of gun violence at 193 schools between April 1999 and March 2018 and determining that SROs were present at the five schools with the "worst rampaging" between 1999 and 2015—Columbine, CO (1999); Santana High, CA (2001); Sandy Hook Elementary, CT (2012); Marshall County High, KY (2018); and Marjory Stoneman Douglas, FL (2018).

\textsuperscript{12} Congressional Research Service, supra n. 5.
* In the 2015-2016 school year, students with disabilities represented 31% of arrests and referrals but only 16.6% of the student population. In the 2015-2016 school year Black students in Washington accounted for 8% of arrests and referrals and represented 4.4% of the student population; Latino students, 34% of school-based arrests/referrals, and 22% of the student population; Native Americans students 2% of school-based arrests/referrals and 1% of the student population. United States Department of Education, *Civil Rights Data Collection 2015-2016 School Year* (2018); Office of Superintendent of Public Instruction, *Washington State Report Card, 2015-2016*.


* Madliss, E., *Causes and Effective Prevention of School Shootings: Presentation to the Mass Shootings Work Group* (August 31, 2018) (noting that forging positive school climate and restorative disciplinary practices will increase the likelihood that young people will inform adults when they become aware of another’s plans to commit violence).
Surveys

The budget proviso establishing the Work Group also required the Work Group to conduct three surveys. To accomplish these tasks, the Work Group established three ‘subcommittees’ to work together and compile the survey or report. Each of the three aforementioned tasks are listed here, with the Work Group members assigned to each.

1) A survey of services around the state available for those experiencing a mental health crisis
   • Jan Dobbs and Chief John Vinson

2) A survey of state and federal laws related to intervening against potential perpetrators or confiscating their firearms
   • Yasmin Trudeau and Captain McCoy

3) Strategies used by other states or recommended nationally to address the problem of mass shootings
   • Lew Cox, Jan Dobbs, and Vanessa Hernandez

The work product of each of the three subcommittees are provided below.
A survey of services around the state available for those experiencing a mental health crisis

GREATER LAKES MENTAL HEALTHCARE
- Clinicians assigned to 37 different schools, spread across 6 school districts.
- Serve 1 school that is located within a Boys Group Home for incarcerated youth serving out the remainder of their sentence.
- We are able to do this through health services funded by BHO, as well as contracted services through specific school districts.
- Medicaid eligible students are able to be seen exclusively in the schools and services provided include: Individual, Family, Group, Outreach to Homes, Peer Support, Case Management, Advocacy and Crisis Intervention. For families able to attend Main Building appointments, students are able to receive Medication Management, as well.
- Services for students that aren’t covered by Medicaid. Additional services include: Co-facilitated groups with Military Family Life Counselors, School Counselors, Substance Abuse Prevention Specialists, Communities in Schools, as well as facilitating Curriculum Based Support Groups that focus on At-Risk & identified youth. Contracted clinicians can provide immediate crisis support and extensive consultations and staff education to all school staff, as well as district wide assemblies and parent information nights.
- Identify at risk students offering support at all Tier levels (Universal, Targeted, Intensive), but primarily focusing on Tier 2 & Tier 3 level of support (Targeted and Intensive Therapy). Help develop guidelines to identify and refer high risk students, as well as responding to the school needs in the event of a crisis situation.

COMPREHENSIVE LIFE RESOURCES: Tacoma
- Therapists in four districts (Tacoma School District - 25 schools, Peninsula - 3 schools, White River - 2 schools and Orting - I think 2 schools).
- The number of days at each school ranges from 1 day to 3 depending on size and need.
- Services include, individual and group work by peers, therapists and CM’s.
- Committed to serving all youth referred at any school we are sited in regardless of funding type (or not).
- About 2/3 of the youth served are school based cases.
- Do not receive any funding from school districts. Funding is medicaid, grant and self-funded.

KING COUNTY:
- Use of local funds to provide SBIRT (Screening, Brief Intervention, and Referral To) in 53 middle schools across King County.
- We are funding school districts directly to implement a screening tool and database developed in collaboration with Seattle Children’s Hospital and Tickit Health meant to screen and identify physical, mental, or substance use issues in either the youth or their identified family.
- Many districts are contracting back with behavioral health agencies in their communities to offer the intervention services as part of SBIRT, if the screening indicates this need.
- Services provided by either school intervention specialists or mental health professionals vary from case management to traditional mental health therapy.
KITSAP COUNTY:
- No services in schools.
- Have 1/10th of 1% funding to cover costs.

THURSTON MASON COUNTY
- MH counselors in 30 or more schools
- Serve students with Medicaid; grants in 2 of the 3 counties for non-Medicaid

SPOKANE COUNTY
- 45 MA clinicians located in Spokane Public Schools
  - Provide outpatient services: individual, group, family, case management
  - Services offered year round
  - Referrals sources: Student, parent/guardian, teachers, administrators, school counselor, medical provider, JRA
  - Contact made with Principal and counselor who staff it with the MH therapist; therapist then contacts the family to schedule an intake.
  - Schools with services: 11 high schools; 9 middle schools; 32 elementary schools
- 6 licensed MA clinicians
  - Central Valley: 1 elementary and 1 middle school
  - East Valley: 5 elementary, 1 middle school, and 1 high school

All counties also provide crisis response services 24/7 for all ages. Involuntary treatment services are specific to individuals 13 years of age and older.
Executive Summary

Print the Executive Summary

At the Legislature’s request, staff of the Joint Legislative Audit and Review Committee (JLARC) inventoried mental health services available to students through schools, school districts, and educational service districts (ESDs). JLARC staff completed the inventory primarily through a survey of school districts, supplemented by interviews and analysis of existing data. The survey asked about what services are provided, who provides them, where they are provided, and who pays.

Three-quarters of school districts (218 of 295) completed the survey. The data in the inventory represent 85% of enrolled students and 83% of public schools (1,985 of 2,392) in Washington.

This report includes both summary information as well as topic-specific tables. Readers can sort, filter, and review the data presented in the tabs above. Readers also can download the complete data file for schools, school districts, or ESDs.

Inventory highlights

- 191 districts report that some or all of their schools have a basic level of mental health services that focuses on prevention and promoting positive behaviors (65% of all districts).
- Districts report that screening for mental health concerns occurs in 1,844 schools (77% of all schools).
- Districts report that students receive mental health services, such as therapies, in their communities and in schools:
  - At 1,411 schools, services are provided in the community (59% of all schools).
  - At 796 schools, services are provided in the school by a community provider (33% of all schools).
  - At 448 schools, services are provided in the school by a district or ESD employee (19% of all schools).
- Districts report that funding comes from a variety of sources, regardless of where service is provided:
  - Private insurance funds services for students at 942 schools (39% of all schools).
  - Medicaid funds services for students at 863 schools (36% of all schools).
  - Other: Levy dollars fund services for students at 240 schools and dedicated county sales taxes fund services for students at 221 schools.
- Districts report that students experience various barriers to accessing mental health services. Barriers include transportation, lack of providers, and affordability of private insurance co-pays.
Medicaid funds some school-based mental health services
In 2015, of the 1.1 million students in public schools, 55,000 (5%) received Medicaid-funded mental health services. Most of these students were served outside their schools through managed care plans and publicly-funded mental health and substance abuse treatment centers. Approximately 10,000 of the students (1%) received Medicaid-funded mental health services in their schools. School districts receive reimbursement from Medicaid for certain services through contracts with the Health Care Authority.

Key takeaways about prevention models and student supports
Three-quarters of school districts (218 of 295) completed the survey. The data represent 85% of enrolled students and 83% of public schools (1,985 of 2,392) in Washington.

How many schools offer a basic level of mental health services and support?
- 191 districts report having universal supports in some or all schools. Universal supports are the foundation of a multi-tiered system. They are designed to prevent and identify mental health issues for all students (see Overview of Student Mental Health Services).
- 178 districts report that staff in some or all schools are trained in multi-tiered systems of support. A multi-tiered system integrates mental health services into a student’s academic instruction and support. Training helps staff identify students whose needs exceed the universal behavioral supports.

Who screens students for mental health concerns?
Districts report that screening for mental health concerns occurs in 1,844 schools. Many different staff members may screen students at each school.
- Guidance counselors conduct screenings in 1,327 schools.
- Other staff include psychologists (857 schools), school nurses (771 schools), teachers (646 schools), and social workers (348 schools).
Key takeaways about services provided to students

Three-quarters of school districts (218 of 295) completed the survey. The data represent 85% of enrolled students and 83% of public schools (1,985 of 2,392) in Washington.

Can students access services?
Districts report that:
- 1,336 schools have limited access to direct mental health services (e.g., therapy and intervention).
- 369 schools have adequate access.
- 177 have no access to services.

Who provides services?
Schools may have both community-based providers and providers in schools. Districts report that:
- In 1,411 schools, direct mental health services are provided in the community.
- In 796 schools, services are provided in schools by a community provider.
- In 448 schools, services are provided in schools by a district or ESD employee.

What information do schools have?
Districts reported that 823 schools receive information from providers, within limits of federal law, about students who access services to ensure coordination of care with their education.
A survey of state and federal laws related to intervening against potential perpetrators or confiscating their firearms

<table>
<thead>
<tr>
<th>State Citation Year Enacted</th>
<th>Who May Petition</th>
<th>Requirements to Obtain Consideration of Court</th>
<th>Effect of Order</th>
<th>Duration</th>
<th>Termination and Renewal Options</th>
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<tbody>
<tr>
<td><strong>Washington</strong></td>
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<td>1 year.</td>
<td>Termination – 1 written request for a hearing any time during the effective period.</td>
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<tr>
<td>Extreme Risk Protection Order</td>
<td>Family Member Household Member Law Enforcement</td>
<td>Petition: Alleging significant danger. Identify number, types, and locations. Identify existing orders and lawsuits. If law enforcement notify family, household, &amp; 3rd party at risk.</td>
<td>Surrender all firearms and concealed pistol license to law enforcement.</td>
<td></td>
<td>Renewal – Within 105 of expiration.</td>
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<td>RCW 7.94 2017</td>
<td></td>
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<td>If uncontested &amp; no material change, auto renewal.</td>
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<tr>
<td><strong>Washington</strong></td>
<td>Same as above.</td>
<td>Same as above.</td>
<td>Same as above.</td>
<td>Until full hearing. 14 days max.</td>
<td>Terminates upon hearing. No renewal.</td>
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<td>Ex parte order</td>
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<td>RCW 7.94.050 2017</td>
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<td><strong>California</strong></td>
<td>Family Member Law Enforcement</td>
<td>A petition. Seems to indicate the hearing would be after an ex parte or temporary order</td>
<td>Surrender all firearms and ammunition to law enforcement.</td>
<td>1 year.</td>
<td>Termination – 1 written request for a hearing any time during the effective period.</td>
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<tr>
<td>Gun Restraining Order § 18175 2014 - 2016</td>
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<td>Renewal – Immediate family member or a law enforcement</td>
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<tr>
<td>State</td>
<td>Act</td>
<td>Law Enforcement</td>
<td>Petitioner</td>
<td>Surrender all firearms and ammunition to law enforcement.</td>
<td>Time Limit</td>
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<td><strong>California</strong></td>
<td><strong>Temporary Gun Restraining Order</strong></td>
<td></td>
<td>Asserts: Immediate and present danger. Less restrictive alternatives have been ineffective or are inadequate.</td>
<td></td>
<td>21 days.</td>
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<td><strong>California</strong></td>
<td><strong>Ex Parte Gun Restraining Order</strong></td>
<td></td>
<td>Family Member Law Enforcement</td>
<td>Petition and Affidavit Significant danger in the near future Less restrictive alternatives have been ineffective or are inadequate.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Connecticut</strong></td>
<td></td>
<td>State's Attorney Assistant State's Attorney Two Police Officers</td>
<td>Affidavit: Risk of imminent injury Possesses a firearm Petitioner conducted an independent investigation. No reasonable alternative.</td>
<td>A warrant commanding an officer to enter, search and take into custody all firearms and ammunition.</td>
<td>Until hearing. 14 days max. Hearing 1 year.</td>
</tr>
<tr>
<td>Delaware Non-Emergency Hearings § 7704 Effective Dec. 27, 2018</td>
<td>Family Member Law Enforcement</td>
<td>Affidavit or verified petition.</td>
<td>Surrender all firearms or ammunition to law enforcement</td>
<td>1 year.</td>
<td>Termination – 1 written request for a hearing any time during the effective period.</td>
</tr>
<tr>
<td>Delaware Emergency Hearings § 7703 Effective Dec. 27, 2018</td>
<td>Law Enforcement</td>
<td>Affidavit or verified petition.</td>
<td>Surrender all firearms or ammunition to law enforcement</td>
<td>Until hearing. Usually up to 15 days. Exception – up to 45 days to effectuate service.</td>
<td>Nothing in statute.</td>
</tr>
<tr>
<td>Florida Risk Protection Order § 790.401 2018</td>
<td>Law Enforcement</td>
<td>Petition and affidavit.</td>
<td>Surrender all firearms, licenses, and ammunition to law enforcement.</td>
<td>1 year.</td>
<td>Termination – 1 written request for a hearing to vacate during the effective period.</td>
</tr>
<tr>
<td>State</td>
<td>Order Type</td>
<td>Description</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>--------------</td>
<td>--------------------------------</td>
<td>-----------------------------------------------------------------------------</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Florida</td>
<td>Temporary order</td>
<td>Petition and affidavit. Detailed allegations based on personal knowledge that respondent poses a significant danger. Surrender all firearms, licenses, and ammunition to law enforcement. Until hearing. 14 days max. Nothing in statute.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Illinois</td>
<td>Firearms Restraining Order</td>
<td>Affidavit or Verified Pleading. Significant danger Describe number, type, and location of any firearms. If danger to intimate partner notify all intimate partners. If law enforcement referral to domestic Issue a search warrant directing a law enforcement agency to seize the respondent's firearms. Surrender firearm card and concealed card license. 6 months Termination – 1 written request for a hearing any time during the effective period. Renewal – May request a renewal any time within the 3 months before the expiration.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Illinois</td>
<td>Ex parte orders</td>
<td>Affidavit or Verified Pleading.</td>
<td>Issue a search warrant directing a law enforcement agency to seize the respondent's firearms.</td>
<td>Until hearing, 14 days max.</td>
<td>Can extend by mutual agreement of the parties.</td>
</tr>
<tr>
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<td>-----------------------------------------------</td>
</tr>
<tr>
<td>Family Member Household Member Law Enforcement</td>
<td>Immediate and present danger</td>
<td>If danger to intimate partner notify all intimate partners. If law enforcement referral to domestic violence, stalking advocacy, or counseling resources if appropriate. Include notice given or good faith efforts.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Indiana</th>
<th>Warrant for seizure</th>
<th>Affidavit</th>
<th>Issue a warrant to seize a firearm.</th>
<th>Until hearing, 14 days max.</th>
<th>Termination – May petition after 180 days. If denied can file again in another 180 days.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Law Enforcement</td>
<td>Why individual is dangerous and in possession of a firearm.</td>
<td>Suspend license to carry.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Illinois Ex parte orders 2017 IL 2354 Eff. Jan. 1, 2019"
<table>
<thead>
<tr>
<th>State</th>
<th>Interaction Details</th>
<th>Location Description</th>
<th>Renewal</th>
<th>Alternatives</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Indiana</strong></td>
<td>Describes interactions and conversations with respondent or another individual, if credible and reliable. Specifically describes the location of the firearm.</td>
<td></td>
<td>Renewal – Nothing in statute.</td>
<td></td>
</tr>
<tr>
<td><strong>Indiana</strong></td>
<td><strong>Law Enforcement</strong> Statement under oath or affirmation describing the basis for the officer’s belief the individual is dangerous. (after seizure)</td>
<td>Law enforcement retains the firearm.</td>
<td>Nothing in Statute</td>
<td>Nothing in Statute</td>
</tr>
<tr>
<td><strong>Maryland</strong></td>
<td>Trouble finding unedited statute. <a href="#">Chapter 250</a> has visible edits. Eff. Oct. 1, 2018</td>
<td></td>
<td>Termination – Renewal –</td>
<td></td>
</tr>
<tr>
<td><strong>Massachusetts</strong></td>
<td>Nothing in Statute</td>
<td>Demonstrates a substantial likelihood of immediate danger of abuse</td>
<td>Surrender all firearms, licenses, and ammunition to law enforcement.</td>
<td>Nothing in statute.</td>
</tr>
<tr>
<td><strong>Massachusetts</strong></td>
<td>Nothing in Statute</td>
<td>Filing a complaint.</td>
<td>May enter such</td>
<td>Until hearing. 10 days max.</td>
</tr>
<tr>
<td>Temporary order</td>
<td>Substantial likelihood of immediate danger of abuse</td>
<td>temporary orders as it deems necessary to protect a plaintiff from abuse.</td>
<td>at hearing continues without further order of the court.</td>
<td></td>
</tr>
<tr>
<td>-----------------</td>
<td>-----------------------------------------------</td>
<td>---------------------------------------------------------------------</td>
<td>----------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td><strong>New Jersey</strong></td>
<td>Family Member Household Member Law Enforcement</td>
<td>Alleged respondent poses a significant danger</td>
<td>Prohibit having a firearm.</td>
<td></td>
</tr>
<tr>
<td>Temporary Order</td>
<td>- Law enforcement can also join in a petition.</td>
<td>Affidavit with establishing facts, the number, types, physical description, and locations of any firearms and ammunition.</td>
<td>Any card or permit is revoked.</td>
<td></td>
</tr>
<tr>
<td><strong>Oregon</strong></td>
<td>Ex parte petition.</td>
<td>Surrender all deadly weapons to law enforcement, a gun dealer, or 3rd party.</td>
<td>1 year.</td>
<td></td>
</tr>
<tr>
<td>Extreme Risk Protection Orders</td>
<td></td>
<td></td>
<td>Termination – May submit a petition once during the one year order.</td>
<td></td>
</tr>
<tr>
<td>Vol. 4 Chp 166.525</td>
<td></td>
<td></td>
<td>Renewal – Within 90 days before the expiration date.</td>
<td></td>
</tr>
<tr>
<td>Jan. 1, 2018</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Oregon</strong></td>
<td>Petition and affidavit or oral statement under oath.</td>
<td>Surrender all deadly weapons to law enforcement, a gun dealer, or 3rd party.</td>
<td>If uncontested for 30 days then 1 year.</td>
<td></td>
</tr>
<tr>
<td>Ex Parte Order</td>
<td></td>
<td></td>
<td>If contested until hearing.</td>
<td></td>
</tr>
<tr>
<td>Vol. 4 Chapter 166.525</td>
<td></td>
<td></td>
<td>Termination – 1 request to terminate during the effective period.</td>
<td></td>
</tr>
<tr>
<td>Rhode Island</td>
<td>Law Enforcement</td>
<td>Petition and affidavit. Petition must state specific statements, actions, or facts that support respondent poses a significant danger. Must identify the number, types, and locations of all such firearms, if known. Identify all known restraining orders, orders of protection, and pending lawsuits, complaints, petitions, or actions pending, active, or filed within one year prior.</td>
<td>Surrender firearms to law enforcement. Surrender license to AGO or licensing authority.</td>
<td>1 year.</td>
</tr>
<tr>
<td>Rhode Island</td>
<td>Law Enforcement</td>
<td>Petition and affidavit. Petition must state specific statements, actions, or facts that support respondent poses a significant danger. Must identify the number, types, and locations of all such firearms, if known. Identify all known restraining orders, orders of protection, and pending lawsuits, complaints, petitions, or actions pending, active, or filed within one year prior.</td>
<td>Surrender firearms to law enforcement. Surrender license to AGO or licensing authority.</td>
<td>Until hearing. 14 days max.</td>
</tr>
<tr>
<td>Vermont Extreme Risk Protection Order</td>
<td>State's Attorney The Office Of The Attorney General</td>
<td>Petition alleging: Extreme risk indication by infliction or attempt to inflict bodily harm on another. Threats or actions that place others in reasonable fear. Action/inaction that presented danger to person in respondent’s care. Threatened or attempted suicide or seriously bodily harm to self.</td>
<td>Prohibit all dangerous weapons and surrender to law enforcement, licensed firearms dealer, or a third party.</td>
<td>6 months. Termination – 1 request to terminate during the effective period. The State shall have the burden of proof by clear and convincing evidence. Renewal – May file not more than 30 days and not less than 14 days before it expires.</td>
</tr>
</tbody>
</table>
Affidavit states specific facts in support, any dangerous weapons, and any existing orders under abuse, stalking, or sexual assault statutes.

| State's Attorney The Office Of The Attorney General | Motion and affidavit. Imminent and extreme risk. Specific facts supporting allegations Any dangerous weapons in respondent control. | Prohibit all dangerous weapons and surrender to law enforcement, licensed firearms dealer, or third party. | Until hearing. 14 days max. If not voluntarily dismissed. | Vermont Ex parte order 13 V.S.A. § 4054 April 2018 | Prohibit all dangerous weapons and surrender to law enforcement, licensed firearms dealer, or third party. | Until hearing. 14 days max. If not voluntarily dismissed. | Termination – Nothing in statute. Renewal – Nothing in statute. |

Notable differences from Washington ERPO not otherwise listed in chart above:

- The petitioner (law enforcement only) has a duty to notify of order expiration to all interested parties including but not limited to the family or household members of the respondent.
- Doesn’t require law enforcement to file a receipt.
- Court also considers acts of cruelty to animals, involuntary confinement, illegal use of controlled substances, & alcohol abuse.
- When notifying family etc. of petition or potential risk also inform of mental health, domestic violence, and counseling resources.
- Law enforcement emergency or temporary order does not seem to require a hearing.
- Upon the issuance of a risk protection order, the court shall order a new hearing date and require the respondent to appear no later than 3 business days after the issuance of the order. May cancel the hearing upon a satisfactory showing that the respondent is in compliance with the order.
- Allow law enforcement to get a 21 day order via a written or oral petition even outside of regular court hours

Link to a 14 year study of Connecticut’s Red Flag statute conducted by Duke University.

Updated: August 8, 2018
### Pending/Introduced Legislation in Other States

<table>
<thead>
<tr>
<th>STATES</th>
<th>BILL #</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>BACKGROUND CHECKS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Florida</td>
<td>SB 7026</td>
<td>Requires a three-day waiting period for all firearms, not just handguns or until the background check is completed, whichever is later. Provides exceptions for: concealed weapons permit holders, and for purchase of firearms other than handguns, an exception for: Individuals who have completed a 16-hour hunter safety course; Individuals holding a valid Florida hunting license; or Law enforcement officers, correctional officers and service members (military and national guard)</td>
</tr>
<tr>
<td>Louisiana</td>
<td>AB 231</td>
<td>Require any person who is not a licensed firearm retail dealer and who privately sells or transfers a firearm to another person to conduct the transaction through a licensed retail dealer. Licensed dealers are required to conduct a background check of the person acquiring the firearm before the transaction occurs. In addition, the legislation exempts sales and transfers between members of an immediate family; law enforcement; licensed collectors of antique firearms; or a temporary transfer from being conducted through a licensed dealer and subject to a background check.</td>
</tr>
<tr>
<td>Oregon</td>
<td>HB 4145</td>
<td>The bill expand existing federal law that bans people for perpetrate domestic violence against a spouse, live-in partners, or children from owning guns. Possessing a firearm when its prohibited is a Class A misdemeanor, punishable by a year in jail and/or a $6,250 fine. The bill also would mean more enforcement of the state’s existing background checks on gun sales by requiring the Oregon State Police to report people who fail a background check to their local law enforcement agencies for potential follow up.</td>
</tr>
<tr>
<td>Tennessee</td>
<td>SB 834</td>
<td>Require that local law enforcement are notified when someone who is legally prohibited from having guns because they are involuntarily committed to a mental institution or found to have a severe mental illness tries to buy a gun and fails background check. Enable law enforcement to investigate and prevent individuals who are a danger to themselves or others from buying a gun.</td>
</tr>
<tr>
<td>Vermont</td>
<td>S 55</td>
<td>Mandatory background checks for private gun transfers. The transferor and transferee must physically appear before a licensed firearms dealer to legally complete their transaction. The licensed dealer must comply with all state and federal laws regarding the sale of firearms, as if the dealer were selling firearms from their own inventory. This includes a mandatory background check. The transfer of firearms between immediate family members is exempt from this provision.</td>
</tr>
<tr>
<td><strong>BUMP STOCKS &amp; TRIGGER ACTIVATORS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vermont</td>
<td>S 55</td>
<td>Prohibits the sale or transfer, possession, manufacturing or use of bumpstocks or other accessories to increase the rate of fire of a firearm</td>
</tr>
<tr>
<td>Connecticut</td>
<td>HB 5542</td>
<td></td>
</tr>
<tr>
<td>Delaware</td>
<td>HB 300</td>
<td></td>
</tr>
<tr>
<td>State</td>
<td>Bill Code</td>
<td>Description</td>
</tr>
<tr>
<td>-------------</td>
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<td>-------------</td>
</tr>
<tr>
<td>Florida</td>
<td>SB 7026</td>
<td>This bill changes the serious threat threshold established by the previous administration by expressly defining justifiable need to require a showing of specific threats or previous attacks that demonstrate a special danger to the applicant’s life and that cannot be avoided other than by issuance of a permit to carry a handgun.</td>
</tr>
<tr>
<td>Hawaii</td>
<td>SB 2046</td>
<td>This bill makes it a class D felony for anyone, except a licensed firearms manufacturer fulfilling a military contract, to sell, offer to sell, otherwise transfer, or offer to trans, purchase, possess, use or manufacture a 'rate of fire enhancement'. Punishable by up to five years in prison, a fine up to $5,000 or both.</td>
</tr>
<tr>
<td>Maryland</td>
<td>SB 707</td>
<td>This bill allows a person in possession of a valid handgun license or who meets the criteria, and presents a valid military identification card, to carry a handgun while scouting. It provides that any property designated as a wildlife refuge or wildlife management areas are excluded as prohibited places to carry.</td>
</tr>
<tr>
<td>New Jersey</td>
<td>S 3477</td>
<td>This bill requires that applicants for a concealed carry license to undergo a background check through the National Instant Criminal Background Check System (NICS).</td>
</tr>
<tr>
<td>Rhode Island</td>
<td>SB 2292</td>
<td>Banned possession of guns in K12 school buildings and buses, except where authorized by local school officials for specific occasions or purposes.</td>
</tr>
<tr>
<td>Vermont</td>
<td>HB 25</td>
<td>Expands the state’s ban on magazines that hold more than 15 rounds to include any magazine that hold more than 10 rounds. Makes it a fourth degree crime.</td>
</tr>
<tr>
<td>Vermont</td>
<td>SB 55</td>
<td>Adds armor piercing ammunition to the list of ammunition that is prohibited and clarifies that possession or manufacture of this ammunition is a fourth-degree crime.</td>
</tr>
</tbody>
</table>

**GUNS IN SCHOOLS**

<table>
<thead>
<tr>
<th>State</th>
<th>Bill Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vermont</td>
<td>HB 25</td>
<td>Banned possession of guns in K12 school buildings and buses, except where authorized by local school officials for specific occasions or purposes.</td>
</tr>
</tbody>
</table>

**LARGE-CAPACITY AMMUNITION MAGAZINES**

<table>
<thead>
<tr>
<th>State</th>
<th>Bill Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Jersey</td>
<td>A 2758</td>
<td>Expands the state’s ban on magazines that hold more than 15 rounds to include any magazine that hold more than 10 rounds. Makes it a fourth degree crime.</td>
</tr>
<tr>
<td>New Jersey</td>
<td>A 2759</td>
<td>Adds armor piercing ammunition to the list of ammunition that is prohibited and clarifies that possession or manufacture of this ammunition is a fourth-degree crime.</td>
</tr>
<tr>
<td>Vermont</td>
<td>SB 55</td>
<td>Bans magazines that can accept more than 10 rounds for a long gun and more than 15 for a handgun.</td>
</tr>
</tbody>
</table>

**MENTAL HEALTH**

<table>
<thead>
<tr>
<th>State</th>
<th>Bill Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Jersey</td>
<td>A 1181</td>
<td>Require that licensed mental health practitioners exercise their duty to warn and protect by alerting law enforcement if a patient has threatened to and intends to commit imminent, serious physical violence against themselves or others. If law enforcement determines that the patient is incapable under statute of possessing a firearm, then any firearm ID card</td>
</tr>
</tbody>
</table>
or purchasing or carrying permit is voided and subject to revocation by the Superior Court.

<table>
<thead>
<tr>
<th>State</th>
<th>Bill Number</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delaware</td>
<td>HB 302</td>
<td>This bill would allow police to temporarily seize firearms from some whom a mental worker deems to be a danger to themselves and others. This also allows family members or law enforcement to seek a court order that temporarily restricts someone's access to firearms when that person shows &quot;red flags&quot; of posing a danger to themselves or others.</td>
</tr>
<tr>
<td>Louisiana</td>
<td>SB 411</td>
<td>This bill would make it illegal for anyone who has been found innocent of a violent crime by reason on insanity to possess a gun or carry a concealed weapon.</td>
</tr>
</tbody>
</table>

**PROHIBITED PERSONS**

<table>
<thead>
<tr>
<th>State</th>
<th>Bill Number</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nebraska</td>
<td>LB 990</td>
<td>This bill would prohibit gun possession for people under age 25 who have been adjudicated in the juvenile justice system for domestic violence or felony. Class IIIA felony, penalty of up to three years in prison and post-release supervision</td>
</tr>
<tr>
<td>Virginia</td>
<td>SB 669</td>
<td>This bill would affect people who are ordered to involuntary inpatient or outpatient treatment for a mental illness as a minor. Under the legislation, they would be subject to the same restrictions in firearm possession as an adult who was ordered to involuntary treatment.</td>
</tr>
</tbody>
</table>

**TRAFFICKING**

<table>
<thead>
<tr>
<th>State</th>
<th>Bill Number</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Georgia</td>
<td>HB 657</td>
<td>This bill makes it a felony offense for any person to knowingly and intentionally provide a firearm to a felon.</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>SB 408</td>
<td>This bill makes it a crime to purchase a gun with the intent to give the weapon to a person legally prohibited from owning or possessing a firearm</td>
</tr>
</tbody>
</table>

**WAITING PERIOD**

<table>
<thead>
<tr>
<th>State</th>
<th>Bill Number</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Florida</td>
<td>SB 7026</td>
<td>Extends the state's three-day waiting period for handguns to all firearms sold at retail locations</td>
</tr>
<tr>
<td>Illinois</td>
<td>SB 3256</td>
<td>Lengthened the state's 24-hour waiting period for long guns to 72 hours</td>
</tr>
</tbody>
</table>

**DOMESTIC VIOLENCE**

- New York | SB 8121 |
- Kansas   | HB 2145 |
- Louisiana| HB 776  |
- Louisiana| HB 896  |
- Louisiana| SB 231  |
- Maryland | HB 1646 |
- Ohio     | HB 1    |
- Oregon   | HB 4145 |
- Utah     | SB 27   |
- Vermont  | H 422   |

- Keeps firearms away from domestic abusers
**Pending/Proposed Federal Legislation on Extreme Protection Orders**

A. **Federal ERPO**, proposed 2018
   Introduced March 20, 2018. Committee on the Judiciary held hearing on March 20, 2018. As of August 7, 2018 no further action has been taken.

**Ex Parte Order**
A family member, household member, or law enforcement may petition. The petitioner must include a signed affidavit, sworn to before the court as why the respondent is believed to be dangerous and describe the interactions and conversations with him/her and other credible and reliable individuals.
The respondent must surrender all firearms and ammunition possesses or owns as well as any permit to law enforcement.
The order is in effect until the court determines whether to issue a long term order or 14 days.

**Long Term Order**
A family member, household member, or law enforcement may petition. A hearing must be held 72 hours after issuing ex parte unless respondent was not served within that time then 72 hours within being served.
The respondent must surrender all firearms and ammunition possesses or owns as well as any permit to law enforcement. The order does not last more than 180 days. There is no indication the respondent can request that it be terminated earlier. A family member, household member, or law enforcement may petition for a renewed long term order.

**Resources**
A. [Giffords Law Center to Prevent Gun Violence](http://www.giffords.org): federal and state gun laws on variety of topics, kept up to date. Includes a break-down of ERPOs. Appears to have been updated as of 2017.
B. [Mother Jones Data on Mass Shootings](http://www.motherjones.com): 1982-2018

**Other Suggestions**
A. Limiting the number of gun purchases in a span of time
   a. California, Maryland, and New Jersey have laws limiting individuals from purchasing more than one pistol within a 30 day period (Maryland also includes Assault Weapons). New York City limits more than one firearm in a 90 day period. For more information see: [Gifford Law Center](http://www.giffords.org).
B. Metal detectors in schools (this is a suggestion I came across but there appear to be very mixed opinions on the efficacy)
C. Bump Stock Bans
D. High Capacity Magazine Bans
   a. See [Kolbe v. Hogan](http://www.giffords.org) decision where Fourth Circuit discusses the need to reload as a critical time to intervene in a mass shooting, stating high capacity magazine limits those opportunities to intervene during pauses in firing. *Kolbe v. Hogan*, 849 F.3d 114, 128 (2017).
E. Funding research centers into gun violence:
a. University of California Firearm Violence Research Institute, first state funded firearms violence research center.
b. Resolution by New Jersey Legislature to ask Congress to repeal Dickey Amendment
F. Australia’s Legislative reform after mass shooting, this might be an interesting area to explore:
a. General article
b. Article on overview of laws and counterarguments successfully used to counter primary claims made by gun rights activists in Australia
c. Why: Australia has become a model for countries dealing with gun violence. Australia has not had a single mass shooting since implementing these reforms. Australia had a strong gun culture and history as well as a strong lobby.
PROBLEM
High Capacity Magazines have facilitated some of the worst mass murders ever committed in the United States.

High Capacity Magazines allow an active shooter to rapidly fire multiple rounds without having to reload, exponentially increasing lethality.

In July 2016, a 19-year-old used a 30-round magazine to kill three teenagers and seriously wound another at a house in Mukilteo. Less than two months later, a 20-year-old used a 30-round magazine to kill five people at a mall in Burlington. Victims ranged in age from 16 to 95.

In contrast, in June 2014, the shooter at Seattle Pacific University—who used a shotgun—took only one life. As this shooter attempted to reload, a bystander seized the moment to tackle and subdue the shooter. In our unfortunate reality of mass shootings, the necessity to reload saves lives.

BACKGROUND
On average, only 2.2 shots are fired during self-defense. Statistics show that in acts of self-defense, it is extremely rare for more than 10 rounds to be fired. In contrast, nearly every mass shooting that shocked the national consciousness in the past decade involved the use of high-capacity magazines:

<table>
<thead>
<tr>
<th>Location</th>
<th>Mag. Capacity</th>
<th>Shots Fired</th>
<th>Killed</th>
<th>Wounded</th>
</tr>
</thead>
<tbody>
<tr>
<td>Las Vegas, NV (2017)</td>
<td>multiple&lt;sup&gt;3&lt;/sup&gt;</td>
<td>multiple&lt;sup&gt;3&lt;/sup&gt;</td>
<td>58</td>
<td>500+</td>
</tr>
<tr>
<td>Orlando, FL (2016)</td>
<td>30</td>
<td>multiple&lt;sup&gt;3&lt;/sup&gt;</td>
<td>49</td>
<td>NA</td>
</tr>
<tr>
<td>Sandy Hook (2012)</td>
<td>30</td>
<td>154</td>
<td>28 (+shooter)</td>
<td>NA</td>
</tr>
<tr>
<td>Oak Creek (2012)</td>
<td>19</td>
<td>NA</td>
<td>7 (+shooter)</td>
<td>3</td>
</tr>
<tr>
<td>Aurora, CO (2012)</td>
<td>100</td>
<td>80</td>
<td>12</td>
<td>70</td>
</tr>
<tr>
<td>Grand Rapids, MI (2011)</td>
<td>30</td>
<td>NA</td>
<td>7</td>
<td>2</td>
</tr>
<tr>
<td>Tucson, AZ (2011)</td>
<td>33/15</td>
<td>33</td>
<td>6</td>
<td>13</td>
</tr>
<tr>
<td>Manchester, CT (2010)</td>
<td>17</td>
<td>11</td>
<td>9 (+shooter)</td>
<td>NA</td>
</tr>
<tr>
<td>Binghamton, NY (2009)</td>
<td>30/15</td>
<td>99</td>
<td>14 (+shooter)</td>
<td>4</td>
</tr>
<tr>
<td>Fort Hood (2009)</td>
<td>30/20</td>
<td>214</td>
<td>13</td>
<td>32</td>
</tr>
<tr>
<td>N. Illinois Univ. (2008)</td>
<td>33/15</td>
<td>54</td>
<td>5</td>
<td>21</td>
</tr>
<tr>
<td>Westroads Mall (2007)</td>
<td>30</td>
<td>14</td>
<td>9 (+shooter)</td>
<td>5</td>
</tr>
<tr>
<td>Virginia Tech (2007)</td>
<td>15</td>
<td>176</td>
<td>32</td>
<td>17</td>
</tr>
</tbody>
</table>

LEGISLATION (SB 6049 / HB 2422)
This Legislation prohibits the sale, manufacture, and transfer of ammunition magazines that hold over 10 rounds. The bill also requires the safe and secure storage of magazines grandfathered in, specifically those owned prior to the bill’s effective date.

1. High Capacity Magazine is defined in this bill as more than 10 rounds.
3. Police documented multiple high-capacity magazines in addition to a cache of over 40 firearms.
4. shooter’s claims of 8-11 minutes of constant, rapid gunfire.
5. In a video taken by a bystander at the Orlando shooting, more than 20 rounds fired in rapid succession.
Assault Weapon Statistics

Crime Involving Law Enforcement

2003: Officer Down – Violence Prevention Center
- 41/211 law enforcement officers killed between 1/1998-12/31/2001 killed by assault weapons 19%

2009: VPC: 8/45 homicides of law enforcement were committed with assault weapons, 18%

2007: Target Law Enforcement, Assault Weapons in the News – VPC

2008: Assault Weapons “Mass Produced Mayhem” – Brady Center to Prevent Gun Violence
- ATF study (Taking a Stand: Reducing Gun Violence in Our Communities: Report and Recommendations from the IACP Great Lakes Summit on Gun Violence (2007):
  o 6.8% of state prosecutions for gun violence involved assault rifles
  o 9.3% of federal prosecutions for gun violence involved assault rifles
  o NRA statistic of assault weapons in 2% of crime includes crimes without firearms
  o At time of the study, assault weapons were 1% of firearms
- Dr. Garen Wintemute of UC-Davis Study
  o Gun buyers with criminal histories are more likely to buy assault rifles, greater the crime, the more likely they are to purchase assault rifles
  o Assault weapons buyers are more likely to be arrested after their purchases than other gun buyers

2015 Violence Policy Center: Firearm Justifiable Homicides and Non-Fatal Self-Defense Gun Use
- 1,108 justifiable homicides between 2008-2012
- 81.8% of Justifiable Homicides involved firearms between 2008-2012
- Of the 81.8% of Justifiable Homicides, 5.3% involved any type of rifle (assault rifle not specified)
- Of the 81.8% of JH, 838 (75%) were handguns, 86 (7.8%) were shotguns
- 43,527 homicides, 2.5% of homicides between 2008-2012 were justifiable, a 38-1 ratio

2014 Pew Research Study
- 34% of American households had a firearm
- Was 49% in 1973

2017 VPC on High Capacity Magazines
- 57 mass shootings (3 or more fatalities) since 1980 had high capacity magazines, killing 566 people and 986 wounded

Mother Jones Data
- 91 Mass Shootings, 758 Fatalities, 1170 Wounded
- 27 Mass Shootings involved assault rifles (30%, 311 killed (41%), 832 Wounded (71%)
- Average, a mass shooting with an assault rifle kills 1.4 more people and wounds 25.5 more people (7.4 more if you strip out Vegas)
NRA research Coordinator Mark Overstreet in Affidavit in Heller that 3.2M AR-15s ARs accounted for 14.4% of rifles in 2007

2015 National Shooting Sports Foundation estimates 5-8.2M assault rifles


Possession of Firearms by state and federal prison inmates at the time of the offense:


-1994: 1.5% State and 1.7% Federal inmates were arrested with an assault rifle, compared to 17.8% and 16.1% conventional firearms
-2004: 2.0% of State and 3.2% of Federal inmates were arrested with an assault rifle, compared to 14.2% and 16.2% other firearms

Adjusted: 1994 26.7% arrested with a firearm had assault rifles, assault rifle was 34x more likely to be involved in an arrest
Adjusted: 2004 14% and 19% arrested with a firearm had assault rifles

From Kolbe:

8M Assault rifles in 2013, out of 300M Owners owned 3.1 assault rifles in 2013, >1% own them
16% of murders of on-duty law enforcement in 1994

Pew 2017 study:

44% of Americans know someone who has been shot
Only 17% of gun-owners say they have used a gun to defend themselves
68% of Americans support banning assault-type weapons
65% of Americans support banning HCM
Strategies used by other states or recommended nationally to address the problem of mass shootings

Texas
Texas published a “School and Firearm Safety Action Plan.”

Colorado
Colorado recently published a “Top 10 Recommendations for School Safety.”

Enacted School Safety Legislation
The National Conference of State Legislatures identified recently enacted school safety legislation among the states:

<table>
<thead>
<tr>
<th>State</th>
<th>Year</th>
<th>Bill Number</th>
<th>Title</th>
<th>chapter_num</th>
<th>Summary</th>
</tr>
</thead>
<tbody>
<tr>
<td>AK</td>
<td>2017</td>
<td>HR 7</td>
<td>Safe School Environment</td>
<td></td>
<td>Recognizes the importance of safe school environments for students, staff, and their families, supports improvement of school safety measures.</td>
</tr>
<tr>
<td>AL</td>
<td>2018</td>
<td>H 179</td>
<td>Alabama Community College System</td>
<td>2018-502</td>
<td>Makes a supplemental appropriation from the Education Trust Fund Advancement and Technology Fund to the Alabama Community College System in the amount of $2,000,000 for the fiscal year ending September 30, 2018, to the public institutions of higher education in the amount of $15,196,647, and to the Department of Education, the Board of Trustees of the Alabama Institute for Deaf and Blind, the Board of Youth Services School Districts, the Board of Directors of the Alabama School of Fine Arts, and the Board.</td>
</tr>
<tr>
<td>AL</td>
<td>2018</td>
<td>S 27</td>
<td>Possession of Firearms</td>
<td>2018-529</td>
<td>Prohibits the possession of firearms in certain public places, specifies that a qualified retired law enforcement officer would be exempt from the prohibition in that section.</td>
</tr>
<tr>
<td>AL</td>
<td>2018</td>
<td>S 323</td>
<td>Education Trust Fund Budget Stabilization Fund</td>
<td>2018-544</td>
<td>Amends Section 29-9-4, Code of Alabama 1975, relating to the Education Trust Fund Budget Stabilization Fund to allow funds to be appropriated for school security, provides that the appropriations from the Fund are to be used for nonrecurring expenses.</td>
</tr>
<tr>
<td>AZ</td>
<td>2018</td>
<td>H 2663</td>
<td>Budget Reconciliation</td>
<td></td>
<td>Relates to K12 education budget reconciliation, relates to financial expectations of charter schools, requires the budget for each charter school to contain specified information, provides that the State Board of Education shall adopt rules for the procurement by school districts of any materials, services, goods, and the like that ensure a competitive process, establishes</td>
</tr>
</tbody>
</table>
procurement procedures, requirements, and certain administrative penalties.

<table>
<thead>
<tr>
<th>State</th>
<th>Year</th>
<th>Bill Number</th>
<th>Bill Title</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>AZ</td>
<td>2018</td>
<td>S 1390</td>
<td>Transaction Privilege Tax</td>
<td>Relates to transaction privilege and use taxes, imposes an additional rate increment in addition to established sales and use taxes at a specified rate, provides that all monies collected from such taxes shall be distributed to various education and workforce development funds and accounted for separately, establishes an income tax credit for increased transaction privilege or excise taxes paid for education.</td>
</tr>
<tr>
<td>AZ</td>
<td>2018</td>
<td>S 1527</td>
<td>Budget Reconciliation</td>
<td>Relates to budget reconciliation for higher education, revises provisions relating to credit and noncredit courses, revises provisions relating to the Board of Regents, establishes a tuition waiver scholarship for persons in foster care, provides for capital improvement plans, provides for initial base levy limits.</td>
</tr>
<tr>
<td>CA</td>
<td>2017</td>
<td>A 424</td>
<td>Possession of a Firearm in a School Zone</td>
<td>Deletes the authority of a school district superintendent, his or her designee, or equivalent school authority to provide written permission for a person to possess a firearm within a school zone. Exempts from the newly created crime the activities of a program involving shooting sports or activities that are sanctioned by a school, school district, college, university, or other governing body of the institution, as specified, and the activities of a certified hunter education program, as specified.</td>
</tr>
<tr>
<td>CO</td>
<td>2018</td>
<td>H 1269</td>
<td>Parent Notice for Student Safety and Protection</td>
<td>Establishes requirements for notification to parents of charges brought against public school employees for alleged felony offenses that would result in the revocation of an educator license.</td>
</tr>
<tr>
<td>CO</td>
<td>2018</td>
<td>H 1413</td>
<td>School Safety Grant Program</td>
<td>Establishes the Enhance School Safety Incident Response Grant Program, provides funding for research, program development, and training to improve school safety incident response, provides guidelines and eligibility criteria for the Program, establishes the School Safety Resource Center Cash Fund, makes an appropriation.</td>
</tr>
<tr>
<td>CO</td>
<td>2018</td>
<td>S 158</td>
<td>School Access to Interoperable Communication Technology</td>
<td>Establishes the School Access for Emergency Response Grant Program Act, increases a school district's access to interoperable communication technology to improve school safety, provides grants to schools and public safety communications system owners to provide funding for needed interoperable communication hardware, software, equipment maintenance, and training, provides application, eligibility, and reporting requirements for school districts,</td>
</tr>
<tr>
<td>State</td>
<td>Year</td>
<td>Bill</td>
<td>Title</td>
<td>Description</td>
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<tr>
<td>CO</td>
<td>2018</td>
<td>S 269</td>
<td>School Security Disbursement Program</td>
<td>Concerns providing funding for local education providers to implement school security improvements to prevent incidences of school violence, creates the School Security Disbursement Program, provides specific purposes for which disbursements may be used by a local education agency, establishes the School Security Disbursement Program Account.</td>
</tr>
<tr>
<td>CO</td>
<td>2018</td>
<td>S 272</td>
<td>Crisis And Suicide Prevention Training Grant Program</td>
<td>Concerns suicide prevention training in schools, ensures that all teachers and staff at every Colorado school, school district, and charter school are provided comprehensive suicide prevention and crisis response training.</td>
</tr>
<tr>
<td>CT</td>
<td>2018</td>
<td>H 5219</td>
<td>Security Officer Licenses To Work As Security Officers</td>
<td>Allows applicants for security officer licenses to work as security officers, permits an applicant for a security officer license to work as a security officer if the applicant works under the direct on-site supervision of a licensed security officer.</td>
</tr>
<tr>
<td>CT</td>
<td>2018</td>
<td>H 5542</td>
<td>Bump Stock Ban</td>
<td>Concerns bump stocks and other means of enhancing the rate of fire of a firearm, bans the sale or transfer, possession, manufacturing or use of bump stocks or other accessories to increase the rate of fire of a firearm.</td>
</tr>
<tr>
<td>DE</td>
<td>2017</td>
<td>H 142</td>
<td>School District Training</td>
<td>Improves guidelines for training by school districts and Charters as it pertains to School Resource Officers (SRO), their duties and training when interacting with students with disabilities, relates to the limitations and prohibitions described in this section are in addition to, and not in derogation of, any other constitutional, statutory, or regulatory rights otherwise conferred by federal or state law or regulation.</td>
</tr>
<tr>
<td>FL</td>
<td>2018</td>
<td>H 165</td>
<td>Threats to Conduct Mass Shooting or Terrorism</td>
<td>Relates to written threats to conduct mass shootings or acts of terrorism, prohibits a person from making, posting, or transmitting a threat to conduct a mass shooting or an act of terrorism in a writing or other record in any manner that would allow another person to view the threat.</td>
</tr>
<tr>
<td>FL</td>
<td>2018</td>
<td>S 1940</td>
<td>Public Records and Public Meetings</td>
<td>Relates to public records and public meetings, relates to reporting unsafe, dangerous, violent, or criminal activities, creates an exemption from public records requirements for the identity of a reporting party, provides the exemption to certain portions of meetings of the Marjory Stoneman Douglas High School Public Safety Commission.</td>
</tr>
<tr>
<td>State</td>
<td>Year</td>
<td>Bill</td>
<td>Description</td>
<td></td>
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<tr>
<td>FL</td>
<td>2018</td>
<td>S 7026</td>
<td>School Public Safety</td>
<td></td>
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<td></td>
<td>Relates to public safety, establishes the Marjory Stoneman Douglas High School Public Safety Act, establishes the Office of Safe Schools, authorizes the Sheriff to establish a school guardian program to aid in the abatement of active assailant incidents in schools, provides that the marshal would only be authorized to abate an active assailant incident and is a school employee volunteer with relevant training, revises several provisions relating to possessing firearms and mental health services.</td>
<td></td>
</tr>
<tr>
<td>GA</td>
<td>2017</td>
<td>H 740</td>
<td>Improved Student Learning Environment</td>
<td></td>
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<tr>
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<td></td>
<td></td>
<td>Relates to improved student learning environment and discipline in elementary and secondary education, requires local school systems to conduct certain multi-tiered system of supports and reviews prior to expelling or assigning a student in preschool through third grade to out-of-school suspension for five or more consecutive or cumulative days during a school year.</td>
<td></td>
</tr>
<tr>
<td>GA</td>
<td>2017</td>
<td>H 763</td>
<td>Compulsory Attendance for Certain Students</td>
<td></td>
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<tr>
<td></td>
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<td></td>
<td>Relates to compulsory attendance for students in elementary and secondary education, so as to expand the student attendance protocol committees to school climate, relates to loitering at or disrupting schools, so as to provide for coordination with local law enforcement agencies and the juvenile court system in school safety plans.</td>
<td></td>
</tr>
<tr>
<td>GA</td>
<td>2017</td>
<td>HR 1414</td>
<td>House Study Committee on School Security</td>
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<tr>
<td></td>
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<td></td>
<td>Creates the House Study Committee on School Security.</td>
<td></td>
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<tr>
<td>HI</td>
<td>2017</td>
<td>SCR 161</td>
<td>Hazard Mitigation Measures</td>
<td></td>
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<tr>
<td></td>
<td></td>
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<td>Urges the Governor and director of the Hawaii emergency management agency to improve Hawaii’s emergency preparedness and hazard mitigation measures.</td>
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<td></td>
<td>Requires school districts and accredited nonpublic schools to develop high quality emergency operations plans for school buildings, requires emergency operations drills at least annually.</td>
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<td></td>
<td>Amends existing law to provide that retired law enforcement officers may carry a concealed weapon in certain places, prohibits a person issued a license under the provisions from carry a concealed weapon within any building of a public entertainment facility, provided that proper signage is conspicuously posted at each point of public ingress to the facility notifying attendees of any restriction on the possession of firearms in the facility during the game or event.</td>
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<tr>
<td>ID</td>
<td>Year</td>
<td>Number</td>
<td>Title</td>
<td>Description</td>
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<tr>
<td>ID</td>
<td>2018</td>
<td>H 665</td>
<td>Threatening School Violence</td>
<td>Amends existing law to revise provisions regarding threatening school violence, provides that certain acts shall be a felony, states that any person, including a student, who willfully threatens on school grounds by word, electronic means or act to use a firearm or other deadly or dangerous weapon to do violence to any other person on school grounds or to disrupt the normal operations of an educational institution by making a threat of violence is guilty of a misdemeanor.</td>
</tr>
<tr>
<td>ID</td>
<td>2018</td>
<td>H 706</td>
<td>Appropriations</td>
<td>Makes an appropriation to the Division of Building Safety for a certain fiscal year, limits the number of authorized full time equivalent positions, provides for reappropriation authorization.</td>
</tr>
<tr>
<td>IL</td>
<td>2017</td>
<td>S 1486</td>
<td>School Code and the School Safety Drill Act</td>
<td>Amends the School Code and the School Safety Drill Act, relates to home or hospital instruction, adds references to advanced practice nurses and physician assistants, relates to required high school courses, removes obsolete language, provides that private schools that do not utilize a bus to transport students are exempt from conducting bus evacuation drills, with conditions.</td>
</tr>
<tr>
<td>IL</td>
<td>2017</td>
<td>HR 865</td>
<td>School District Modern Response Training Programs</td>
<td>Encourages every school district in the state and the heads of each school in this state, in collaboration with local law enforcement, to begin exploring and implementing the necessary modern response training programs and innovative procedures that are designed to help prevent the loss of life in the event of an on-campus emergency.</td>
</tr>
<tr>
<td>IN</td>
<td>2018</td>
<td>H 1230</td>
<td>School Safety</td>
<td>Revises provisions relating to the school safety specialist training and certification program, expands the curriculum for the program, provides choices for for charter schools, defines cyberbullying, requires the Department of Education to maintain a link on the its website that provides resources or best practices regarding the prevention and reporting of bullying, cyberbullying, and human trafficking, requires school employees to complete inservice training, provides for the Common School Fund.</td>
</tr>
<tr>
<td>KY</td>
<td>2018</td>
<td>H 200</td>
<td>Appropriations and Revenue Measures</td>
<td>Relates to the State/Executive Branch Budget: Detail Part I, Operating Budget, appropriates money to General Government.</td>
</tr>
<tr>
<td>LA</td>
<td>2018</td>
<td>H 498</td>
<td>School Crisis Management and Response Plans</td>
<td>Requires school crisis management and response plans to provide for parental notification in the event of a shooting or other violent incident or emergency situation.</td>
</tr>
<tr>
<td>State</td>
<td>Year</td>
<td>Bill</td>
<td>Description</td>
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<tr>
<td>LA</td>
<td>2018</td>
<td>H 602</td>
<td>Weapons and Firearms</td>
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<td>Revises provisions relating to concealed handgun permits, provides for the carrying of a concealed handgun within a certain distance of school property, provides an exception to the crime which prohibits the carrying of a firearm on school property by certain permit holders.</td>
<td></td>
</tr>
<tr>
<td>LA</td>
<td>2018</td>
<td>H 766</td>
<td>Behavioral Health Services for Students</td>
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<td></td>
<td>Relates to behavioral health services for students, provides relative to behavioral health services provided to students when requested by the student's parent or legal guardian, provides for definitions, provides for policies adopted by public school governing authorities.</td>
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<tr>
<td>LA</td>
<td>2018</td>
<td>H 895</td>
<td>Threats to School Safety</td>
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<td></td>
<td>Provides for instruction on threats to school safety in public schools and public postsecondary education institutions, requires school officials and campus security officers to provide information to students regarding potential threats to school safety exhibited through online content, provides a process for students to report online content deemed potentially dangerous, provides for confidentiality for reporters.</td>
<td></td>
</tr>
<tr>
<td>LA</td>
<td>2018</td>
<td>H 898</td>
<td>Mental Health</td>
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<td></td>
<td>Relates to school safety, provides for resources and reporting procedures, provides for definitions, requires the reporting of any threats of violence to appropriate law enforcement, provides for mandatory mental health evaluations.</td>
<td></td>
</tr>
<tr>
<td>LA</td>
<td>2018</td>
<td>S 178</td>
<td>Body Armor on School Property</td>
<td></td>
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<td></td>
<td>Revises provisions relating to the wearing or possessing of body armor on school property, allows students to carry or wear a backpack with bullet resistant material.</td>
<td></td>
</tr>
<tr>
<td>LA</td>
<td>2018</td>
<td>SCR 8</td>
<td>Education Department</td>
<td></td>
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<tr>
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<td></td>
<td>Requests the Department of Education to investigate the feasibility and cost of installing silent alarms in all elementary and secondary school classrooms.</td>
<td></td>
</tr>
<tr>
<td>LA</td>
<td>2018</td>
<td>SR 49</td>
<td>Special Day and Week and Month</td>
<td></td>
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<td></td>
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<td></td>
<td>Designates November 2018 as School Psychology Awareness Month.</td>
<td></td>
</tr>
<tr>
<td>MA</td>
<td>2017</td>
<td>S 2371</td>
<td>Criminal Justice Reform 69-2018</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Revises provisions addressing criminal justice reform, defines bias free policing, requires the Municipal Police Training Committee to establish and develop in service training relating to bias free policing, relates to criminal background checks, establishes a Forensic Oversight Board, relates to jailhouse population data, relates to rape kits, establishes a Municipal Police Training Fund, establishes a Childhood Trauma Task Force, relates to DNA sampling of inmates, relates to controlled substances.</td>
<td></td>
</tr>
<tr>
<td>State</td>
<td>Year</td>
<td>Bill No.</td>
<td>Bill Title</td>
<td>Description</td>
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</tr>
<tr>
<td>MD</td>
<td>2018</td>
<td>H 117</td>
<td>Property Tax Credit</td>
<td>Authorizes the Mayor and City Council of Baltimore City to provide, by law, a certain property tax credit against the county property tax imposed on a dwelling located in Baltimore City that is owned by a public safety officer employed by the Baltimore City Public School System, applies the Act to taxable years after June 30, 2018.</td>
</tr>
<tr>
<td>MD</td>
<td>2018</td>
<td>H 1783</td>
<td>School Facilities Act</td>
<td>Relates to the funding and administration of public school construction, authorizes a county board to contract with a county revenue authority in a public-private partnership agreement, establishes a design-construct-operate-maintain-finance arrangement as an alternative financing method available for use by a county board, concerns designation of a school as an emergency management shelter, alters the requirements for awarding contracts to bidders, requires the Green Building Council to develop guidelines.</td>
</tr>
<tr>
<td>MD</td>
<td>2018</td>
<td>S 185</td>
<td>Budget Bill</td>
<td>Makes proposed appropriations contained in the State Budget for a certain fiscal year.</td>
</tr>
<tr>
<td>MD</td>
<td>2018</td>
<td>S 394</td>
<td>Property Tax Credit</td>
<td>Authorizes the Mayor and City Council of Baltimore City to provide, by law, a certain property tax credit against the county property tax imposed on a dwelling located in Baltimore City that is owned by a public safety officer employed by the Baltimore City Public School System, applies the Act to taxable years after June 30, 2018.</td>
</tr>
<tr>
<td>MD</td>
<td>2018</td>
<td>S 1265</td>
<td>Safe to Learn Act</td>
<td>Reestablishes the Safe to Learn Act, revises provisions relating to the State Center for School Safety, revises the functions and duties of the Center, establishes a School Safety Subcabinet and Advisory Board to facilitate a comprehensive, coordinated approach to school safety, authorizes grants to schools and child care centers determined to be at risk of hate crimes or attacks, makes a continuous appropriation for the Center, establishes the Safe Schools Fund.</td>
</tr>
<tr>
<td>ME</td>
<td>2017</td>
<td>H 929</td>
<td>School Youth Mental Health Training</td>
<td>Requires the Department of Education to establish a program to ensure health educators in secondary schools receive training from properly credentialed trainers in youth mental health first aid.</td>
</tr>
<tr>
<td>ME</td>
<td>2017</td>
<td>H 1174</td>
<td>Youth Suicide Prevention Protocols</td>
<td>Requires the Commissioner of Education to adopt amended rules designed to help prevent youth suicide, requires school administrative units to have protocols for suicide prevention and intervention and counseling services after an incident of youth suicide in place.</td>
</tr>
<tr>
<td>State</td>
<td>Year</td>
<td>Bill</td>
<td>Description</td>
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<tr>
<td>ME</td>
<td>2017</td>
<td>S 703</td>
<td>State School Revolving Renovation Fund</td>
<td>Amends the law governing the School Revolving Renovation Fund to specify that Priority 1 status loans made to school administrative units for school repair and renovation include loans for the installations or improvements necessary to increase school facility security.</td>
</tr>
<tr>
<td>MO</td>
<td>2018</td>
<td>H 2002</td>
<td>State Board of Education</td>
<td>Appropriates money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2018 and ending June 30, 2019.</td>
</tr>
<tr>
<td>NC</td>
<td>2017</td>
<td>S 99</td>
<td>Appropriations</td>
<td>Increases the criminal penalty for communicating a threat of mass violence on educational property or at a place of religious worship, provides for the conditional discharge of persons convicted of those offenses when the offender is under a certain age, requires a judge to set the conditions of release for those offenses.</td>
</tr>
<tr>
<td>NC</td>
<td>2017</td>
<td>H 670</td>
<td>Threat of Mass Violence</td>
<td>Modifies the current operations appropriations, provides for delayed claims of a lottery prize for members of the Armed Forces, provides funds for academically gifted children, allows military children to enroll prior to residency in the state, provides for the Anonymous Safety Tip Line, transforms the Principal Preparation Grant Program, provides for several other programs and state agency operations.</td>
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<tr>
<td>NH</td>
<td>2017</td>
<td>H 1370</td>
<td>School Emergency Management Plan</td>
<td>Requires the Department of Education to provide a copy of a school's emergency management plan to the Director of Homeland Security and Emergency Management, requires a school to provide its emergency management plan to, and coordinate it with, local emergency authorities.</td>
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<tr>
<td>NH</td>
<td>2017</td>
<td>H 1415</td>
<td>School Employee Death Benefit</td>
<td>Establishes a death benefit for a school employee killed in the line of duty, makes an appropriation to the Public School Infrastructure Fund to provide additional funding for the Department of Safety's School Emergency Readiness Program.</td>
</tr>
<tr>
<td>NM</td>
<td>2018</td>
<td>H 306</td>
<td>Severance Tax Bond Projects</td>
<td>Relates to capital expenditures, authorizes the issuance of severance tax bonds, authorizes expenditures from certain funds and balances, clarifies conditions for the issuance of bonds, establishes conditions for the expenditure of severance tax bond proceeds, establishes conditions for the reversion of unexpended balances, makes appropriations.</td>
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<td>State</td>
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<tr>
<td>NM</td>
<td>2018</td>
<td>S 239</td>
<td>School Capital Outlay for Security</td>
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<tr>
<td>NM</td>
<td>2018</td>
<td>SM 8</td>
<td>Study School Suicides &amp; Gun Violence</td>
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<tr>
<td>NY</td>
<td>2017</td>
<td>S 7503</td>
<td>Aid To Localities Budget</td>
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<tr>
<td>NY</td>
<td>2017</td>
<td>S 7509</td>
<td>Taxation</td>
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<tr>
<td>OH</td>
<td>2017</td>
<td>S 226</td>
<td>Permanent Sales Tax Holiday 2018-55</td>
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<tr>
<td>OK</td>
<td>2017</td>
<td>H 2527</td>
<td>Firearms</td>
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<tr>
<td>OK</td>
<td>2017</td>
<td>H 3353</td>
<td>Firearms</td>
<td></td>
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<tr>
<td>OK</td>
<td>2017</td>
<td>S 1517</td>
<td>Trauma Informed Care</td>
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</tbody>
</table>

Relates to public school capital outlay, allows for the expenditure of money in the Public School Capital Outlay Fund for school security system repairs, renovations, and replacements, authorizes reconciliation of multiple amendments to the same section of law.

Requests the public education department and the legislative education study committee to study and evaluate potential solutions to decrease the rates of suicide by firearms and gun violence in schools.

Makes appropriations for the Aid To Localities Budget.

Amends various taxation provisions, relates to STAR benefits and the STAR income verification program, relates to unclaimed funds, relates to tax credits of qualified employers, relates to alimony modifications, relates to calculation of income relating to state income tax, provides for charitable gifts trust funds, establishes an Employer Compensation Expense Program, provides for racing and wagering taxes, establishes a Congestion Surcharge.

Requires the Facilities Construction Commission to study and report on school building security upgrades and school resource officers, enacts the SAFE Act with regard to suspension and expulsion of students in grades pre-kindergarten through three and positive behavior intervention and supports, makes an appropriation.

Revises provisions relating to sales tax, provides for a permanent sales tax holiday of a specified number of days in a certain month, provides that during the sales tax holiday period, sales of clothing and school supplies are exempt from sales and use tax.

Revises provisions relating to firearms, makes it unlawful to carry firearms in certain places, provides an exception for county employees, allows for additional training requirements.

Amends the Self Defense Act, revises provisions relating to notifications to the police of carrying a concealed or unconcealed handgun in the state, makes technical corrections.

Relates to trauma-informed care, creates the Task Force on Trauma-Informed Care to study and make recommendations to the Legislature on best practices with respect to children and youth who have experienced trauma, sets forth Task Force duties, provides for membership, specifies areas to be examined and time lines, specifies
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<th>State</th>
<th>Year</th>
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<th>Description</th>
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<tr>
<td>PA</td>
<td>2017</td>
<td>H 1448</td>
<td>Public School Code</td>
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<td>Amends the Public School Code, authorizes school entities to hold an executive session to plan, review, or discuss matters relating to school safety, prohibits a school employer from entering into a contract with a third party for noninstructional services with specified exceptions and requiring public hearings, provides for the National Lunch Program, provides for annual lead testing at school facilities, provides for educator certification and licensing, provides for attendance policies.</td>
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<td>PA</td>
<td>2017</td>
<td>S 1142</td>
<td>School Security and Safety</td>
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<td>Repeals provisions relating to intergovernmental agreements for school security and safety, establishes the School Safety and Security Committee, establishes the School Safety and Security Grant Program and related Fund, provides for the position of School Safety and Security Coordinator, provides requirements for training employees, provides for school police officers, resource officers, and security guards, establishes the Safe2Say Program to implement anonymous reporting standards.</td>
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<tr>
<td>RI</td>
<td>2017</td>
<td>H 5016</td>
<td>School Buildings Safety Assessment 2017-32</td>
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<td>Relates to education, relates to health and safety of pupils, requires the assessment to examine the status of each school building’s safety be completed by a certain date of the year mandated.</td>
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<tr>
<td>RI</td>
<td>2017</td>
<td>H 7200</td>
<td>Appropriations 2018-47</td>
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<td>Makes appropriations from general revenue and authorizes expenditure of federal funds, restricted receipts, and other funds for the upcoming fiscal year, expands the duties of the Director of the Lottery Division, reflects the newly established regulation of sports wagering, establishes a Collection Unit within the Department of Revenue, expands the distribution of tax revenues to certain districts and authorities, amends and establishes other state revenue funds and projects.</td>
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<tr>
<td>RI</td>
<td>2017</td>
<td>H 7694</td>
<td>School Safety Committee 2018-9</td>
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<td>Establishes a state school safety committee, provides training to law enforcement, school administrators, and teachers, collects and reviews all hazard safety security assessments, offers recommendations and assistance to each school district of every town, city, and regional school department, in an effort to increase the safety of students and faculty, provides for composition of the committee, requires an emergency action</td>
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<tr>
<td>State</td>
<td>Year</td>
<td>Bill No</td>
<td>Section</td>
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<td>RI</td>
<td>2017</td>
<td>S 2639</td>
<td>School Safety Committee</td>
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<td>2018-10</td>
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<td>SC</td>
<td>2017</td>
<td>S 131</td>
<td>Offenses Involving Disturbing Schools</td>
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<td>SD</td>
<td>2018</td>
<td>H 1271</td>
<td>Gun Carry Provisions</td>
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<tr>
<td>TN</td>
<td>2017</td>
<td>H 2550</td>
<td>Firearms and Ammunition</td>
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<td>TN</td>
<td>2017</td>
<td>S 341</td>
<td>Principals and School Personnel</td>
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<tr>
<td>TN</td>
<td>2017</td>
<td>S 2059</td>
<td>School Safety Act</td>
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<td>UT</td>
<td>2018</td>
<td>HCR 22</td>
<td>Honorary Resolution</td>
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<td>UT</td>
<td>2018</td>
<td>S 87</td>
<td>School Security Locks</td>
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<td>VA</td>
<td>2018</td>
<td>H 151</td>
<td>Special Conservators of the Peace</td>
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<tr>
<td>VA</td>
<td>2018</td>
<td>H 1017</td>
<td>Child Day Programs</td>
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<tr>
<td>VA</td>
<td>2018</td>
<td>S 109</td>
<td>Dissemination of Juvenile Record Information</td>
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<tr>
<td>VA</td>
<td>2018</td>
<td>S 682</td>
<td>Child Day Programs</td>
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<tr>
<td>VT</td>
<td>2017</td>
<td>H 25</td>
<td>Domestic Terrorism</td>
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<tr>
<td>WA</td>
<td>2017</td>
<td>H 1279</td>
<td>School Safety Drills</td>
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</table>
school plans that include prevention, intervention, all hazard/crisis response, and postcrisis recovery, when developing their own individual comprehensive safe school plans.

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<thead>
<tr>
<th>State</th>
<th>Year</th>
<th>Bill No.</th>
<th>Description</th>
<th>Details</th>
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</thead>
<tbody>
<tr>
<td>WA</td>
<td>2017</td>
<td>S 6032</td>
<td>Supplemental Operating Appropriations</td>
<td>Makes supplemental operating appropriations, relates to the general fund.</td>
</tr>
<tr>
<td>WA</td>
<td>2017</td>
<td>S 6514</td>
<td>Suicide Prevention and Behavioral Health</td>
<td>Relates to implementing a comprehensive approach to suicide prevention and behavioral health in higher education, with enhanced services to student veterans.</td>
</tr>
<tr>
<td>WI</td>
<td>2017</td>
<td>A 843</td>
<td>School Safety Plans</td>
<td>Revises provisions relating to school safety plans, requires an on site safety assessment of each school building, site, and facility that is regularly occupied by pupils, makes technical corrections.</td>
</tr>
<tr>
<td>WV</td>
<td>2018</td>
<td>S 244</td>
<td>Unlawful Possession of Firearm on School Property</td>
<td>Provides that it is unlawful to possess a firearm or other deadly weapon on a school bus, in or on the grounds of any primary or secondary educational facility of any type, or at certain school-sponsored functions, provides exception for private schools, sets forth the conditions for exception of a retired law-enforcement officer, excludes certain students from an exception to conduct programs with valid educational purposes, revises conditions for persons holding a valid concealed handgun permit.</td>
</tr>
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</table>
The Mass Shootings Work Group was created pursuant to Section 216 (20) of the 2018 Washington State Supplemental Operating Budget (Engrossed Substitute Senate Bill 6032 / Chapter 299, Laws of 2018), which stated:

(20) $50,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the Washington association of sheriffs and police chiefs to convene a work group to develop strategies for identification and intervention against potential perpetrators of mass shootings, with an emphasis on school safety, and report on recommendations for their prevention.

(a) The work group includes, but is not limited to, representatives of the superintendent of public instruction, the school safety center advisory committee, state colleges and universities, local law enforcement, the Washington state patrol, the attorney general, mental health experts, victims of mass shootings, and the American civil liberties union of Washington.

(b) The work group shall assess and make recommendations regarding:
(i) Strategies to identify persons who may commit mass shootings associated with K-12 schools and colleges and universities;
(ii) A survey of services around the state available for those experiencing a mental health crisis;
(iii) A survey of state and federal laws related to intervening against potential perpetrators or confiscating their firearms; and
(iv) Strategies used by other states or recommended nationally to address the problem of mass shootings.

(c) The work group shall submit a report, which may include findings, recommendations, and proposed legislation, to the appropriate committees of the legislature by December 1, 2018. The report shall consider the following strategies:
(i) Promoting to the public the availability of extreme risk protection orders as a means of avoiding mass shootings;
(ii) A rapid response interdisciplinary team composed of law enforcement, mental health experts, and other appropriate parties who could be mobilized to intervene and prevent a potential crisis at a school or institution of higher learning; and
(iii) Whether reasonable restrictions should be imposed on the access to firearms by those suffering from a mental illness that are consistent with the individual right to bear arms.

Selection of Work Group Members
The proviso that created the Work Group directed the Washington Association of Sheriffs and Police Chiefs to include specific entities and categories of stakeholders. To accomplish this task, the Washington Association of Sheriffs and Police Chiefs identified specific organizations that most appropriately represented the stakeholder groups listed in the proviso and asked that those entities nominate one individual to represent their interests on the Work Group. With the exception of the a Sheriff and Police Chief appointed to the Work Group, the Washington Association of Sheriffs and Police Chiefs did not appoint any specific individual to the Work Group – members of the Work Group were nominated by their respective constituency. A list of Work Group members and the constituency they represented on the Work Group is provided on Page 2 of this report.
The Work Group met monthly, holding its first meeting in April, and its final meeting, where recommendations were adopted, in November. The Work Group received a number of presentations from experts among several relevant topic areas, including both academics and those with real world experience.

Decision-Making Process
The Work Group strived to develop and adopt its recommendations by consensus. Where consensus could not be reached, recommendations were adopted by a majority of the members of the Work Group, with an opportunity for member(s) to submit a dissenting view should they so choose.

The recommendations of the Work Group were developed by members of the Work Group and relied heavily on the presentations received by the Work Group (including testimony by those directly affected by school shootings), as well as the expertise of the individual members of the Work Group and the constituencies they represented.

The recommendations of the Work Group are solely the product of the work group, and not specifically attributable to the Washington Association of Sheriffs and Police Chiefs, nor any specific individual or organization represented on the Work Group.

Transparent Process
While the Work Group did not take public comment, and only received presentations from those individuals and organizations invited by the Work Group, the Work Group deliberately conducted its business in a transparent process.

The Washington Association of Sheriffs and Police Chiefs maintained a list of nearly 100 interested stakeholders, and readily accepted every request to be added to that list. The stakeholder list included legislators and legislative staff, members of the press, community groups, and private citizens interested in the work of the Work Group. Every email sent to members of the Work Group was forwarded to the stakeholder list, including draft recommendations, report, meeting announcements, agendas, and the like. Additionally, the email addresses of Work Group members was provided to the stakeholder list, in the event that a stakeholder wished to communicate with members of the Work Group.

In addition to inviting TVW to broadcast meetings of the Work Group (and self-recording those meetings where TVW was unable to attend), every meeting of the Work Group was open for any person to attend and observe the presentations and deliberations of the Work Group. The meeting locations were geographically dispersed throughout the state.

TVW Coverage of Work Group Meetings
Several of the Work Group meetings were covered by TVW. Two meetings were recorded using Facebook Live and later uploaded to TVW, as TVW was not available to attend and record the meetings.

- April 20: Not recorded
- May 10: Not recorded
- June 5: Not recorded
- July 11: https://www.tvw.org/watch/?eventID=2018071006
- August 15: https://www.tvw.org/watch/?eventID=2018081026
- August 31: https://www.tvw.org/watch/?eventID=2018081045
- September 18: https://www.tvw.org/watch/?eventID=2018091069
- October 17: https://www.tvw.org/watch/?eventID=2018101094
- November 7: https://www.tvw.org/watch/?eventID=2018111010
Work Group Meetings

April 20 Meeting

The Work Group convened its first meeting on April 20 in Lacey, WA.

The Work Group spent much of the first meeting attempting to understand the scope of its task, defining the term “mass shooting” and reviewing established research on the topic.

One of the salient items that drew the attention of the work group was the Federal Bureau of Investigation’s “A Study of Active Shooter Incidents in the United States Between 2000 and 2013” which included the following:

- There were 160 active shooter incidents in the US between 2000 and 2013.
- 96 of the 160 (60%) of “active shooter” incidents ended before police arrived; and 11 (6.8%) incidents ended after police arrived but before police could engage the shooter.
- In 63 incidents where the duration of the incident could be ascertained:
  - 44 (70%) ended in 5 minutes or less, with 23 (36%) ending in two minutes or less.
  - In 10 of the 63 incidents, officers were on scene when the shooting began.
- All but 2 of the 160 incidents involved a single shooter.
- 70% of active shootings took place in commerce or educational settings.
  - 46% in commerce settings;
  - 24% in educational settings;
    - 17% in Pre-K-to 12 Schools
    - 8% in Higher Ed
  - 10% in government settings;
  - 9% in open space settings;
  - 4% in residential settings;
  - 4% in places of worship; and
  - 3% in healthcare facilities.
- Of active shooters in educational settings:
  - The vast majority of active shooters in schools (91%) took place in middle and high schools. Of those incidents, the shooter was significantly more likely to be a student at the school (5 of the 6 studied active shooters were students at middle schools and 12 of the 14 studied active shooters at high schools were students).
  - Incidents at elementary or Pre-K schools did not involve actions of a student (0 of the 2 studied active shooters at elementary and Pre-K schools were students).

While most mass shootings take place in commerce settings, the proviso directed the Work Group to focus on school safety. The FBI’s data in educational settings was compelling, and guided the Work Group’s efforts on strategies to identify and intervene against potential perpetrators of mass shootings in middle and high schools, focusing particularly on current and former students.

With this foundation, the Work Group established a plan of action to learn about existing measures used by middle and high schools to identify and intervene with students who show indicators of threats or
other behavioral issues. The two most common strategies that emerged were School Resource Officers (SROs) and threat assessments.

The Work Group scheduled a panel of educators to present at its May meeting on threat assessments and a panel of law enforcement to present at its June meeting on SROs.

The April 20 meeting of the Work Group was not recorded.
May 10 Meeting
The Work Group held its second meeting on May 10th in Everett, WA.

The Work Group received a presentation from Marysville Police Department School Resource Officer Chris Sutherland, who was the SRO at Marysville-Pilchuck High School and on scene during the October 24, 2014 school shooting.

The Work Group also heard from a panel of educators on current approaches to threat assessments in schools. The K-12 panel included:

- Mike Donlin from the Office of the Superintendent of Public Instruction;
- Deb Drandoff of Educational Service District 112; and
- Larry Fleckenstein of the Everett School District.

The community and technical college panel included:

- My Tran of Bellevue College; and
- Megan Kaptik from Bellevue College.

The university presentation was by John Vinson of the University of Washington.

The Work Group also received a presentation on the role of behavioral health in educational threat assessments by Jan Dobbs of Frontier Behavioral Health, and a presentation regarding civil liberty perspectives on educational threat assessments by Vanessa Hernandez of the American Civil Liberties Union of Washington.

The May 10 meeting of the Work Group was not recorded.

Powerpoint presentations given to the Work Group during the May 10 meeting are provided below.
Threat Assessment at University of Washington

John Vinson, Ph.D.
Assistant Vice President/Chief of Police
University of Washington P.D.
University philosophy – See something, say something

- Focus on overall student care – Health and Wellness
- CAT Team (Consultation and Assessment)
  - Students in distress and in need of multiple level of support
  - Provide intervention, assessment and consultation to students
  - Work with faculty/staff to respond to incidents that cause concern in classroom and beyond
  - Multi-disciplinary approach – Counseling, Police, Risk Mgt, Health & Wellness, AG, Conduct, Title IX, and Res Life
  - Weekly meetings and assessments as appropriate
Threat Assessment

- What’s in it for us?
  - Or...why we care so much
- Overview of Workplace/Community Violence
- Review of UW SafeCampus
- Application to local government organizations and your community?
Why we care about WPV

- June 2000 – A UW medical resident, killed his supervisor, Dr. Rodger Haggitt, and himself after failing his academic studies.
- April 2007 – UW Staff Rebecca Griego was shot and killed in her UW office by her ex-boyfriend, who then killed himself.
- April 2007 – Virginia Tech homicides
- November 2008 – Ex-UW employee committed suicide by setting himself on fire at the UW
- Total of 8 homicides (10 deaths) in 35+ years; 6 of 8 related to DV.
And in our communities...

- So many statistics:
  - Violence occurring in the workplace/communities
  - Non-fatal assaults in workplaces
  - DV related workplace assaults
  - Other acts of violence
  - Mass shootings
Overview of WPV

- 4 types or sources of WPV
  - 1. By Strangers (most fatalities, least frequent)
  - 2. By Customers or Clients
  - 3. By Co-workers
  - 4. By Personal Relations (Domestic or Intimate Partner Violence)
UW SafeCampus – VPAT

- The UW’s violence prevention program
  - Started in July 2007 as a result of the 2007 UW homicide and Virginia Tech homicides
  - Mission is to prevent violence by
    - Identify the pre-cursor behavior that could lead to violence
    - Assess the behavior
    - Create a risk mitigation plan to intervene and reduce the chances of violence.
    - Oriented to WPV Types 2,3,4
UW SafeCampus

- Component parts
  - Employee training (or public education)
  - Centralized reporting (24/7 phone line)
  - Provide information and resources
  - Hand-off to Human Resources
  - Incident assessment – when advisable
  - Monitor situation for increasing danger or until probability of violence diminishes
Assessment

- Multi-disciplinary team
  - SafeCampus, Law Enforcement, Legal, HR, Student Life, Mental Health, Counseling, Residence Life
- Gather and share situation information
- Create risk mitigation plan
- Follow up to ensure completion of the plan
- Monitor the situation
Risk Mitigation

- Consider how to affect the behavior of the person(s) causing the concern.

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<tr>
<th>Approach</th>
<th>Action</th>
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<tbody>
<tr>
<td>Talk to the person causing the concern</td>
<td>Referral to employee advisory service</td>
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<td>Training</td>
<td>Increased supervision</td>
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<td>Job analysis</td>
<td>Performance Correction</td>
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<td>Disability accommodation</td>
<td>Employment termination</td>
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<tr>
<td>Civil court order</td>
<td>Administrative Banning</td>
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<tr>
<td>Law Enforcement – informal or formal</td>
<td>Student services</td>
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</table>
Risk Mitigation

Increase the security of the targeted person or organization

| Personal safety and residential security planning | Increased anonymity for targeted person |
| Civil court protection order | Alert bulletins |
| Physical security assessments | Revoke physical and computer access |
| Emergency action training for employees | Referral to Employee Advisory Programs |
| Communication strategies for employers | Referral to domestic violence service agencies |
Summary

- WPV includes a spectrum of behaviors
  - Warning signs can be perceived and reported.
  - Early intervention can reduce the chances of violence occurring.
- Multi-disciplinary approach to decision making
RESOURCES FOR SCHOOLS

▸ Frontier Behavioral Health: School based services
  ▸ Families and Students Succeeding Together (FASST):
    ▸ Clinicians, who are on-site at identified schools receive referrals from school personnel and provide individual and group services to students. Caseload of 35 students per clinician.
    ▸ School based services increase the likelihood of continued care due to the convenience of clinicians being on site with the ability to remove students from class to receive services
    ▸ Evidence best practices of Cognitive Behavioral Therapy (CBT) and Motivational Interviewing and a promising practice, Yoga Calm are used with students.
RESOURCES IN THE SCHOOLS

▸ FBH Involvement in Salem Keizer Threat Assessment
  ▸ Student’s assigned clinician and Designated Crisis Responder (DCR) participate in the Level Two meeting along with other community partners who are involved in the student's care.
  ▸ Goal: determine the level of risk based on the threat assessment; implement least restrictive options if appropriate: wrap resources around the student; obtain outpatient mental health services; keep administration, teachers and school resource officers aware of the situation.
  ▸ After July 1, 2018, FBH will be deploying Trueblood ride along teams of a clinician and Spokane Police Department Enhanced CIT trained officer, that will be a resource for Level 1 or Level 2 students who are 18 years of age and have a criminal history.
RESOURCES IN THE SCHOOLS

▶ FBH Involvement in school forums related to school safety
  ▶ Students want behavioral health services on site and easily accessible; normal access to services/assistance
  ▶ Students want to be able report other students without repercussion
  ▶ Students want to avoid further stigmatization of mental illness when reporting students; they don’t want students who are reported to be labeled as mentally ill
  ▶ Students want to know what they should report: orient them to changes in behavior, attitude, emotion versus diagnoses which softens the assumption that people who are reported are mentally ill

SAFE SCHOOLS
IT'S UP TO US
RESOURCES IN THE SCHOOLS

▶ FBH’s Mobile Community Assertive Team (MCAT)
  ▶ Multi-disciplinary team comprised of MHP, RN, CDP, Peer Specialist available M-F 8 a.m. to 11 p.m. and S/S 8 a.m. to 7 p.m.
  ▶ Mobile team that services individuals of all ages
  ▶ Provides crisis intervention, linkage to community resources, outpatient/inpatient behavioral health services
  ▶ Works with the identified individual and their support network
  ▶ Goal: divert individuals from emergency departments, jail, juvenile detention, or inpatient psychiatric treatment
# TARISOFF VERSUS VOLK

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<tr>
<th>TARISOFF</th>
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<tr>
<td>Duty to warn any identifiable intended victim at imminent risk of harm.</td>
<td>Duty to warn potential victims of violence, extends to all individuals who may “foreseeably” be endangered by a person who has made a threat, even if no specific target was identified.</td>
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<tr>
<td>This includes an individual who has ideations of harm and/or has made threats to the safety and welfare of a specific individual(s).</td>
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<tr>
<td>The professional may discharge the duty by notifying police, warning the intended victim, and/or taking other reasonable steps to protect the threatened individual.</td>
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THREAT ASSESSMENT

- The individual who is making the threat has no history or current symptoms of a mental disorder. A referral for evaluation for Involuntary Treatment would not apply.

- The Division of Behavioral Health and Recovery (DBHR), requests for threat assessment should be referred to the local Educational School Districts.
### IN VOLUNTARY TREATMENT ACT

<table>
<thead>
<tr>
<th>RCW 71.34.700</th>
<th>RCW 71.05.153</th>
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<tr>
<td>(1) When a designated crisis responder (DCR) receives information that a minor, thirteen years or older, as a result of a mental disorder presents a likelihood of serious harm or is gravely disabled, has investigated the specific facts alleged and of the credibility of the person or persons providing the information, and has determined that voluntary admission for inpatient treatment is not possible, the DCR may take the minor, or E&amp;T providing treatment.</td>
<td>(1) When a DCR receives information alleging that a person, as the result of a mental disorder, presents an imminent likelihood of serious harm, or is in imminent danger because of being gravely disabled, after investigation and evaluation of the specific facts alleged and of the reliability and credibility of the person or persons providing the information if any, the DCR may take such person or cause by oral or written order such person to be taken into emergency</td>
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## INvoluntary Treatment Act

<table>
<thead>
<tr>
<th>RCW 71.34.700</th>
<th>RCW 71.05.153</th>
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<tr>
<td>(1) If a minor, thirteen years or older, is brought to an evaluation and treatment facility or hospital emergency room for <strong>immediate mental health services</strong>, the professional person in charge of the facility shall evaluate the minor's mental condition, determine whether the minor suffers from a mental disorder, and whether the minor is in need of immediate inpatient treatment.</td>
<td>custody in an E&amp;T facility for not more than seventy-two hours as described in RCW 71.05.180.</td>
</tr>
<tr>
<td>(2) If a minor, thirteen years or older, is brought to a <strong>secure detoxification facility</strong> with available space, or a hospital emergency room for</td>
<td>(2) When a DCR receives information alleging that a person, as the result of <strong>substance use disorder</strong>, presents an imminent likelihood of serious harm, or is in imminent danger because of being gravely disabled, after investigation and evaluation of the specific facts alleged and of the reliability and credibility of the person or persons providing the information if any, the DCR may take the person, or cause by oral or written order the person to be taken, into</td>
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## INVOLUNTARY TREATMENT ACT

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<tr>
<td><strong>immediate substance use disorder treatment</strong>, the professional person in charge of the facility shall evaluate the minor's condition, determine whether the minor suffers from substance use disorder, and whether the minor is in need of immediate inpatient treatment. (3) If it is determined under subsection (1) or (2) of this section that the minor suffers from a <strong>mental disorder or substance use disorder</strong>, inpatient treatment is required, the minor is <strong>unwilling to consent to voluntary admission</strong>, and the professional person believes that the minor meets the criteria for initial detention set forth</td>
<td>emergency custody in a <strong>secure detoxification facility</strong> or approved substance use disorder treatment program for not more than seventy-two hours as described in RCW 71.05.180, if a secure detoxification facility or approved substance use disorder treatment program is available and has adequate space for the person.</td>
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</table>
## INVOLUNTARY TREATMENT ACT

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<tr>
<td>herein, the facility may detain or arrange for the detention of the minor for up to 12 hours in order to enable a DCR to evaluate the minor and commence initial detention proceedings under the provisions of this chapter.</td>
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</table>
### RISK ASSESSMENTS: INVOLUNTARY TREATMENT ACT

<table>
<thead>
<tr>
<th>RCW 71.34.020</th>
<th>RCW 71.05.020</th>
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<tr>
<td>(13) &quot;Mental disorder&quot; means any organic, mental, or emotional impairment that has substantial adverse effects on an individual's cognitive or volitional functions. The presence of alcohol abuse, drug abuse, juvenile criminal history, antisocial behavior, or intellectual disabilities alone is insufficient to justify a finding of &quot;mental disorder&quot; within the meaning of this section.</td>
<td>(29) &quot;Mental disorder&quot; means any organic, mental, or emotional impairment which has substantial adverse effects on a person's cognitive or volitional functions:</td>
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### IN VOLUNTARY TREATMENT ACT

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<tr>
<td>(11) &quot;Likelihood of serious harm&quot; means either: (a) A substantial risk that</td>
<td>(27) &quot;Likelihood of serious harm&quot; means:</td>
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<td>physical harm will be inflicted by an individual upon his or her own person,</td>
<td>(a) A substantial risk that: (i) Physical harm will be inflicted by a person</td>
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<td>as evidenced by threats or attempts to commit suicide or inflict physical harm</td>
<td>upon his or her own person, as evidenced by threats or attempts to commit</td>
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<tr>
<td>on oneself;</td>
<td>suicide or inflict physical harm on oneself; or</td>
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<td>(b) a substantial risk that physical harm will be inflicted by an individual</td>
<td>(ii) physical harm will be inflicted by a person upon another, as evidenced</td>
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<td>upon another, as evidenced by behavior which has caused such harm or which</td>
<td>by behavior which has caused such harm or which places another person or persons in</td>
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<tr>
<td>places another person or persons in reasonable fear of sustaining such</td>
<td>reasonable fear of sustaining such harm; or</td>
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### IN時点POWER TREATMENT ACT

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<tr>
<th>RCW 71.34.020</th>
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<td>harm; or</td>
<td>(iii) physical harm will be inflicted by a person upon the property of others, as evidenced by behavior which has caused substantial loss or damage to the property of others; or</td>
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<tr>
<td>(c) a substantial risk that physical harm will be inflicted by an individual upon the property of others, as evidenced by behavior which has caused substantial loss or damage to the property of others.</td>
<td>(b) The person has threatened the physical safety of another and has a history of one or more violent acts;</td>
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<td>(49) &quot;Violent act&quot; means behavior that resulted in homicide, attempted suicide, nonfatal injuries, or substantial damage to property.</td>
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<tr>
<td>(10) &quot;Less restrictive alternative&quot; or &quot;less restrictive setting&quot; means outpatient treatment provided to a minor who is not residing in a facility providing inpatient treatment as defined in this chapter.</td>
<td>(26) &quot;Less restrictive alternative treatment&quot; means a program of individualized treatment in a less restrictive setting than inpatient treatment that includes the services described in RCW 71.05.585;</td>
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### IN VOLUNTARY TREATMENT ACT

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<tr>
<td>(8) &quot;Gravely disabled minor&quot; means a minor who, as a result of a mental disorder, is in danger of serious physical harm resulting from a failure to provide for his or her essential human needs of health or safety, or manifests severe deterioration in routine functioning evidenced by repeated and escalating loss of cognitive or volitional control over his or her actions and is not receiving such care as is essential for his or her health or safety.</td>
<td>(17) &quot;Gravely disabled&quot; means a condition in which a person, as a result of a mental disorder: (a) Is in danger of serious physical harm resulting from a failure to provide for his or her essential human needs of health or safety; or (b) manifests severe deterioration in routine functioning evidenced by repeated and escalating loss of cognitive or volitional control over his or her actions and is not receiving such care as is essential for his or her health or safety;</td>
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<td></td>
<td>(20) &quot;Imminent&quot; means the state or condition of being likely to occur at any moment or near at hand, rather than distant or</td>
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</table>
June 5 Meeting
The Work Group held its third meeting on June 5th in Lacey, WA.

The Work Group received a presentation from Seattle Police Department’s Chris Fowler, who was the incident commander during the June 5, 2014 shooting at Seattle Pacific University.

Having run out of time to de-brief on the threat assessment presentations from the previous meeting, the Work Group conducted a brief roundtable discussion on that topic from the prior meeting.

The Work Group also received presentations regarding School Resource Officers, including:

- Clark County School Resource Officer Jason Granneman;
- Benton County School Resource Officer Brad Klippert; and
- Spokane Public Schools Safety Officer Mark Sterk.

The Work Group also received a presentation on the civil liberties perspective of School Resource Officers by Vanessa Hernandez of the American Civil Liberties Union of Washington before having a brief roundtable discussion on the topic of School Resource Officers.

The Work Group invited representatives from the Washington School Safety Organization (an organization that represents school administrators, school security officers, DARE officers, GREAT officers, and School Resource Officers), however the organization was unable to attend and present at this meeting.

The June 5 meeting of the Work Group was not recorded.

Powerpoint presentations given to the Work Group during the June 5 meeting are provided below.
Spokane Public Schools

Campus Resource Officer Program

Director of Campus Safety - Mark Sterk
June 5 2018
Spokane Public Schools

Campus Resource Officer Program

SPS CROs are District Employees

No plans to contract this work

9 with previous reserve officer experience
6 retired full time law enforcement officers
Spokane Public Schools

Campus Resource Officer Program

Position Qualifications

• Basic Police Academy with a minimum of one year police experience
• Reserve Police Academy with a minimum of two years reserve officer experience
Spokane Public Schools

Campus Resource Officer Program

Position Qualifications

- Must be able to qualify for and acquire an SPD Limited Police Commission
- Must successfully complete SPD SPOT training
Spokane Public Schools

Campus Resource Officer Program

Commission

• Fully commissioned to investigate and enforce all misdemeanor and felony crimes
• Allowed to investigate and take enforcement action on any case with a nexus to a school.
Spokane Public Schools

Campus Resource Officer Program

Campus Resource Officer Positions

1. CRO I Position - Site Based at High Schools and one high demand Middle School
2. CRO II Position - Based out of Middle Schools & one Alternative School but responsible for elementary feeder schools
Spokane Public Schools

Campus Resource Officer Program

Camp Resource Officer Positions

6 - CRO I Officers - (10 month)
7 - CRO II Officers - (12 month)
2 - CRO II Itinerant Officers - (10 month)
Spokane Public Schools

Campus Resource Officer Program

Camp Resource Officer Supervisors

1 - CRO I Supervisor (12 month - retired SPD LT.)
1 - CRO II Supervisor (10 month - retired Chief)
Spokane Public Schools

Campus Resource Officer Program

Uniformed
Unarmed
Collapsible baton, mace, handcuffs
Police Radio

Officers have SPD call signs and communicate with SPD dispatch as necessary.
Spokane Public Schools

Campus Resource Officer Program

Cell Phones - Most SPS calls for service are dispatched by Officer’s assigned school, Campus Safety Office Staff, or CRO Supervisors

Calls are logged by officers on electronic log sheet

Officers handle 20,000 to 24,000 CFS annually
Spokane Public Schools

Campus Resource Officer Program

Marked Campus Safety vehicles equipped with shields and lights

Office at assigned schools equipped with computers, printers and phones
Spokane Public Schools
Campus Resource Officer Program

Priorities:

• Maintain safe education environment
• Keep kids in school - arrests are last resort
• Experts at de-escalation
• Highly trained in child development, child disabilities, and cross cultural communications
Spokane Public Schools

Campus Resource Officer Program

Priorities:

• Our front radar - Building relationships with kids!
• Threat Assessments - Salem/Kaiser Model
Spokane Public Schools

Campus Resource Officer Program

QUESTIONS?
Civil Liberties and School Police

I. School Police and Impact on School Safety
   b. According to a 2013 report by the Congressional Research Service on school policing, "The available research on the effectiveness of [school resource officer] programs is noticeably limited, and the research that is available draws conflicting conclusions about whether SRO programs are effective at reducing school violence. In addition, the body of research on the effectiveness of SROs does not address whether their presence in schools has deterred mass shootings." James and McCallion, School Resource Officers: Law Enforcement Officers in Schools. Congressional Research Service (June 26, 2013)

II. School Police in Washington State
   a. Prevalence:
      i. In the 2015-2016 school year, there were at least 273 full time equivalent (FTE) law enforcement officers stationed in Washington schools and at least 335 FTE security officers. There were 597 FTE school nurses, 782 FTE school psychologists, and 75 FTE school social workers. US Department of Education, Office for Civil Rights, Civil Rights Data Collection 2015-2016.
      ii. In the 2015-2016 school year, 331 schools in Washington had more law enforcement officers and security officers than nurses. 271 schools in Washington had more law enforcement and security officers than psychologists. US Department of Education, Office for Civil Rights, Civil Rights Data Collection 2015-2016.
   b. Cost: Schools pay significant amounts of money for police presence. In the 2015-2016 school year, the average Washington school district paid $62,000 per officer per year (and as much as $125,000 per year). ACLU of Washington, Students Not Suspects (2016).
   c. Structure:
      i. Each school district implements different agreements (MOUs) with law enforcement agencies to place officers in schools; some school districts have no MOU with law enforcement despite regular police presence.
      ii. Of the 64 MOUs reviewed by the ACLU, 25 required police officers in schools to have any form of specialized training. Only 7 required any training in working with students with disabilities or students with mental health needs. The U.S. Department of Justice and Department of Education have recommended that police officers working in schools receive extensive
training in bias-free policing, implicit bias and cultural competence, child and adolescent development, disability and special education issues, school climate improvement, restorative justice techniques, and privacy. United States Department of Education and Department of Civil Rights. Safe School-based Enforcement through Collaboration, Understanding and Respect (SECURE) Local Implementation Rubric (2016)

iii. Of the 84 MOUs reviewed by the ACLU, 14 required any form of data collection to assess the impact of police.

iv. Of the 84 MOUs reviewed by the ACLU, 29 gave schools any role in the hiring or selection of an officer assigned to school.

v. Of the 84 MOUs reviewed by the ACLU, 58 MOUs either make no mention of the interplay between school discipline and officer activity or explicitly authorize law enforcement to enforce school discipline policies.

III. Student Arrest and Referrals to the Criminal Justice System:

a. Research indicates that schools with regular law enforcement on campus are more likely to refer children for prosecution in the juvenile courts, even for minor offenses and accounting for other demographic and environmental factors.

   i. One review of a national data set found that the presence of a police officer on campus doubles the rate of referral for lower-level offenses (such as fighting) even controlling for other factors such as school demographics and neighborhood safety. Nance, J. Students, Police and the school to Prison Pipeline, 93 Wash. U. L. Rev 919 (2015).

   ii. One study showed that after officers were regularly assigned to schools, arrest rates for disorderly conduct dramatically increased. Theiter, M. School Resource Officers and the Criminalization of Student Behavior. Journal of Criminal Justice, 37: 280–87, 280 (2009).

   iii. Another study showed that when police were assigned to schools, arrest rates for low-level assault (such as fighting) more than doubled. Na, C. and Gottfredson, D. Police Officers in Schools: Effects on School Crime and the Processing of Offending Behaviors. Justice Quarterly, pp 1-32 (2011).


b. The United States Department of Education issued guidance that encourages jurisdictions to minimize student arrests and citations on campus and “explicitly articulate that school police should not administer discipline in schools.” United States Department of Education, Office for Civil Rights. Dear College Letter on Police in Schools (2016).

c. Highly restrictive efforts to control students by involving police in school disciplinary matters can lead to lower levels of student connection to school. Theriot, M. The

d. Handcuffing of elementary school students with disabilities for misbehavior (disrupting class, kicking teacher, running away) by school police officer was unreasonable use of force and unconstitutional. J.R. v. Kenton County, No. 2:15-cv-143 (Oct. 11, 2017).

IV. Impact of Student Arrest


b. One study found that only 26 percent of students who were arrested graduated from high school, as opposed to 64 percent of their peers; arrested students were also half as likely to enroll in a four-year college. Kirk, D. and Sampson, R. Juvenile Arrest and Collateral Educational Damage in the Transition to Adulthood. Sociology of Education, 86(1): 36-62 (2013).


V. Discrimination: Race and Disability

a. Race:

i. Students of color are disproportionately referred to law enforcement or involved in school-based arrests across the country and in Washington state. In the 2015-2016 school year Black students in Washington accounted for 3% of arrests and referrals and represented 4.4% of the student population; Latino students, 34% of school-based arrests/referrals, and 22% of the student population; Native American students 2% of school-based arrests/referrals and 1% of the student population. United States Department of Education, Civil Rights Data Collection 2015-2016 School Year (2016); Office of Superintendent of Public Instruction, Washington State Report Card, 2015-2016.

ii. Research indicates that teachers are more likely to identify black students as having behavior problems, even from a very young age. Gilliam, et al. Do Early Educators’ Implicit Biases Regarding Sex and Race Relate to Behavior Expectations and Recommendations of Preschool Expulsions and Suspension? A Research Brief, Yale Child Study Center (2016).
ii. Research also indicates that members of the public are more likely to see black children as more threatening and less innocent, even from an early age. Goff, et al. *TheEssence of Innocence: Consequences of Dehumanizing Black Children*, Journal of Personality and Social Psychology (2014).

b. Disability:
   i. Students with disabilities were also disproportionately arrested and referred for prosecution in Washington. In the 2015-2016 school year, students with disabilities represented 31% of arrests and referrals but only 16.6% of the student population. United States Department of Education, *Civil Rights Data Collection 2015-2016 School Year* (2018); Office of Superintendent of Public Instruction, Washington State Report Card, 2015-2016.

VI. Student Privacy Rights
   a. Family Educational Rights and Privacy Act (FERPA): Prohibits school officials from disclosing personally identifiable information from a student’s educational records without consent, with limited exceptions.
      i. “Other school officials” within the institution who have “legitimate educational interests.” 34 CFR 99.31(a)(1). Note that the information obtained by other school officials cannot be used for non-educational purposes or disseminated further.
      ii. “Emergency” situations if the information is “necessary to protect the health and safety” of the student or other individuals. 34 C.F.R. 99.1(a)(10). This exception applies when there is an imminent danger.
      iii. Law enforcement records: Investigative records created and maintained by a “law enforcement unit” for a “law enforcement purpose.” 34 CFR 99.8. These are not associated with an individual student’s file and should not be transmitted as part of the student’s educational records. Law enforcement officers engaged in law enforcement functions should not have access to student educational records.

Vanessa Hernandez, Youth Policy Director
ACLU of Washington
vhernandez@aclu-wa.org
July 11 Meeting
The Work Group held its fourth meeting on July 11th in Ridgefield, WA.

The Work Group received presentations from a panel of educators regarding risk assessments, school counselors, school resource officers, and other school safety/mass shooting topics. Presenters on the educators panel included:

- Albert Alcantar, Director of Safety & Athletics for the Vancouver School District;
- Phil Brockman, Superintendent of the Sedro-Wooley School District;
- Travis Drake, Principal at Prairie High School in Battleground;
- Katrina Hunt, Assistant Principal at Garfield High School in Seattle; and
- Kim Reykdal, School Counseling Program Supervisor at the Office of the Superintendent of Public Instruction.

The Work Group then held a brief roundtable discussion to de-brief following the educator presentations.

The Work Group also received a presentation from Alissa Parker, co-founder of Safe and Sound Schools. Ms. Parker is the mother of Emilie Parker, one of the 20 children who were killed in the Sandy Hook School Shooting on December 14, 2012 in Newtown, CT. *NOTE: Ms. Parker’s presentation to the Work Group was excluded from the TVW broadcast and archives, pursuant to the proprietary nature of Ms. Parker’s presentation.*

The Work Group also reviewed the proviso creating the Work Group and established ‘sub-committees’ for purposes of the three surveys required in the proviso:

- A survey of services around the state available for those experiencing a mental health crisis’ (Jan Dobbs lead, with assistance from Chief Vinson);
- A survey of state and federal laws related to intervening against potential perpetrators or confiscating their firearms (Yasmin Trudeau lead, with assistance from Captain McCoy; and
- Strategies used by other states or recommended nationally to address the problem of mass shootings (Lew Cox, Jan Dobbs, and Vanessa Hernandez).

The recording of the July 11 meeting is available at [https://www.tvw.org/watch/?eventID=2018071006](https://www.tvw.org/watch/?eventID=2018071006).

Only one powerpoint presentation was given to the Work Group during the July 11 meeting, the document was not provided pursuant to its proprietary nature.
August 15 Meeting
The Work Group held its fifth meeting on August 15th in Spokane, WA.

The Work Group received a presentation from Spokane County Sheriff Ozzie Knezovich and Washington State Patrol Captain Jeff Otis, both of whom were responders to the September 13, 2017 Freeman High School Shooting.

The Work Group also received presentations regarding Extreme Risk Protection Orders by:
- Kim Wyatt, King County Senior Deputy Prosecuting Attorney; and
- Sergeant Eric Pisconski, Seattle Police Department.

The Work Group also received a presentation regarding mental illness and civil rights (including firearms rights) by Disability Rights Washington Director of Public Policy David Lord.

The Work Group then held a roundtable discussion on firearms – specifically regarding the question of promoting to the public the availability of extreme risk protection orders as a means of avoiding mass shootings, and whether reasonable restrictions should be imposed on the access to firearms by those suffering from a mental illness that are consistent with the individual right to bear arms.

The Work Group agreed that it would not recommend additional classes of petitioners (employers, co-workers, social workers, etc.) to seek Extreme Risk Protection Orders. This decision was made upon the determination that it was best to ensure that law enforcement was involved in such a circumstance. A person who would qualify as a respondent in an Extreme Risk Protection order, by definition, “poses a significant danger.” Limiting the availability to petition for an Extreme Risk Protection Order to family/household members and law enforcement facilitates the reporting of the significant danger to law enforcement, and enables law enforcement to stand as a proxy for the reporting party, thus reducing the likelihood of potential retaliation by the respondent.

The Work Group agreed that it would not recommend additional restrictions to be imposed on the access to firearms by those suffering from a mental illness. This decision was based on several factors:
- RCW 9.41.040 already prohibits the ownership or possession of firearms by a person who has been subject to certain involuntarily commitments for mental health treatment;
- Mental illness is a very broad classification, the vast majority of those who suffer from mental illness don’t commit mass shootings, and the vast majority of those who commit mass shootings have never been diagnosed with a mental illness; and
- Imposing additional restrictions on the access to firearms by those suffering from a mental illness may create an unintended disincentive to seek treatment for those suffering from a mental illness, for fear that they might lose their firearms rights by seeking treatment.

The Work Group also received updates from the three sub-committees regarding the surveys required in the proviso.

The recording of the July 11 meeting is available at https://www.tvw.org/watch/?eventID=2018081026

Powerpoint presentations given to the Work Group during the August 15 meeting are provided below.

1 FBI: A Study of the Pre-Attack Behaviors of Active Shooters in the United States Between 2000 and 2013
EXTREME RISK PROTECTION ORDERS
WASPC: Mass Shooting Work Group
August 15, 2018

Kim Wyatt, Senior Deputy Prosecuting Attorney
Regional Domestic Violence Firearms Enforcement Unit
Extreme Risk Protection Order

A civil court order that temporarily prevents individuals who are at a high risk of harming themselves or others from accessing firearms & concealed pistol license (CPL)
Background on ERPO Laws

- ERPOs were recommended based on national research regarding firearms risk
- Law enforcement and families needed tools to temporarily suspend firearms access for at-risk individuals during periods of crisis
- Allows removal of firearms without having to arrest, seek civil commitment, or separate from family or home
- Allows removal of all firearms, not just if used in the threat
- Able to prevent harm, rather than wait until a crisis escalates to a tragedy
- Gives law enforcement options when there are signs of a potentially dangerous situation
Background on ERPO Laws: Connecticut

- In 1999, Connecticut was the first state to pass a law granting law enforcement the clear legal authority to temporarily remove firearms from individuals when there is probable cause to believe they are at a significant risk of harm to self or others. Connecticut’s statute, known as the risk-warrant law, was adopted after a man who had previously attempted suicide used a gun and a knife to murder four colleagues. He then committed suicide. The law was then amended in 2013 to include ammunition.

- Farmington, a Connecticut town of 25,000 people just outside Hartford, served three seizure warrants over the course of 2016 and 2017, according to Lieutenant Patrick Buckley of the town’s police department, who called the orders “a uniquely valuable tool for reducing violence.” To explain how police can use the warrants to not just investigate but prevent violence, Buckley described a hypothetical scenario, in which a man brandishes a revolver and vows to use it on coworkers.

- With a common criminal search warrant, “we could get a warrant to seize the revolver as evidence of a crime,” since threatening violence is a misdemeanor, he said. “But say the suspect owns 10 other guns, he’s pissed off, and takes one of those other weapons to shoot the person who reported the threat.” If the police instead had a risk warrant, they could seize all of his firearms, not just those directly connected to a particular criminal offense.

Source: The Trace, March 13, 2018
California’s Gun Violence Restraining Order

- California adopted its law in 2014 after a 22-year-old killed six people in a shooting spree in Isla Vista, California. His parents, concerned about his mental health, had tried twice to intervene—the first time just one month before the attack, they called his counselor after seeing his bizarre YouTube videos. His counselor alerted law enforcement.

- He didn’t have a criminal record, he wasn’t legally prohibited from owning guns, and the police thought they just didn’t have any tools to intervene.

- “In individual cases, these orders could make all the difference,” said Garen Wintemute, a professor at the University of California, Davis, who is evaluating the effectiveness of his state’s program. “The weapon matters. If there’s a high-risk situation, taking firearms out of the equation can change the outcome.”
Background on ERPO Laws

• Connecticut’s Risk Warrant
  • 1999 - amended in 2013 to include ammunition

• Prior to the Parkland shooting, California, Washington, Oregon, Indiana had also adopted statutes to allow for temporary removal of guns from people a judge deems a threat to themselves or others.

• California: called a “Gun Violence Restraining Order”

• Washington: Extreme Risk Protection Order (ERPO)

• Oregon: Extreme Risk Protection Order (ERPO)

• As of July, 8 additional states have adopted ERPO laws since Parkland: Delaware, Florida, Illinois, Maryland, Massachusetts, New Jersey, Rhode Island, and Vermont
Background on ERPO Laws

- “This morning I heard the sheriff [in Parkland] lament the fact that he did not have the tools to remove the firearms from the shooter,” Joshua Horwitz, executive director of the Coalition to Stop Gun Violence, said after the Parkland shooting. “Had he lived in one of those states where this law is in place, he would have had the tools, and this shooting may have been averted.”

- According to news reports, the alleged Florida gunman, who was 19 years old, killed squirrels with a pellet gun, trained his dogs to attack a neighbor’s piglets, posted on Instagram about guns and killing animals and eventually threatened at least one teen.

- He then used an AR-15 assault-style rifle to kill 17 people and wound at least 15 others.
Washington’s Extreme Risk Protection Order (ERPO)

• Initiative 1491 approved by voters in November 2016

• Law took effect December, 2016 [RCW 7.94]

• Family members or law enforcement can go to court and seek an order that allows police to remove guns from the individual’s home, prohibit access to, and prohibit purchase of, firearms.

• The person seeking the order must first fill out a court form (petition) providing evidence of danger to others or self, then the court holds an expedited hearing. If a judge agrees that the individual is a threat, their guns will be removed for a temporary period of up to one year.
Purpose of the ERPO

- An Extreme Risk Protection Order is a critical tool to help law enforcement and families **keep guns out of the hands of someone experiencing a crisis:**

  - Mental health crisis
    OR
  - Violent behavior
What does an ERPO do?

- Prohibits purchasing firearms/possession of firearms/CPL for up to 1 year (renewable)

- Respondent has to immediately surrender firearms/CPL when served the court order

- Order gets entered into WASIC/NCIC (state and federal databases)

- It DOES NOT prohibit contact or put any other personal restraints (only about preventing firearm purchasing/possession)
Red Flag Behaviors: Warning Signs

- Threats of violence towards others
- Threats of self harm
- Prior domestic violence incidents
- Abuse of drugs or alcohol
- Change in behavior (crisis calls or new disturbance calls)
- Prior protective orders issued
- Recently acquired firearms/fixation with firearms
Mass shootings & Domestic Violence

Women in the U.S. are 11 times more likely to be murdered with guns than women in other high-income countries.

Women in the US are killed at alarming rates and firearms play a key role in turning domestic abuse into murder. Over the past 25 years, more intimate partner homicides in the US have been committed with guns than with all other weapons combined.²

When a gun is present in a domestic violence situation, the woman is five times more likely to be murdered.³

People with a history of committing domestic violence are more likely to subsequently murder an intimate partner, and firearms significantly increase the risk of homicide for women.⁴

A majority of mass shootings involve incidents of domestic violence.

A Mayors Against Illegal Guns analysis of every identifiable mass shooting between 2009 and 2014 found that in 83 of those 110 incidents (75%), the shooter killed a current or former intimate partner or other family member. In at least 20 of those shootings, the perpetrator had a prior domestic violence charge. That's why federal law prohibits certain domestic abusers from buying guns.⁶
DVPO vs. ERPO

• DVPO: If a victim is seeking protection from a respondent that includes physical restraint provisions, protection against assaults/threats, a DVPO should be considered.

• DVPO: Can also prohibit a respondent’s access to firearms (Order to Surrender Weapons is issued with the DVPO).

• ERPO: Is specific to firearms and CPL only, it does not require separation from the petitioner so in some cases because it is only specific to firearms is a better option for families and those in treatment.

• ERPO can be a tool when DVPO or NCO does not meet the circumstances. For example, if a DV case does not go forward, but there are concerns about the threats of harm, law enforcement may want to consider petitioning for an ERPO to ensure the guns are not returned to the individual.
Who May File for an ERPO

- Law Enforcement

or

- Family or household member
  - Persons related by blood, marriage or adoption to the respondent
  - Dating partners of the respondent
  - Child in common with the respondent
  - Roommate within the last year
  - Biological or legal parent-child relationship (stepparents/ grandparents/ grandchildren
  - Legal guardians
Forms Needed for ERPO filing

- **ERPO Petition** (supporting police reports, Cert, or other documentation)

- **LEIS** (Law Enforcement Information Sheet)

- **Law Enforcement Addendum** (This form is suggested for law enforcement petitioners so that they can provide additional information to the court)

- **Temporary Ex Parte Extreme Risk Protection Order**

- **Return of Service**

- [www.protectionorder.org](http://www.protectionorder.org) - includes FAQs & Washington Courts online forms
How to Petition for an ERPO

- Step 1: Where to File the ERPO petition;
  - Can file in any Municipal, District or Superior Court
  - Can file in the county where the petitioner or respondent resides

- Two part process (like other protective orders)
  - Temporary Ex Parte Order (emergency order done without notice to the respondent)
  - Service required- must serve 5 days before the next court date (full hearing)
  - Full hearing- set within 14 days of the Temporary Ex Parte Order being issued. Full hearing will always be in Superior Court
ERPO Petition

- For law enforcement petitioners, the agency is the petitioner (Yakima Police Department- not the individual officer’s name)

- Individual Officer signing the petition is petitioning on behalf of their agency

- LE Officer that signs the petition needs to be available/appear at the full hearing (set within 14 days in Superior Court)

- ERPO can be issued for 1 year and renewable
ERPOs

- A petition for an extreme risk protection order may be filed by (a) a family or household member of the respondent or (b) a law enforcement officer or agency.
- Must be filed in the county where the petitioner resides or the county where the respondent resides.
- A petition must:
  - (a) Alleged that the respondent poses a significant danger of causing personal injury to self or others by having in his or her custody or control, purchasing, possessing, or receiving a firearm, and be accompanied by an affidavit made under oath stating the specific statements, actions, or facts that give rise to a reasonable fear of future dangerous acts by the respondent;
  - (b) Identify the number, types, and locations of any firearms the petitioner believes to be in the respondent’s current ownership, possession, custody, or control;
  - (c) Identify whether there is a known existing protection order governing the respondent; and
  - (d) Identify whether there is a pending lawsuit, complaint, petition, or other action between the parties to the petition.
Service and Enforcement of the ERPO

- LE may have already taken weapons during a crisis call/ DV response (community caretaking- safe keeping)

- If firearms are not in evidence/ safe keeping, **LE must order the respondent to surrender all firearms/ CPL**

- LE should do a threat assessment with their supervisors prior to service (use a risk assessment protocol) to determine the safest way to serve the ERPO

- LE can seize firearms in plain view or with consent

- If the respondent refuses to surrender the firearms/CPL, may need to consider if there is a basis to detain the respondent for an **involuntary hold/ evaluation**. (This can provide time to get a search warrant without leaving the respondent with access to the firearms.)
ERPO: Law Enforcement Petitioner

- **Petition**: Run JABS/NCIC for prior orders (DV orders/AHO- list prior orders in the petition)

- **Petition**: Run firearm purchase history and CPL on all ERPO petitions. Check if prior out of state residence - consider asking that agency (e.g., California) to run purchase history if the out of state agency participates in sharing this information. *Can contact RDVFEU for assistance*

- **Petition**: LE does not need an exact MH diagnosis of the respondent. It is sufficient to indicate that the respondent appears to be in a MH crisis (explain what the crisis is: recent police contacts, suicidal ideation, alcohol/drug use, etc.)

- **Service**: Petitioner (LE Officer that signs the petition), cannot serve the documents. Same LE agency may serve, just not the author of the petition.

- **Service**: Consult with your local prosecutor ahead of the temporary ERPO filing (if possible) if you think the respondent is likely to refuse to surrender their firearms/CPL, and have a search warrant ready to go in case of the refusal to surrender.
Steps for ERPO process

1. Obtain Forms
2. Complete forms & consultation with prosecutor
3. Filing with clerk’s office and ex parte
4. Service of Temporary- ERPO & Removal of Firearms
5. Outstanding firearms/ CPL
6. Full hearing
7. Revisit any outstanding known firearms/ CPL
8. Service of full ERPO if the respondent was not at the hearing
9. Monitor for possible renewal in 1 year
ERPO violations

- RCW 7.94.120(1)(2)

- Anyone that files a false ERPO petition, knowing the information is false or with the intent to harass the respondent, is guilty of a gross misdemeanor.

- Anyone that has in their custody, control, purchases, possesses, or receives a firearm with knowledge they are prohibited by an ERPO, is guilty of a gross misdemeanor (if two or more previous convictions= class C felony).
  - Extends the ERPO by 5 years (from date of existing ERPO)
  - Should be charged under the RCW for the priors to count
Sample ERPO Cases

Defendant arrested for DUI. During the arrest, the defendant made reference to school shootings and was making suicidal statements

18 year old student brought a loaded gun to school in his backpack

Defendant arrested for threats to bomb and A4-DV:LE took 30 plus firearms into evidence

Child luring investigation, stalking of a local dentist, and respondent doing a citizen’s arrest on a stranger

Defendant discharging a firearm in a busy populated area (shooting into the sky)
ERPOs to date: LE Jurisdictions (cases RDVFEU assisted with)

- Bellevue
- Bothell
- Des Moines
- Federal Way
- Issaquah
- King County Sheriff’s Office
- Kirkland
- Marysville
- Redmond
- Seattle
- Shoreline
- UWPD
- WSP
- Seattle
- Snohomish County
Issues to consider:

- Does an ERPO apply to juveniles?
- Can our federal partners apply for an ERPO?
- Can law enforcement NIBIN test firearms from civil orders (ERPOs and Order to Surrender Weapons HB 1840)
- ERPO violations are a gross misdemeanor the first 2 times- only on the 3rd violation does it elevate to a felony.
- Law does not explicitly include ammunition
- **Ongoing need for training and education:** Need to do continue to educate families, law enforcement & school resource officers, judges, health care providers & mental health professionals about the ERPO option
Supplemental ERPO info:

- Need to make sure ERPOs and OTSWs are included in all statutory references for types of protection orders; background check prohibitors; disqualifications for purchasing firearms, getting a CPL or getting firearms back; the crime of attempting to buy a firearm when a prohibited possessor; unlawful possession; unlawful transfer or sale; lie and try notifications, etc.

- Need to make sure all law enforcement agencies adopt policies and training for best practices for serving, tracking and enforcing.

- Need a statewide database to track numbers of ERPOs issued, results, key demographic information

- Per law, the ‘court’ is to notify the petitioner 105 days prior to expiration
  - Who is supposed to be doing / tracking that?
  - Where is the notice sent?

- When an ERPO is violated, prompting the extension to 5 years, who handles that / what is the process?
ERPOs

www.washingtonprotectionorder.org - FAQs

Court Forms:

https://www.courts.wa.gov/forms/?fa=forms.contribute&formID=106
XR 101 - Petition for Extreme Risk Protection Order
XRi 101 - Firearms Examples
XR 112 - Return of Service
XR 121 - Temporary Extreme Risk Protection Order
XR 141 - Extreme Risk Protection Order

Law Enforcement Agency-Specific Forms:
LEA Addendum to Petition
LEIS -
• Thank you!

• Kimberly Wyatt, Senior Deputy Prosecuting Attorney
  Regional Domestic Violence Firearms Enforcement Unit
  Kimberly.wyatt@kingcounty.gov
  206-477-1201
CRISIS RESPONSE UNIT

EXTREME RISK PROTECTION ORDERS
EXTREME RISK PROTECTION ORDER (I-1491 / RCW)

- Temporarily prevent individuals who are at high risk of harming themselves or others from accessing firearms
- By allowing family, household members, and police to obtain a court order when there is:
  
  **Demonstrated evidence the person poses a significant danger**
  
  - Including danger as a result of:
    
    **A dangerous mental health crisis** or
    
    **Violent behavior**
EXTREME RISK PROTECTION ORDER (I-1491 / RCW)

- Recent act or threat of violence against self or others
- Pattern of acts or threats of violence - past twelve months
- Any dangerous mental health issues
- Violation of a protection order or a no-contact order
- Previous or existing extreme risk protection order
- Violation of previous or existing extreme risk protection order
- Conviction of domestic violence crime
- Ownership, access to, or intent to possess firearms
- Unlawful or reckless use, display, or brandishing of a firearm
- History of use, attempted use, or threatened use of physical force or stalking another person
- Any prior arrest for felony offense or violent crime
- Corroborated evidence of the abuse of controlled substances or alcohol
- Evidence of recent acquisition of firearms
Internal Vetting Process

Review of Initial Case:
- All associated reports, SIR’s, Bulletins, Public sources
- Check Firearms Eligibility
- BWV, ICV, 911 tapes, coordination with family, on-scene officers

Coordination with external resources:
- Family, household members, witnesses, service providers, DCR’s

Consult with CRU staff for case debrief:
- Include MHP

Approval by Supervisor:
- Review and authorize petition
- Review threat assessment matrix for service
UNIT STATS FROM 34 PETITIONED ERPO’s

2018 - 24

MALE: 27
FEMALE: 7

Total guns recovered: 61
Search Warrants to date: 4

Violations: 2 tried to purchase guns after ERPO, 2 didn’t comply
Denied orders: 2
Continued temporary order: 1

Type of harm documented:
Self: 27
Others: 5
Both: 2
UNIT STATS FROM 42 VETTED, not pursued

2018 - 39

MALE: 35
FEMALE: 4

Total guns owned: 34

Type of harm documented:
Self: 29
Others: 10
Both: 3

Reasons not pursued:
➢ Previously ineligible
➢ No guns owned
➢ No previous history
➢ Not enough supporting evidence
➢ Did not meet criteria
### Age of Respondents:

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Case Study #1: July 2017

I can't talk right now, but I bought a .38 special Smith & Wesson, single-action revolver. It doesn't come until July 24, though.

I was obtaining a .357 revolver on Tuesday and had a complete suicide plan in place that would guarantee minimal cleanup for whoever found me (bathtub filled with pillows, certain playlist), but facing the faucet with the right hand pulling the trigger away from the bath tile, pointed not to ricochet and hurt others--I even measured the angles for a through-and-through shot just in case. I took more anti-anxiety pills and canceled the gun meetup and plan.

My therapist prefers I stay with someone else the next few days even though that was Tuesday, and I was better Wed (biked 25 miles). Anyway, just FYI, they think it's really bad anxiety/PTSD/mood disorder which the money stress of needing that extra surgery made me snap (it's not a huge deal today). It was when I woke up in vomit on Tuesday.

A close-to-initiated permanent suicide and biking 25 miles in a good mood usually don't follow each other within 24 hrs.

Step mother called 911 – ‘check the welfare’

Subject was emergently detained and quickly released

Subject emailed pic of gun to therapist... Texted step-mom detailed description of plan
Case Study #2: October 2017

White / Male / 26 / No children

Threats to kill pastors & parishioners via email and social media
  - 2 separate churches / direct & indirect threats
  - Posted photos of self & firearms
  - Previously threatened to burn down church (not reported to police)

Owned 1 handgun and 1 AR-15 rifle
Multi-jurisdiction coordination

** Arrested & Booked**
Case Study #2: October 2017

Going on an adventure

![Image of a backpack with gear including a firearm and ammunition]
"F*%k you all and Rob for telling me to turn myself into the emergency room. Stupid @ss people are going to get themselves killed now. I tried playing nice and after meeting with the main person the issue still hasn’t got solved. Well f*@k you all. Time to engage the artillery and kill you all."

"It saddens me that you guys weren’t the ones shot instead of the ones in Texas. I’m hoping someone finds it in their hurts to burn you all alive in your church building."

"if this keeps going I am going to shoot you and everyone in your living room"
Case Study #3: November 2017

White / Male / 42 / Separated from wife for 1 year / no children

Arrived at her home, dropped off his cat in kennel with food and envelope of money

Left additional note stating, “This is all I have”

Wife called 911 requesting welfare check – Police unable locate him at that time

Later that night...
...she called 911 again, he had returned to her home. 911 notes on call:

“COMPL’S HUSB IS FEELING SUICIDAL. ATTEMPTED TO SHOOT HIMSELF EARLIER TODAY. GUN IS IN HIS VEH”

**Investigation reveals he went to a gun store, purchased a rifle and sat in his vehicle working up the nerve to pull trigger. Stated he wanted to kill himself, but he didn’t have the strength.

Previous attempt 15 years prior after different break-up // Depressed, takes medication

* March 2018 – Attempts to purchase firearm in Lynnwood. Charged with gross misdemeanor.
Case Study #4: March 2018

White / Male / 67 / Married / Retired engineer

While family over, kicked everyone out / Acting ‘erratically’

- Wife called back inside & heard +/- 15 shots while on phone
- Large 911 response / Armed inside house alone / Declined assistance

Later that night...

Subject goes to local casino resort & calls daughter

- States he is armed / 2 rooms – different floors
- Requests family come check-in “to be safe”
- Another large coordinated 911 response / Multi-jurisdictional
- Left prior to LE arrival / Driving around armed
- Stated ‘people were after him and his family’
- GPS tracked to Whidbey Island
Case Study #4: March 2018

Early the next morning...

Subject began calling family again with same delusions
- GPS tracked to Seattle

Subject advised he was travelling to friend’s house in North Seattle
- Coordination with Seattle Police
- Location was only a few blocks from local high school

Contacted / Detained by SPD
- 2 loaded semi-auto pistols
- 2 30-round .223 magazines

Subject returned to originating agency / Sent for Emergent Detention
The rest of the story...
A total of 11 firearms were secured
Started having erratic thought week prior
Grandiose conspiracy theories
Threatened to shoot relative due to fixed false beliefs
Called daughter out of state / Demanded they drive here immediately
Middle of night with AR-15 yelling ‘Leave now’ and ‘Get to safety’
Extended stay at local mental health service provider

** Ultimately no criminal charges **
Case Study #5: May 2018
Wife at home with son - hears a noise

Located husband in bed and he said, “I don’t want to be here.”
Wife pulls back covers, see’s he shot himself in the chest, calls 911
Officers arrive, put pressure on husband’s chest
Husband punches at officer and says:
   “I don’t want help. Just let me die.”
SFD arrives, takes husband to hospital
Revolver located under husband on the mattress
Had threatened suicide several times
Was seeing a therapist / Wife knew he had a gun
ERPO served in hospital, husband admitted owning another gun
Husband thanks officers because he realized he didn’t want to die
Father had killed himself at the same age, thought it was his destiny
# Extreme Risk Protection Orders

**Existing**

- Connecticut
- California
- Washington
- Oregon
- Indiana
- Delaware
- Florida
- Illinois
- Maryland
- Massachusetts
- New Jersey
- Rhode Island
- Vermont

**Under consideration**

- Michigan
- Ohio
- Pennsylvania
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Sergeant Eric Pisconski:

eric.pisconski@seattle.gov

QUESTIONS?
Remarks

Mass Shootings Task Force

By: David Lord
Public Policy Director
Disability Rights Washington
davidl@dr-wa.org; (206) 947-6643

Date: August 15, 2018

Introduction

Thank you for inviting me to participate as a presenter at this workgroup.
I am the public policy director at Disability Rights Washington.

General Comments

I have a few general comments related to mental illness and current realities.

RECOVERY is real. Clinicians have – at long last – effective mental health treatments and so recovery is a reality for millions. The days when having a mental illness meant incarceration for years, warehoused in an “asylum”, are over. Many people with mental illnesses recover and work, raise families, and have successful and rewarding lives.

TREATMENT IS NOT ALWAYS EFFECTIVE. Mental health medications and treatments have side effects, don’t work well for everyone, and many who have a mental illness lack insight and decline treatments.

IN CRISIS, MANY GET JAIL, NOT TREATMENT. We don’t provide ready access to mental health treatment for all, nor do we provide the community or therapeutic supports that foster recovery. Instead, society has criminalized mental illness by failing to respond to people in crisis, and thereby making the criminal justice system responsible. The jails are not therapeutic, nor were they ever intended to be, with results that are inhumane, shameful and tragic. Fortunately, they have also been determined to be illegal and unconstitutional. I hope to see
this awful reality change with the implementation of the settlement of the *Trueblood* lawsuit. 
[https://www.disabilityrightswa.org/cases/trueblood/](https://www.disabilityrightswa.org/cases/trueblood/)

LOOK FOR CO-OCCURRENCE. Mental illness is often accompanied by substance abuse. The mental health system is now the “behavioral health” system, and there is growing but incomplete realization that the two conditions are often co-occurring.

CONSIDER FEAR and STIGMA: As a society, and as individuals, we have a problem with mental illness: we fear mental illness and hold beliefs about the dangerousness of people, and stereotypes abound.

Stigma is alive and well. I used search engines (Google and Bing) to research mass shootings in preparing to give testimony.

First, I typed in “mass shooting and” – the search engine helpfully suggests “mental illness”.

Next, I typed in the following query into the search engine: “Mental illness and”. The responses were, in order:

- Mental illness and crime
- Mental illness and suicide
- Mental illness and homelessness
- Mental illness and violence
- Mental illness and addiction
- Mental illness and guns

Of course, I didn’t get responses like “Mental illness and treatment, Mental illness and recovery, and Mental illness and hope...” In the popular press, all forms of media, and increasingly in political discourse, mental illness is associated with dangerousness, and is regarded with fear.

So as the committee considers recommendations that tie mental illness to access to firearms, I encourage you to reflect on the realities, rather than the stigma and the stereotypes. Please consider carefully whether the committee recommendations will perpetuate stereotypes, and whether your recommendations hinder or help efforts to improve the lives of people with mental illness.

Based on the budget proviso language, it is my understanding that the work group is considering the questions: How do we do to address mass shootings – in particular, mass shootings in schools? Should the focus be on limiting access to guns? Or on limiting access to guns by people with mental illness? Or on fortifying our schools?
The Bazelon Center for Mental Health Law issued a statement in the wake of the Parkland, Florida school shooting that persuasively argues that restrictions on access to firearms based solely on having a mental illness are misplaced. Bazelon notes that

“people with serious mental illnesses are far more likely to be victims of violent crime than perpetrators. Moreover, past acts of violence are far more predictive of future violence than any other indicator”.


Response by people with mental illness to gun control debate

The push for restricting access to firearms has increased as the number of mass shootings – especially school shootings – has increased. Many would prefer to define the problem as a consequence of the actions of dangerous people with mental illness. A video produced by Rooted in Rights responds to this stigmatizing and ill-informed characterization of the problem through the words of individuals who have mental illnesses. See the video:


Schools

Much can be done in schools that would improve their response to students with mental illness. I doubt that improved mental health services at school will prevent mass shootings, but I don’t doubt that the improvements would have positive impacts. By contrast, there are things that could be done to schools in the name of preventing mass shootings that might make them less effective as educational environments, and have dubious impact in making students safer. In particular, “hardening” schools with excessive security measures seems unwise.

- Security and the learning environment. In general, schools should respond to the needs of students by creating a supportive culture and a learning environment. Fortifying schools is not likely to result in safer schools, and is more likely to create a hostile environment not conducive to growth and learning. I worry that additional security measures won’t make children safer, but will instead result in violations of the civil liberties of children. While increased presence of security and safety officers provide someone trained in ready response, this approach may criminalize actions that should be responded to in other ways.

- Protection orders. Protection orders based on accurate threat assessment can facilitate an immediate halt to undesirable behavior, but they may also sever links between...
school and troubled students who need additional support. In some locations, students with disabilities and students of color are disproportionately suspended and expelled. (I am not aware of statistics on the demographics of protection orders.) In any event, separation from school has lifetime consequences for the individual. It seems unlikely that increased use of protection orders will bring about safer schools; what is more likely is that the excluded individuals will continue to fail and may not resume schooling. There must be consideration of how students and family who are the subject of protection orders will reengage with the school.

- School to prison: Advocates are very concerned about the number of students who are suspended from school and end up on a pipeline that leads to jail or prison for some, and to unemployment and isolation for others. In our concern for security, we need to be careful not to make the situation worse for students with disabilities. As noted above, this is a phenomenon of concern to advocates for students of color and disability advocates alike.

- Ask teachers and students. I encourage the workgroup to seek out the opinions of teachers, who are in the best position to speak to the subject of ensuring that students have a learning environment.

- Mental health services in schools. Students should have ready access to counseling; schools should know about the range of supports for students and families in the public mental health system. The settlement of the TR lawsuit makes available “wraparound with intensive services” (WISE) for Medicaid eligible students and their families, to prevent institutionalization or incarceration and loss of education. These services are a matter of right for students who are approaching a crisis, but most schools do not have staff who understand what public mental health services are available or how to access them. School staff should learn about the opportunities for support for students in crisis through WISE.

- Bullying. Students with disabilities often see school as a hostile environment because of the actions of other students – bullying. It should be identified where it exists, not tolerated, and where addressed the learning environment will improve.

- Further Inquiries. I recommend that the workgroup make further inquiries into the questions, “What is the state of the mental health system as it relates to schools?”, “What is the outcome of the initiatives/legislative changes undertaken in other states to address violence in schools?”

**QUESTIONS**

In an email regarding my testimony, James McMahan asked me to respond to several statements or questions. These included:
1. “Mental illness” is a very broad category that contains a wide variety of diagnoses, some of which could be argued present a danger of violence, some of which don’t have any documented link to violence;

2. A firearms prohibitor for those diagnosed with a mental illness (or a particular mental illness) could serve as a disincentive for a person to seek mental health treatment, for fear of losing their firearms rights.

3. Research seems to show that most perpetrators of mass shootings don’t have any diagnosed mental illness (though it does seem to suggest that many have an undocumented (and untreated) mental illness.

With regard to question 1, I found articles that purported to show a link between mental illness and violence, and others that showed no or very weak linkage. Whatever the case, it should be remembered that a disability is a label or category, and in itself has no predictive value. The experience of every person with mental a mental illness is unique. It is unwise and unjust to group people into categories based on which diagnosis applies for the purpose of limiting the right to bear arms. Each individual is different: there are individuals who are recovering, and individuals who are not. Individuals with any diagnosis – or no mental health condition - can be dangerous, or not. Some would identify specific diagnoses, such as “paranoia” and “schizophrenia”, as posing danger. It is not the diagnosis, but the reality of the individual’s unique state of mind that determines his or her dangerousness.

In response to question 2, I would say yes, the reality is that loss of rights or being subjected to discrimination is a disincentive to seeking treatment. An example: in order to be admitted to practice law, as part of the character and fitness inquiry, the Washington State Bar Association – like bar associations throughout the US – formerly asked applicants to describe their history of mental health treatment. DRW heard from law students and lawyers who had worried about how to respond to the question, and not sought counseling, medication or other treatment because of the WSBA question. The good news is that after much advocacy, the Supreme Court and the WSBA changed their practice. They now refrain from asking these questions about mental health treatment, and instead ask questions that are designed to probe into the actual fitness of the individual. Seeking mental health treatment does not correlate with lack of fitness to practice law. One should be able to obtain mental health treatment without fear that he or she will lose a privilege or right in consequence.

As for question 3, in considering how to prevent mass shootings correlation alone is not a reason for restrictions. It is reported that 99% of mass shooters are male. These are overwhelmingly white males. There is some correlation with substance abuse. Should we restrict access to guns by males? Should we restrict access by males who use alcohol? In “Don’t Blame Mental Illness for Mass Shootings: Blame Men, the fallacy of correlating mental illness with gun violence is revealed:
If you take time to dig into the research, you’ll find that mental illness doesn’t play the role in mass shootings and other gun violence that many, especially our politicians, seem to think it does. Serious mental illness has been found to be conclusively present in a minority of mass shootings—only 14.8 percent of all of the mass shootings committed in the U.S., defined as a shooting which injures or kills four or more people, between 1966 and 2015. (Another study focusing on different data collections of generalized “mass murder” from 1949 to 2015 attributes 23 percent of those incidents to the mentally ill.) Studies have also found that those with serious mental illness are responsible for just 4 percent of the incidences of interpersonal violence and less than 1 percent of all gun-related homicides annually in the United States. Generally speaking, people with mental illness are far more likely to be victims of firearm violence than commit it.


There have been some articles in the popular press that suggest linkages, but in fact the numbers of mass shootings are not large enough to support statistical analysis. See Mass Shootings and Mental Illness, an article in Psychiatry On Line. This scholarly article dispels many myths about mental illness and false associations that can lead to unwise, unjust policies. See Mass Shootings and Mental Illness James L. Knoll IV, M.D. George D. Annas, M.D., M.P.H. https://www.psychiatryonline.org/doi/pdf/10.5555/appi.books.9781615371099

The article identifies the following “suggested interventions”:

1. Policies and laws should focus on those individuals whose behaviors identify them as having increased risk for committing gun violence, rather than on broad categories such as mental illness or psychiatric diagnoses.
2. Public health educational campaigns should emphasize the need for third-party reporting of intent or concerning warning behaviors to law enforcement.
3. Institutions and communities should develop specialized forensic threat assessment teams to evaluate third-party reports of potential dangerousness.
4. Resources should be increased to provide enhanced education, beginning in elementary school, with a focus on constructive coping skills for anger and conflict resolution, mental health, and mental wellness education.


I appreciate the opportunity to provide you with this testimony and look forward to reviewing the results of your work.
**August 31 Meeting**

The Work Group held its sixth meeting on August 31st in Tacoma, WA.

This Work Group meeting was called for the exclusive purpose of receiving a presentation from Dr. Eric Madfis, Associate Professor at the University of Washington Tacoma, published scholar, and nationally recognized expert on the causes and prevention of school violence, hate crime, and mass murder. Several of Dr. Madfis’ publications were provided to members of the Work Group prior to the meeting.

The recording of the August 31 meeting is available at https://www.tvw.org/watch/?eventId=2018081045

The powerpoint presentation given to the Work Group during the August 31 meeting is provided below.
The Causes and Effective Prevention of School Shootings

Dr. Eric Madfis
Associate Professor of Criminal Justice
University of Washington Tacoma

Mass Shootings Work Group
August 31, 2018
School Shootings – More Common But Extremely Rare

- Studies by *Mother Jones* (Follman et al., 2013) and the FBI (Blair & Schweit, 2014) both concluded that school shootings have increased in recent years, but:

- The risk of homicide for school-age youth is roughly 226 times greater outside of school than at school (National Center for School Safety).

- “Any given school can expect to experience a student homicide about once every 6,000 years” (Borum et al., 2010, p. 27).

- “Only about 1 in 2,000,000 school-age youth will die from homicide or suicide at school each year” (Muschert, 2007, p. 61). More likely to be struck by lightning.
What are the causes of school rampage?
What are the causes of school rampage?

- Mental health issues such as personality disorders, psychosis, depression, and suicidal ideation
- Negative relationships with peers, such as victimization through bullying
- Exclusionary teenage cliques
- Intolerant homogeneous communities
- Gender norms around masculinity
- Desire for fame/infamy
- Gun availability
Cumulative Strain Theory
(Levin & Madfis, 2009; Madfis & Levin, 2013)

Chronic Strain
↓
Uncontrolled Strain
↓
Acute Strain
↓
The Planning Stage
↓
The Massacre
Defining Averted School Rampage

- Definitions vary by type of weaponry, offender connection to school, offender-victim relationships, and number of victims
- Operationalized as cases where former or current students threatened to harm multiple victims with any form of weaponry but where no one was ultimately killed or injured
- Substance of averted rampage plots vary considerably, but all included
Research Methods

- Located 195 cases across USA from 2000-2009
- Granted access to 11 public schools across Northeast that averted a rampage attack
- In-depth interviews with 32 people directly involved in averting incidents (administrators, counselors, security/police officers, and teachers)
- Triangulated with newspaper reporting, court transcripts, legal briefs, and police incident reports
Exaggerated Risk Perception and Increased Desire for Risk Control

“This kind of thing can happen anywhere and so there’s no room for complacency.”

– Principal McGann

”[Columbine] made people vigilant and in some cases hyper-vigilant...99% of the time, it’s nothing, but you only have to be wrong once, you know, so it’s better to overreact than under-react.”

– Principal Walsh
Contemporary School Violence Prevention Practices

Punitive Discipline & Amplified Security:
- Zero Tolerance Policies
- Surveillance via School Resource Officers and Security Cameras
- Arming Teachers and Faculty
- Lockdown and Active Shooter Drills
- Crime Prevention Through Environmental Design (CPTED) – Locked Doors, Metal Detectors, Lighting and Architecture
Contemporary School Violence Prevention Practices

Violence Risk Assessment:
- Profiling
- Warning Signs
- The Threat Assessment Approach
ACCURATE School Shooter “Profiles”

- From two-parent “All-American” families, single-parent homes, divorced homes, and foster homes
- Rarely drug abusers
- Both popular kids and loners
- Both good and bad students
- Kids with chronic behavior problems and no history of behavior problems
- Shy ignored types – so those not noticed
- Males
Female School Shooters

Brenda Ann Spencer
1979 Grover Cleveland Elementary School Shooting

Laurie Dann
1988 Hubbard Woods Elementary School Shooting

Latina Williams
2008 Louisiana Technical College

Amy Bishop
2010 University of Alabama in Huntsville Shooting
Evidence Used to Assess Threats:

- **Weapons:** firearms, knives, ammo, pipe bombs, explosives, chains and locks
- **Planning:** hit lists, no kill lists, suicide notes, maps, daily planners, journals, supply lists, social media discussions, internet searches (for Columbine, guns, anarchist cookbook)
- **Training:** remnants of explosives, BB guns, axes thrown at trees, videos of training
- **Troubled mind:** disturbing drawings, internet searches (Nazis, Satanism, etc.)
- **Appearance:** tattoos, trench coats, black clothing, horror masks
- **Threats:** bathroom graffiti, written on social media, written in notes, verbal in person, symbolic on social media (videos, countdown clocks, gun pics, and Dylan & Klebold as heroes)
- **Leakage:** telling (joking with) friends about plots, telling friends not to come to school next day, attempting to recruit friends
Forms of Risk Assessment

Threat Assessment Criteria:

- **Assessing the Plot’s Detail** – victim(s) targeted, location(s) selected, date and timing planned
- **Appraising Weaponry** – presence of weapons (firearms, knives, ammo, pipe bombs, explosives, chains and locks), attempts to obtain/manufacture weapons, weapons training

Profiling or Warning Sign Criteria:

- **Personal Characteristics** – ethnic/racial and gender identity, previous misbehavior, and prior mental health issues
- **Group Characteristics** – school social status, deviant subcultural affiliation
6:00  1. Wake up at 6:00
6:15  2. Take caffeine pills, energy drinks, and xtra energy etc.
6:40  3. Make sure all guns ammo are ready, bombs are prepped, guns clean, all equipment ready, cigs, lighters, slings, ammo holders, alcohol
7:00  4. Have last meal, place all equipment on side of house
7:15  5. Get dropped off/walk to school
9:30  6. Wait until 9:30 then go back home
10:00 7. Prep, bombs, guns explosive in car
10:15 8. Get cell phone numbers
10:20 9. Enjoy life for half an hour
10:50 10. Go to parking lot, call friends
11:00 11. Prep car bomb, ANFO [ammonium nitrate fuel oil]
11:05 12. Go inside have some fun

13. When done have some vodka, a smoke
14. Commit suicide
Forms of Risk Assessment

Threat Assessment Criteria:
- Assessing the Plot’s Detail – victim(s) targeted, location(s) selected, date and timing planned
- Appraising Weaponry – presence of weapons (firearms, knives, ammo, pipe bombs, explosives, chains and locks), attempts to obtain/manufacture weapons, weapons training

Profiling or Warning Sign Criteria:
- Personal Characteristics – ethnic/racial and gender identity, previous misbehavior, and prior mental health issues
- Group Characteristics – school social status, deviant subcultural affiliation
Conclusions re: Assessment

- Threat Assessment Criteria valued far more by officials, led to far more confidence in assessments.

- Research has demonstrated that some descriptive traits (i.e. gender and marginalization) have more reliable empirical backing than others (such as race/ethnicity and histories of behavior problems and mental illness), but these distinctions are not widely understood by school or police officials. Consequently, problematic forms of risk assessment are still broadly considered in decision making processes.

- Value of prevention versus prediction and context over zero tolerance.
Leakage and Bystander Intervention

- Research focusing on “leakage” and the “student code of silence”
- Existing studies have located one common mechanism by which school rampages have been prevented – students with knowledge about plots coming forward
- Many scholars (Larkin, Fox, Elliott, Pollack, etc.) have suggested students now more often break through the “code of silence,” but this claim lacks any empirical basis
Perception of a Diminished Student Code of Silence in the Post-Columbine Era

“I think one of the things that Columbine has done is it has broken the old adage, don’t rat out your brother...I think the kids are learning that there is some point when you should be saying something. Obviously, you’re never going to get them to say everything, but I think the point has been made about the more important things.” — Mr. Pullman, Head of School Security

“Columbine made kids much more vigilant about things going on around them...it made kids less afraid to speak up if something wasn’t sitting right with them. And since that era, I’ve often had a kid come by, and they’re pained and they’re tortured because they’re thinking about that...and they’ll say, ‘I’ve got to tell you this,’ and I think that’s the real good thing that’s happened.” — Principal Sacco
Bystander Behavior and the Student Code of Silence

Breaking the Code – Interventions through Leakage
- Indirectly Informed Bystanders, Directly Informed Confidants, Threatened Targets, Involved Co-Conspirators

Following the Code – Bystander Inaction
- People coming forward were rarely directly informed confidants or close friends, but were often acquaintances, targets, and even co-conspirators
- In nearly all cases, far more students knew and did not come forward than the number of students who knew and did come forward

Genuinely positive school climates are needed to foster positive bystander behavior
What is School Climate?

Students who are safe and welcome in their school

RESPECTFUL
Parent Engagement
Student Voice
Equity and Inclusive Education
Safe and Healthy Schools

CARING
Character Development
Leadership Development

SAFE

INCLUSIVE
What does a positive school climate look like?

- High student involvement in school activities
- Students can make friends easily
- Students feel comfortable seeking assistance from school personnel
- The school and its surroundings are clean, welcoming, reflect student culture, and are physically safe
- Classroom curricula reflect student needs and are inclusive of student experiences (i.e. poverty, sexual orientation, gender identity, race/ethnicity, etc.)
- Students are involved in shared decision making opportunities related to school policies and school improvement
- Norms and rules are consistently enforced in a fair manner
Positive School Climates

- Plentiful education research indicates the important relationship between supportive and trusting school climates and positive student bystander behavior. This is not the current educational climate – thus positive bystander behavior remains rare.

- Focus should be on forging positive school climates and restorative disciplinary practices – this, in turn, will increase positive bystander behavior when leakage occurs.
Positive School Climate as Violence Prevention

Positive school climates have been shown to be associated with:
- Higher academic achievement
- Decreased dropout rates
- Increased graduation rates
- Increased teacher retention

Though often associated with learning outcomes, positive school climates have also been shown to address a number of school issues:
- Decreased bullying
- Decreased substance abuse
- Decreased mental health issues
- Decreased sexual harassment
- Decreased violence

Restorative justice in schools – AKA restorative discipline – to increase positive school climate
Restorative Justice

- Repairing harm(s) caused by crime, considers the role of victims, offenders, and communities
- Concerned with healing victims’ wounds, restoring offenders to law-abiding lives, and repairing harm done to interpersonal relationships and the community
- Victims take an active role, and offenders are encouraged to understand the harm they have caused their victims and to take responsibility
Restorative Justice

Many forms:

- Involves financial restitution, community service, helping victims, victims explaining harm done to them by offenders, offender apologies
- Include victim-offender mediations, truth and reconciliation commissions, forms of civil litigation, family or community group conferencing, and peacemaking or sentencing circles
Core of RJ Process:

1) Acknowledgment of the wrong (facts discussed)
2) Sharing and understanding of the harmful effects (feelings expressed)
3) Agreement on terms of reparation (reparation agreed)
4) Reaching an understanding about future behavior (reform implemented).
Restorative Discipline

- Restorative justice applied to school discipline
- A paradigm shift in how we think about student discipline
- An alternative to “exclusionary” discipline
Goals of Restorative Discipline in Schools

1. Create a restorative and inclusive school climate rather than a punitive one
2. Decrease suspensions, expulsions, and disciplinary referrals by holding youth accountable for their actions through repairing harm and making amends
3. Include persons who have harmed, been harmed, and their surrounding community in restorative responses to school misconduct
4. Reengage youth at risk of academic failure and juvenile justice system entry through dialogue-driven, restorative responses to school misbehavior
Beneficial Findings

Restorative practices in schools:
- Improved school climate – better relationships among students and faculty, increased student trust in school authority figures, increased satisfaction with disciplinary outcomes, increased view of procedural justice and fairness of punishment
- Increased responsibility among students
- Increased reporting of problematic behaviors to staff
- Increased victim satisfaction and healing
- Increased offender empathy
- Reduced juvenile delinquency and re-offending - decreased bullying, school violence, and student drug use
- Reduced suspensions, expulsions, and other disciplinary referrals
- Improved both staff and student attendance, student tardiness decreased
- Parents felt more connected to school
Conclusions

- Officials who averted attacks deemed threat assessment criteria to be the most crucial, and these criteria gave them far more confidence in the validity of their assessments – this speaks to the value of considering context and severity over zero tolerance and unreliable predictive measures.

- Focus should be on forging positive school climates and restorative disciplinary practices – this, in turn, will increase positive bystander behavior when leakage occurs.

- Both solutions not only thwart rampage attacks but have additional potential for reducing school exclusions and diminishing the school-to-prison pipeline.
The End
The Media and School Shootings

- Massive extended media coverage
- Sensationalism
- Stereotypes
- Copycat effect
Desire for Fame

Snapshot from videos Seung-Hui Cho sent to NBC News

Youtube clip of Pekka-Eric Auvinen filmed before school shooting in Finland
A student misbehaves in class and her teacher asks her to leave. The student is suspended from school and comes back. Nothing is resolved; nothing is restored.

But with restorative practices, the student is held accountable and given support to resolve the issue, repair the harm and make a plan to ensure that the misbehavior doesn’t happen again. Relationships are restored and community is built.
**September 18 Meeting**

The Work Group held its seventh meeting on September 18th in Kennewick, WA.

Having decided during its fifth meeting (August 15th in Spokane) that the Work Group had received or scheduled presentations on all topics necessary for the completion of its work, the Work Group decided that its September, October and November meetings would be dedicated entirely to Work Group discussions and recommendation development. It was at this meeting that the Work Group developed the first ‘potential Work Group recommendations’ document.

The recording of the September 18 meeting is available at [https://www.tvw.org/watch/?eventId=2018091069](https://www.tvw.org/watch/?eventId=2018091069)

There were no presentations given during the September 18th meeting.
October 17 Meeting

The Work Group held its eighth meeting on October 17th in Burien, WA.

This meeting was a continuation of the Work Group’s September 18th discussion on potential recommendations. The Work Group reviewed, discussed, and refined each potential recommendation discussed at its previous meeting. Work Group members were informed that any additional potential recommendations would need to be submitted in writing no later than Tuesday, October 30th. Members of each of the three sub-committees were also asked to submit their respective committee’s report no later than Tuesday, October 30th.

The recording of the October 17 meeting is available at https://www.tvw.org/watch/?eventID=2018101094

There were no presentations given during the October 17th meeting.
November 7 Meeting

The Work Group held its ninth, and final, meeting on November 7th in Lacey, WA.

During its final meeting, the Work Group again reviewed, discussed and refined the list of potential recommendations, striving for consensus where consensus could be reached. The Work Group also reviewed and discussed the additional potential recommendations submitted since the previous meeting. With all but one Work Group members present, the Work Group adopted the report unanimously, except for recommendation #1, which received one no vote.

During its deliberations regarding the recommendations, the Work Group asked that this report contain specific reference to a few items:

- School resource officers may have a deterrent value against mass shooters, though it is admittedly difficult to prove.
- School resource officers may offer dramatically shortened response times in the rare instances when a school shooting happens.
- RCW 28A.335.010 requires school boards to only “consider” certain security measures.

Work Group members were informed that dissenting views (aka minority reports) would be accepted by any member of the Work Group on any topic relevant to the Work Group’s scope. Work Group members were informed that they could submit dissenting views on recommendations adopted by the Work Group (whether the author of the dissenting view voted in favor of the recommendation or not), as well as recommendations not adopted by the Work Group. Members were informed that anonymous dissenting views would not be accepted, and members may work with each other to jointly submit dissenting views, should they so choose.

The recording of the November 7 meeting is available at https://www.tvw.org/watch/?eventID=2018111010

There were no presentations given during the November 7th meeting.
Response and Mitigation Considerations

It is important to note that the Work Group’s recommendations are not given with an expectation that, should they all be enacted, all mass shootings can be prevented. In fact, reasonable measures cannot be effective in preventing all mass shootings. Reasonable measures can, at best, be effective in reducing the number of mass shooting incidents and the casualties resulting from those incidents.

The proviso that created the Work Group called the Work Group to develop recommendations on the prevention of mass shootings. While this is an important and necessary topic, the recognition that reasonable measures cannot prevent all mass shootings, it is important to note that mass shootings response and mitigation plans are also important to consider. For example:

- In 2003, the Washington Legislature created the Statewide First Responder Building Mapping Information System (RCW 36.28A.060-080). This program maps schools and other critical infrastructure to provide first responders with an electronic floor plan, evacuation routes, location of hazardous materials, tactical plans, etc. and facilitates relationships between first responders and representatives of the facility. *State funding to map remodeled and newly constructed schools ended on July 1, 2015. As a result, some Washington schools have not been mapped and, worse, the maps for some Washington schools contain inaccurate information that may prove to be deadly in the event of a mass shooting.*

- Mass shooting events usually draw an extraordinarily large law enforcement response. Washington, however, currently ranks 51st in the nation on the number of commissioned law enforcement officers per capita, according to the Federal Bureau of Investigation’s Uniform Crime Report. Washington has maintained that ranking for seven consecutive years, and eight of the last ten years.
Research

The Work Group was provided multiple research publications throughout its project, including:

**FBI: A Study of Active Shooter Incidents in the United States Between 2000 and 2013**

**FBI: Active Shooter Incidents in the United States in 2014 and 2015**

**FBI: Active Shooter Incidents in the United States in 2016 and 2017**

**FBI: A Study of the Pre-Attack Behaviors of Active Shooters in the United States Between 2000 and 2013**

**Secret Service: The Final Report and Findings of the Safe School Initiative: Implications for the Prevention of School Attacks In the United States**


**Congressional Research Services: School Resource Officers: Law Enforcement Officers in Schools**

Animal Abuse as a Warning Sign of School Massacres (Arluke and Madfis 2014)

Are School Rampage Shootings Random (Madfis 2017)

Don’t Name Them Don’t Show Them (Landford and Madfis 2018)

Female Involvement in School Rampage Plots (Madfis and Cohen 2018)

Mass Murder at School and Cumulative Strain (Levin and Madfis 2009)

Social Problems – Rampage School Shootings (Levin and Madfis)

The Risk of School Rampage (Ch 2 – Assessing Rampage Threats) (Madfis 2014)


**Police Executive Research Forum: Key Findings and an Action Plan to Reduce Gun Violence**

**Department of Homeland Security: School Security Survey**


**Mayors Against Illegal Guns: Analysis of Recent Mass Shootings**

**Colorado Legacy Foundation and Colorado Department of Education: Measuring School Climate: A Toolkit for Districts and Schools**

**Nevada Statewide School Safety Task Force Initial Report (Final report)**