

# WASHINGTON MASS SHOOTINGS WORK GROUP



**Findings and Recommendations  
December 3, 2018**

Washington Association of  
Sheriffs and Police Chiefs  
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## Work Group Members

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

The work group was facilitated by the Washington Association of Sheriffs and Police Chiefs.

## Table of Contents

Work Group Members .....	2
Recommendations .....	4
Dissenting View(s) .....	7
Surveys .....	13
A survey of services around the state available for those experiencing a mental health crisis.....	14
A survey of state and federal laws related to intervening against potential perpetrators or confiscating their firearms .....	19
Strategies used by other states or recommended nationally to address the problem of mass shootings.....	37
Process .....	50
Work Group Meetings .....	52
April 20 Meeting.....	52
May 10 Meeting .....	54
June 5 Meeting.....	85
July 11 Meeting .....	104
August 15 Meeting .....	105
August 31 Meeting .....	160
September 18 Meeting .....	197
October 17 Meeting .....	198
November 7 Meeting .....	199
Response and Mitigation Considerations .....	200
Research.....	201

## 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.



Bob Ferguson  
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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.<sup>1</sup>
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.

<sup>1</sup> *Silveira v. Lockyer*, 312 F.3d 1052 (9<sup>th</sup> Cir. 2002); *NY State Rifle & Pistol Assn., et al. v. Cuomo, et al.*, No. 14-319 and *Shew v. Malloy*, No. 15-1030 (2<sup>nd</sup> Cir. 2015), cert. denied; *Friedman v. Highland Park*, No. 14-3091 (7<sup>th</sup> Cir. 2015), cert. denied; *Stephen v. Kolbe*, No. 14-1945 (4<sup>th</sup> 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.<sup>2</sup>
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.<sup>3</sup>

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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<sup>2</sup> Miami Herald, "Florida school shooter's AR-15 may have jammed, saving lives, report says," <https://www.miamiherald.com/news/local/community/broward/article202486304.html>

<sup>3</sup> "The Armed Citizen – A Five Year Analysis," 1997-2001, <https://tacticalprofessor.files.wordpress.com/2014/12/tac-5-year-w-tables.pdf>

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.<sup>1</sup> 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.<sup>ii</sup> 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.<sup>iii</sup> 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.<sup>iv</sup>

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.<sup>v</sup> Students of color and students who



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*Youth Policy Director*

have been victimized by violence report feeling less safe in schools with police officers.<sup>vi</sup> 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.<sup>vii</sup>

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

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<sup>vi</sup> Cornell, D. *The Prevention of Gun Violence in Schools and Communities, Statement for the Forum on School Safety*, U.S. House of Representatives Committee on Education and the Workforce (2018); Bradshaw, C., Koth, C.W., Thornton, L.A., & Leaf, P.J. *Altering school climate through school-wide positive behavioral interventions and supports: findings from a group-randomized effectiveness trial*. *Prevention Science* 10(2), 100-115 (2009); Skiba, R.J. et. al. *Beyond Guns, Drugs, and Gangs: The Structure of Student Perceptions of School Safety*. *Journal of School Violence* 3: 149-171 (2004).

<sup>vii</sup> James and McCallion, *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 a school shooting, however, is unknown.")

<sup>viii</sup> 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 rampages" between 1999 and 2018—Columbine, CO (1999); Santana High, CA (2001); Sandy Hook Elementary, CT (2012); Marshall County High, KY (2018); and Marjory Stoneman Douglas, FL (2018)).

<sup>ix</sup> Congressional Research Service, *supra* n. 5.

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<sup>9</sup> 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 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* (2018); Office of Superintendent of Public Instruction, *Washington State Report Card, 2015-2016*.

<sup>9d</sup> Theriot, M. and Orme, *School Resource Officers and Students' Feelings of Safety at School*, *Violence and Youth Justice* 14(2): 130-146 (2016).

<sup>9e</sup> Madfis, 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 1/10<sup>th</sup> 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**

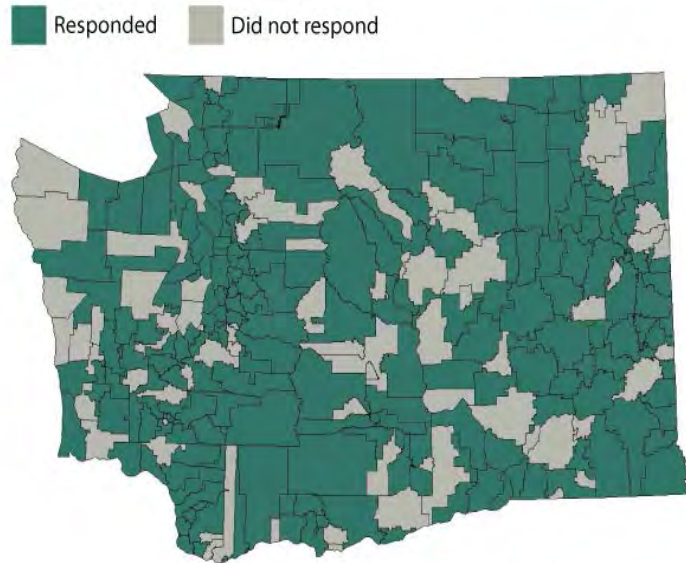
- 45 MA clinicians located in Spokane Public Schools
  - Provide outpatient services: individual, group, family, case management
  - Services offered year round
  - Referrals sources: Student, parent/guardian, teachers, administrators, school counselor, medical provider, JRA
  - Contact made with Principal 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

State Citation Year Enacted	Who May Petition	Requirements to Obtain Consideration of Court	Effect of Order	Duration	Termination and Renewal Options
<b>Washington</b> Extreme Risk Protection Order <a href="#">RCW 7.94</a> 2017	Family Member Household Member Law Enforcement	Petition: Alleging significant danger.  Identify number, types, and locations.  Identify existing orders and lawsuits.  If law enforcement notify family, household, & 3 <sup>rd</sup> party at risk.	Surrender all firearms and concealed pistol license to law enforcement.	1 year.	Termination – 1 written request for a hearing any time during the effective period.  Renewal – Within 105 of expiration.  If uncontested & no material change, auto renewal.
<b>Washington</b> Ex parte order <a href="#">RCW 7.94.050</a> 2017	Same as above.	Petition alleging: Significant danger by having a firearm.	Same as above.	Until full hearing. 14 days max.	Terminates upon hearing. No renewal.
<b>California</b> Gun Restraining Order <a href="#">§ 18175</a> 2014 - 2016	Family Member Law Enforcement	A petition. Seems to indicate the hearing would be after an ex parte or temporary order	Surrender all firearms and ammunition to law enforcement.	1 year.	Termination – 1 written request for a hearing any time during the effective period.  Renewal – Immediate family member or a law enforcement

					officer may request a renewal within the 3 months before it expires.
<p><b>California</b> Temporary Gun Restraining Order <a href="#">§ 18125</a> 2014 - 2016</p>	Law Enforcement	<p>Asserts: Immediate and present danger.</p> <p>Less restrictive alternatives have been ineffective or are inadequate.</p>	Surrender all firearms and ammunition to law enforcement.	21 days.	Nothing in statute.
<p><b>California</b> Ex Parte Gun Restraining Order <a href="#">§ 18150</a> 2014 - 2016</p>	Family Member Law Enforcement	<p>Petition and Affidavit Significant danger in the near future</p> <p>Less restrictive alternatives have been ineffective or are inadequate.</p>	Surrender all firearms and ammunition to law enforcement.	No long than 21 days.	Nothing in statute.
<p><b>Connecticut</b> <a href="#">1. Conn. Gen. Stat. § 29-38c</a> Effective 1999</p>	State's Attorney Assistant State's Attorney Two Police Officers	<p>Affidavit:</p> <p>Risk of imminent injury Possesses a firearm</p> <p>Petitioner conducted an independent investigation.</p> <p>No reasonable alternative.</p>	A warrant commanding an officer to enter, search and take into custody all firearms and ammunition.	<p>Until hearing. 14 days max.</p> <p>Hearing 1 year.</p>	Nothing in statute.

<p><b>Delaware</b> Non-Emergency Hearings <a href="#">§ 7704</a> Effective Dec. 27, 2018</p>	<p>Family Member Law Enforcement</p>	<p>Affidavit or verified petition.</p> <p>Poses a danger.</p> <p>Identify location of firearms.</p>	<p>Surrender all firearms or ammunition to law enforcement</p> <p>May allow to relinquish to 3<sup>rd</sup> party.</p> <p>May prohibit residing w/ gun owner.</p>	<p>1 year.</p>	<p>Termination – 1 written request for a hearing any time during the effective period.</p> <p>Renewal – Family member or law enforcement may request a renewal within the 3 months of expiration.</p>
<p><b>Delaware</b> Emergency Hearings <a href="#">§ 7703</a> Effective Dec. 27, 2018</p>	<p>Law Enforcement</p>	<p>Affidavit or verified petition.</p> <p>Immediate and present danger.</p> <p>Identify location of firearms.</p>	<p>Surrender all firearms or ammunition to law enforcement</p> <p>May prohibit residing w/ gun owner.</p>	<p>Until hearing. Usually up to 15 days. Exception – up to 45 days to effectuate service.</p>	<p>Nothing in statute.</p>
<p><b>Florida</b> Risk Protection Order <a href="#">§ 790.401</a> 2018</p>	<p>Law Enforcement</p>	<p>Petition and affidavit.</p> <p>Significant danger.</p> <p>Specific statements, actions, or facts that give rise to a reasonable fear</p>	<p>Surrender all firearms, licenses, and ammunition to law enforcement.</p>	<p>1 year.</p>	<p>Termination – 1 written request for a hearing to vacate during the effective period.</p> <p>Renewal – The petitioner may request an extension any time within 30</p>

					<p>days before the end.</p> <p>Renewal can be any time up to 1 year.</p> <p>If uncontested &amp; no change, auto renewal.</p>
<p><b>Florida</b> Temporary order <a href="#">§ 790.401</a> 2018</p>	<p>Law Enforcement</p>	<p>Petition and affidavit.</p> <p>Detailed allegations based on personal knowledge that respondent poses a significant danger.</p>	<p>Surrender all firearms, licenses, and ammunition to law enforcement.</p>	<p>Until hearing. 14 days max.</p>	<p>Nothing in statute.</p>
<p><b>Illinois</b> Firearms Restraining Order <a href="#">2017 IL 2354</a> Eff. Jan. 1, 2019</p>	<p>Family Member Household Member Law Enforcement</p>	<p>Affidavit or Verified Pleading.</p> <p>Significant danger</p> <p>Describe number, type, and location of any firearms.</p> <p>If danger to intimate partner notify all intimate partners.</p> <p>If law enforcement referral to domestic</p>	<p>Issue a search warrant directing a law enforcement agency to seize the respondent's firearms.</p> <p>Surrender firearm card and concealed card license.</p>	<p>6 months</p>	<p>Termination – 1 written request for a hearing any time during the effective period.</p> <p>Renewal – May request a renewal any time within the 3 months before the expiration.</p>

		<p>violence, stalking advocacy, or counseling resources if appropriate.</p> <p>Include notice given or good faith efforts.</p>			
<p><b>Illinois</b> Ex parte orders <a href="#">2017 IL 2354</a> Eff. Jan. 1, 2019</p>	<p>Family Member Household Member Law Enforcement</p>	<p>Affidavit or Verified Pleading.</p> <p>Immediate and present danger</p> <p>Describe type and location of any firearm.</p> <p>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.</p>	<p>Issue a search warrant</p> <p>directing a law enforcement agency to seize the respondent's firearms.</p> <p>Surrender firearm card and concealed card license.</p>	<p>Until hearing. 14 days max.</p>	<p>Can extend by mutual agreement of the parties.</p>
<p><b>Indiana</b> Warrant for seizure Ind. Code <a href="#">§35-47-14-2</a> 2004</p>	<p>Law Enforcement</p>	<p>Affidavit</p> <p>Why individual is dangerous and in possession of a firearm.</p>	<p>Issue a warrant to seize a firearm.</p> <p>Suspend license to carry.</p>	<p>Until hearing. 14 days max.</p>	<p>Termination – May petition after 180 days. If denied can file again in another 180 days.</p>

		Describes interactions and conversations with respondent or another individual, if credible and reliable.  Specifically describes the location of the firearm.			Renewal – Nothing in statute.
<b>Indiana</b> Warrantless seizure Ind. Code <a href="#">§35-47-14-3</a> 2004	Law Enforcement	Statement under oath or affirmation describing the basis for the officer's belief the individual is dangerous. (after seizure)	Law enforcement retains the firearm.	Nothing in Statute	Nothing in Statute
Maryland Trouble finding unedited statute. <a href="#">Chapter 250</a> has visible edits. Eff. Oct. 1, 2018					Termination –  Renewal –
<b>Massachusetts</b> Order for suspension and surrender. <a href="#">Pt. I, title III, Chapter 209A §3B</a> July 3, 2018	Nothing in Statute	Demonstrates a substantial likelihood of immediate danger of abuse	Surrender all firearms, licenses, and ammunition to law enforcement.	Nothing in statute.	Termination – May petition the court. If required for employment hearing within 2 days.  Renewal – Nothing in statute.
<b>Massachusetts</b>	Nothing in Statute	Filing a complaint.	May enter such	Until hearing. 10 days max.	If uncontested



Temporary order <a href="#">Pt. I, title III, Chapter 209A §4</a>		Substantial likelihood of immediate danger of abuse	temporary orders as it deems necessary to protect a plaintiff from abuse.		at hearing continues without further order of the court.
<b>New Jersey</b> Temporary Order <a href="#">2C:58-23</a> Eff. Sept. 1, 2019	Family Member Household Member Law Enforcement -Law enforcement can also join in a petition.	Allege respondent poses a significant danger  Affidavit with establishing facts, the number, types, physical description, and locations of any firearms and ammunition.	Prohibit having a firearm.  Any card or permit is revoked.	Remains in effect until a court issues a further order.	Termination – Nothing in statute.  Renewal – Nothing in statute.
<b>Oregon</b> Extreme Risk Protection Orders Vol. 4 Chp <a href="#">166.525</a> <a href="#">Jan. 1, 2018</a>	Family Member Household Member Law Enforcement	Ex parte petition.	Surrender all deadly weapons to law enforcement, a gun dealer, or 3 <sup>rd</sup> party.	1 year.	Termination – May submit a petition once during the one year order.  Renewal – Within 90 days before the expiration date.
<b>Oregon</b> Ex Parte Order Vol. 4 Chapter <a href="#">166.5257</a> <a href="#">Jan. 1, 2018</a>	Family Member Household Member Law Enforcement	Petition and affidavit or oral statement under oath.	Surrender all deadly weapons to law enforcement, a gun dealer, or 3 <sup>rd</sup> party.	If uncontested for 30 days then 1 year.  If contested until hearing.	Termination – 1 request to terminate during the effective period.  Renewal – Nothing in statute.

<p><b>Rhode Island</b> Extreme Risk Protection Orders <a href="#">8-8.3-1, et seq.</a> June 1, 2018</p>	<p>Law Enforcement</p>	<p>Petition and affidavit.</p> <p>Petition must state specific statements, actions, or facts that support respondent poses a significant danger.</p> <p>Must identify the number, types, and locations of all such firearms, if known.</p> <p>Identify all known restraining orders, orders of protection, and pending lawsuits, complaints, petitions, or actions pending, active, or filed within one year prior</p>	<p>Surrender firearms to law enforcement.</p> <p>Surrender license to AGO or licensing authority.</p>	<p>1 year.</p>	<p>Termination – 1 request to terminate during the effective period.</p> <p>Renewal – Petitioner may request a renewal any time within 14 days before the date the order expires.</p> <p>If uncontested and no material change will auto renew.</p>
<p><b>Rhode Island</b> Temporary Orders <a href="#">§ 8-8.3-4.</a> June 1, 2018</p>	<p>Law Enforcement</p>	<p>Petition and affidavit.</p> <p>Petition must state specific statements, actions, or facts that support respondent poses a significant danger.</p> <p>Must identify the number,</p>	<p>Surrender firearms to law enforcement.</p> <p>Surrender license to AGO or licensing authority.</p>	<p>Until hearing. 14 days max.</p>	<p>Termination – Nothing in statute.</p> <p>Renewal – Nothing in statute.</p>

		<p>types, and locations of all such firearms, if known.</p> <p>Identify all known restraining orders, orders of protection, and pending lawsuits, complaints, petitions, or actions pending, active, or filed within one year prior</p>			
<p><b>Vermont</b>  Extreme Risk Protection Order  <a href="#">13 V.S.A. § 4051</a>  April 2018</p>	<p>State's Attorney  The Office Of The Attorney General</p>	<p>Petition alleging: Extreme risk indication by infliction or attempt to inflict bodily harm on another.</p> <p>Threats or actions that place others in reasonable fear.</p> <p>Action/inaction that presented danger to person in respondent's care.</p> <p>Threatened or attempted suicide or seriously bodily harm to self.</p>	<p>Prohibit all dangerous weapons and surrender to law enforcement, licensed firearms dealer, or a third party.</p>	<p>6 months.</p>	<p>Termination – 1 request to terminate during the effective period.  <i>The State shall have the burden of proof by clear and convincing evidence.</i></p> <p>Renewal – May file not more than 30 days and not less than 14 days before it expires.</p>

		Affidavit states specific facts in support, any dangerous weapons, and any existing orders under abuse, stalking, or sexual assault statutes.			
<p><b>Vermont</b> Ex parte order <a href="#">13 V.S.A. § 4054</a> April 2018</p>	<p>State's Attorney The Office Of The Attorney General</p>	<p>Motion and affidavit. Imminent and extreme risk.</p> <p>Specific facts supporting allegations Any dangerous weapons in respondent control.</p>	<p>Prohibit all dangerous weapons and surrender to law enforcement, licensed firearms dealer, or third party.</p>	<p>Until hearing. 14 days max. If not voluntarily dismissed.</p>	<p>Termination – Nothing in statute.</p> <p>Renewal – Nothing in statute.</p>

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**

STATES	BILL #	DESCRIPTION
<b>BACKGROUND CHECKS</b>		
Florida	<a href="#">SB 7026</a>	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)
Louisiana	<a href="#">AB 231</a>	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.
Oregon	<a href="#">HB 4145</a>	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.
Tennessee	<a href="#">SB 834</a>	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.
Vermont	<a href="#">S 55</a>	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.
<b>BUMP STOCKS &amp; TRIGGER ACTIVATORS</b>		
Vermont	<a href="#">S 55</a>	Prohibits the sale or transfer, possession, manufacturing or use of bumpstocks or other accessories to increase the rate of fire of a firearm
Connecticut	<a href="#">HB 5542</a>	
Delaware	<a href="#">HB 300</a>	

	Florida	<a href="#">SB 7026</a>	
	Hawaii	<a href="#">SB 2046</a>	
	Maryland	<a href="#">SB 707</a>	
	New Jersey	<a href="#">S 3477</a>	
	Rhode Island	<a href="#">SB 2292</a>	

### CONCEALED CARRY

	New Jersey	<a href="#">A 2758</a>	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.
	Maryland	<a href="#">HB 819</a>	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.
	Oklahoma	<a href="#">HB 3353</a>	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.
	South Dakota	<a href="#">HB 1209</a>	This bill requires that applicants for a concealed carry license to undergo a background check through the National Instant Criminal Background Check System (NICS).

### GUNS IN SCHOOLS

	Vermont	<a href="#">HB 25</a>	Banned possession of guns in K12 school buildings and buses, except where authorized by local school officials for specific occasions or purposes.
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### LARGE-CAPACITY AMMUNITION MAGAZINES

	New Jersey	<a href="#">A 2761</a>	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.
	New Jersey	<a href="#">A 2759</a>	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.
	Vermont	<a href="#">SB 55</a>	Bans magazines that can accept more than 10 rounds for a long gun and more than 15 for a handgun.

### MENTAL HEALTH

	New Jersey	<a href="#">A 1181</a>	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
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			or purchasing or carrying permit is voided and subject to revocation by the Superior Court.
	Delaware	<a href="#">HB 302</a>	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 "red flags" of posing a danger to themselves or others.
	Louisiana	<a href="#">SB 411</a>	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.

### PROHIBITED PERSONS

	Nebraska	<a href="#">LB 990</a>	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
	Virginia	<a href="#">SB 669</a>	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.

### TRAFFICKING

	Georgia	<a href="#">HB 657</a>	This bill makes it a felony offense for any person to knowingly and intentionally provide a firearm to a felon.
	Wisconsin	<a href="#">SB 408</a>	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

### WAITING PERIOD

	Florida	<a href="#">SB 7026</a>	Extends the state's three-day waiting period for handguns to all firearms sold at retail locations
	Illinois	<a href="#">SB 3256</a>	Lengthened the state's 24-hour waiting period for long guns to 72 hours

### DOMESTIC VIOLENCE

	New York	<a href="#">SB 8121</a>	Keeps firearms away from domestic abusers
	Kansas	<a href="#">HB 2145</a>	
	Louisiana	<a href="#">HB 776</a>	
	Louisiana	<a href="#">HB 896</a>	
	Louisiana	<a href="#">SB 231</a>	
	Maryland	<a href="#">HB 1646</a>	
	Ohio	<a href="#">HB 1</a>	
	Oregon	<a href="#">HB 4145</a>	
	Utah	<a href="#">SB 27</a>	
	Vermont	<a href="#">H 422</a>	

## 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.

Cosponsors: Sen. Graham [R-SC], Sen. Collins [R-ME], Sen. Hassan [D-NH], & Sen. McCaskill [D-MO]  
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](#): 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](#) 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 1 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](#).
- 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* 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.



# 2018 AG REQUEST LEGISLATION LARGE CAPACITY MAGAZINES

## PROBLEM

High Capacity Magazines<sup>1</sup> 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.<sup>2</sup> 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:

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

## 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.



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### SPONSORS:

Sen. Frockt (D-46)  
Sen. Dhingra (D-45)  
Sen. Darneille (D-27)  
Sen. Pedersen (D-43)  
Sen. Carlyle (D-36)  
Sen. Hunt (D-22)  
Sen. Wellman (D-41)  
Sen. Chase (D-32)  
Sen. Keiser (D-33)  
Sen. Saldaña (D-37)  
Sen. Kuderer (D-48)

Rep. Peterson (D-21)  
Rep. Gregerson (D-33)  
Rep. Macri (D-43)  
Rep. Pellicciotti (D-30)  
Rep. Reeves (D-30)  
Rep. Ryu (D-32)  
Rep. Valdez (D-46)  
Rep. Kagi (D-32)  
Rep. Frame (D-36)  
Rep. Clibborn (D-41)  
Rep. Appleton (D-23)  
Rep. Tharinger (D-24)  
Rep. Senn (D-41)  
Rep. Kloba (D-1)  
Rep. Pollet (D-46)  
Rep. Chapman (D-24)  
Rep. Bergquist (D-11)  
Rep. Dolan (D-22)  
Rep. Doglio (D-22)  
Rep. Stanford (D-1)

1. High Capacity Magazine is defined in this bill as more than 10 rounds  
2. <http://www.motherjones.com/politics/2012/07/mass-shootings-map/>  
3. Police discovered multiple high capacity magazines in addition to a cache of over 40 firearms.  
4. Sources claim 9-11 minutes of consistent, 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  
2012, 26.

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

2004: Firearm Violence Report 2013

-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:](#)

State	Year	Bill Number	Title	chapter_num	Summary
AK	2017	HR 7	Safe School Environment		Recognizes the importance of safe school environments for students, staff, and their families, supports improvement of school safety measures.
AL	2018	H 179	Alabama Community College System	2018-502	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.
AL	2018	S 27	Possession of Firearms	2018-529	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.
AL	2018	S 323	Education Trust Fund Budget Stabilization Fund	2018-544	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.
AZ	2018	H 2663	Budget Reconciliation		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

					procurement procedures, requirements, and certain administrative penalties.
AZ	2018	S 1390	Transaction Privilege Tax		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.
AZ	2018	S 1527	Budget Reconciliation		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.
CA	2017	A 424	Possession of a Firearm in a School Zone	2017-779	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.
CO	2018	H 1269	Parent Notice for Student Safety and Protection		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.
CO	2018	H 1413	School Safety Grant Program		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.
CO	2018	S 158	School Access to Interoperable Communication Technology		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,

					establishes a dedicated fund, makes an appropriation.
CO	2018	S 269	School Security Disbursement Program		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.
CO	2018	S 272	Crisis And Suicide Prevention Training Grant Program		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.
CT	2018	H 5219	Security Officer Licenses To Work As Security Officers	18-20	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.
CT	2018	H 5542	Bump Stock Ban	18-29	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.
DE	2017	H 142	School District Training		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.
FL	2018	H 165	Threats to Conduct Mass Shooting or Terrorism	2018-128	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.
FL	2018	S 1940	Public Records and Public Meetings	2018-1	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.

FL	2018	S 7026	School Public Safety	2018-3	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.
GA	2017	H 740	Improved Student Learning Environment		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.
GA	2017	H 763	Compulsory Attendance for Certain Students		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.
GA	2017	HR 1414	House Study Committee on School Security		Creates the House Study Committee on School Security.
HI	2017	SCR 161	Hazard Mitigation Measures		Urges the Governor and director of the Hawaii emergency management agency to improve Hawaii's emergency preparedness and hazard mitigation measures.
IA	2017	S 2364	Emergency Operations Plan for School Buildings		Requires school districts and accredited nonpublic schools to develop high quality emergency operations plans for school buildings, requires emergency operations drills at least annually.
ID	2018	H 565	Concealed Weapon Provisions		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.



ID	2018	H 665	Threatening School Violence		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.
ID	2018	H 706	Appropriations		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.
IL	2017	S 1486	School Code and the School Safety Drill Act		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.
IL	2017	HR 865	School District Modern Response Training Programs		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.
IN	2018	H 1230	School Safety	211-2018ss	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.
KY	2018	H 200	Appropriations and Revenue Measures		Relates to the State/Executive Branch Budget: Detail Part I, Operating Budget, appropriates money to General Government.
LA	2018	H 498	School Crisis Management and Response Plans		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.

LA	2018	H 602	Weapons and Firearms		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.
LA	2018	H 766	Behavioral Health Services for Students		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.
LA	2018	H 895	Threats to School Safety		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.
LA	2018	H 898	Mental Health		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.
LA	2018	S 178	Body Armor on School Property		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.
LA	2018	SCR 8	Education Department		Requests the Department of Education to investigate the feasibility and cost of installing silent alarms in all elementary and secondary school classrooms.
LA	2018	SR 49	Special Day and Week and Month		Designates November 2018 as School Psychology Awareness Month.
MA	2017	S 2371	Criminal Justice Reform	69-2018	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.

MD	2018	H 117	Property Tax Credit		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.
MD	2018	H 1783	School Facilities Act		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.
MD	2018	S 185	Budget Bill		Makes proposed appropriations contained in the State Budget for a certain fiscal year.
MD	2018	S 394	Property Tax Credit		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.
MD	2018	S 1265	Safe to Learn Act		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.
ME	2017	H 929	School Youth Mental Health Training		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.
ME	2017	H 1174	Youth Suicide Prevention Protocols		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.

ME	2017	S 703	State School Revolving Renovation Fund		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.
MO	2018	H 2002	State Board of Education		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.
NC	2017	H 670	Threat of Mass Violence	2018-72	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.
NC	2017	S 99	Appropriations	2018-5	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.
NH	2017	H 1370	School Emergency Management Plan	2018-35	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.
NH	2017	H 1415	School Employee Death Benefit	2018-349	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.
NM	2018	H 306	Severance Tax Bond Projects		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.

NM	2018	S 239	School Capital Outlay for Security		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.
NM	2018	SM 8	Study School Suicides & Gun Violence		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.
NY	2017	S 7503	Aid To Localities Budget		Makes appropriations for the Aid To Localities Budget.
NY	2017	S 7509	Taxation		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.
OH	2017	H 318	Qualifications of School Resource Officers	2018-98	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.
OH	2017	S 226	Permanent Sales Tax Holiday	2018-55	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.
OK	2017	H 2527	Firearms		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.
OK	2017	H 3353	Firearms		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.
OK	2017	S 1517	Trauma Informed Care		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

					nature of recommendations, provides that Task Force meetings are subject to Oklahoma Open Meeting Act, provides that Task Force members shall not receive reimbursement.
PA	2017	H 1448	Public School Code		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.
PA	2017	S 1142	School Security and Safety		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.
RI	2017	H 5016	School Buildings Safety Assessment	2017-32	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.
RI	2017	H 7200	Appropriations	2018-47	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.
RI	2017	H 7694	School Safety Committee	2018-9	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

					plan and hazards survey report from each town, city, and regional school district.
RI	2017	S 2639	School Safety Committee	2018-10	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 plan and hazards survey report from each town, city, and regional school district.
SC	2017	S 131	Offenses Involving Disturbing Schools		Provides it is unlawful for school or college students to make threats to take the lives of or to inflict bodily harm upon others by using any form of communication whatsoever, relates to offenses involving disturbing schools, so as to restructure the offenses, provides a delineated list of those actions which constitute a violation, limits its application to actions by persons who are not students.
SD	2018	H 1271	Gun Carry Provisions		Revises certain provisions regarding the carrying of certain guns on certain premises.
TN	2017	H 2550	Firearms and Ammunition		Relates to firearms and ammunition, authorizes local education agencies to offer a firearm education course in elementary school, provides that the course of instruction shall not permit the use or presence of live ammunition or live fire.
TN	2017	S 341	Principals and School Personnel		Relates to teachers, principals and school personnel, authorizes school counselors, with parental consent, to refer students to private counselors, prohibits the Local Education Agency or counselor from covering the cost of the student's referral or services.
TN	2017	S 2059	School Safety Act		Enacts the School Safety Act, authorizes local boards of education to adopt a policy authorizing off duty law enforcement officers to serve as armed school security officers during regular school hours on campuses and during school sponsored events, requires a memorandum of understanding with each law enforcement agency that employs the officer, provides provisions required for the MOU, provides duties for each Chief Law Enforcement Officer and agency.
UT	2018	HCR 22	Honorary Resolution		Honors the victims of the Marjory Stoneman Douglas High School tragedy by designating the month of April 2018 as hashtagMSDkindness month.

UT	2018	S 87	School Security Locks		Amends provisions of the State Construction and Fire Codes Act, relates to hardware height on a door for certain occupancies for purposes of a lockdown or a lockdown drill.
VA	2018	H 151	Special Conservators of the Peace		Relates to special conservators of the peace, revises provisions relating to the powers that may be provided in an order for appointment of a special conservator of the peace, prohibits a special conservator of the peace to display or use the word police or use the seal of the Commonwealth on any uniform, credential, or vehicle in performing duties with exceptions.
VA	2018	H 1017	Child Day Programs		Relates to child day programs, relates to exemptions from licensure, exempts from licensure any child day program that is offered by a local school division, staffed by local school division employees, and attended by preschool aged children or children who are enrolled in public school within such school division, provides that such programs shall be subject to safety and supervisory standards established by the local school board.
VA	2018	S 109	Dissemination of Juvenile Record Information		Relates to the dissemination of juvenile record information, relates to emergency medical services agency applicants, provides that juvenile record information maintained in the Central Criminal Records Exchange may be disseminated to the State Health Commissioner and to certain local officials for the purpose of screening any person who applies to be a volunteer with or an employee of an emergency medical services agency.
VA	2018	S 682	Child Day Programs		Relates to child day programs, exempts from licensure any child day program that is offered by a local school division, staffed by local school division employees, and attended by preschool aged children or children who are enrolled in public school, provides that such programs shall be subject to safety and supervisory standards established by the local school board.
VT	2017	H 25	Domestic Terrorism		Revises provisions relating to domestic terrorism, provides criminal punishment for a person who carries a dangerous or deadly weapon with the intent to injure another, defines domestic terrorism, increases the criminal penalties for possession of a dangerous or deadly weapon on school property or a school bus.
WA	2017	H 1279	School Safety Drills		Concerns school safety drills, requires schools and school districts to consider the guidance provided by the superintendent of public instruction, including the comprehensive school safety checklist and the model comprehensive safe



					school plans that include prevention, intervention, all hazard/crisis response, and postcrisis recovery, when developing their own individual comprehensive safe school plans.
WA	2017	S 6032	Supplemental Operating Appropriations		Makes supplemental operating appropriations, relates to the general fund.
WA	2017	S 6514	Suicide Prevention and Behavioral Health		Relates to implementing a comprehensive approach to suicide prevention and behavioral health in higher education, with enhanced services to student veterans.
WI	2017	A 843	School Safety Plans		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.
WV	2018	S 244	Unlawful Possession of Firearm on School Property		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.

## Process

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 10<sup>th</sup> 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.

Talk to the person causing the concern	Referral to employee advisory service
Training	Increased supervision
Job analysis	Performance Correction
Disability accommodation	Employment termination
Civil court order	Administrative Banning
Law Enforcement – informal or formal	Student services



# 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

# ROLE OF BEHAVIORAL HEALTH IN SCHOOLS

Jan Dobbs

Frontier Behavioral Health



# 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




## 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

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



# 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



# INVOLUNTARY TREATMENT ACT

## RCW 71.34.700

(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&T providing treatment.

## RCW 71.05.153

(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



# INVOLUNTARY TREATMENT ACT

## RCW 71.34.700

- (1) If a minor, thirteen years or older, is brought to an evaluation and treatment facility or hospital emergency room for **immediate mental health services**, 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.
- (2) If a minor, thirteen years or older, is brought to a **secure detoxification facility** with available space, or a hospital emergency room for

## RCW 71.05.153

custody in an E&T facility for not more than seventy-two hours as described in RCW [71.05.180](#).

(2) When a DCR receives information alleging that a person, **as the result of substance use 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 the person, or cause by oral or written order the person to be taken, into

YOU ARE NOT ALONE

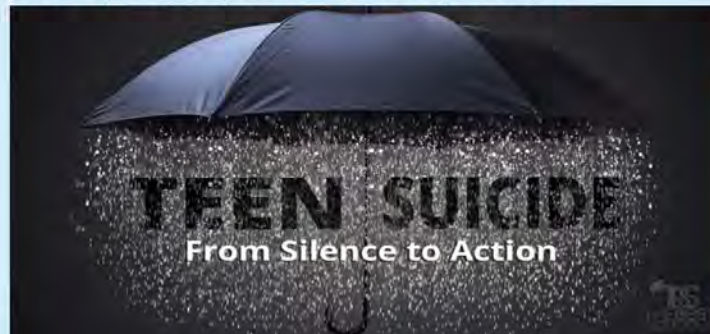
# INVOLUNTARY TREATMENT ACT

## RCW 71.34.700

**immediate substance use disorder treatment**, 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 **mental disorder or substance use disorder**, inpatient treatment is required, the minor is **unwilling to consent to voluntary admission**, and the professional person believes that the minor meets the criteria for initial detention set forth

## RCW 71.05.153

emergency custody in a **secure detoxification facility** 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.



# INVOLUNTARY TREATMENT ACT

RCW 71.34.700

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.

RCW 71.05.153



# RISK ASSESSMENTS: INVOLUNTARY TREATMENT ACT

## RCW 71.34.020

(13) "Mental disorder" 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 "mental disorder" within the meaning of this section.

## RCW 71.05.020

(29) "Mental disorder" means any **organic, mental, or emotional impairment which has substantial adverse effects on a person's cognitive or volitional functions:**



# INVOLUNTARY TREATMENT ACT

RCW 71.34.020	RCW 71.05.020
<p>(11) "Likelihood of serious harm" means either: (a) A substantial risk that <b>physical harm will be inflicted by an individual upon his or her own person</b>, as evidenced by <b>threats or attempts to commit suicide or inflict physical harm on oneself</b>;</p>	<p>(27) "Likelihood of serious harm" means: (a) A <b>substantial risk</b> that: (i) <b>Physical harm will be inflicted by a person upon his or her own person</b>, as evidenced by <b>threats or attempts to commit suicide or inflict physical harm on oneself</b>; or</p>
<p>(b) a substantial risk that <b>physical harm will be inflicted by an individual upon another</b>, as evidenced by behavior which has <b>caused such harm or which places another person or persons in reasonable fear of sustaining such</b></p>	<p>(ii) physical harm will be <b>inflicted by a person upon another</b>, as evidenced by behavior which has caused <b>such harm or which places another person or persons in reasonable fear of sustaining such harm</b>; or</p>



# INVOLUNTARY TREATMENT ACT

## RCW 71.34.020

harm; or  
(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**.



## RCW 71.05.020

(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**

(b) The person has **threatened the physical safety of another and has a history of one or more violent acts;**

(49) "Violent act" means **behavior that resulted in homicide, attempted suicide, nonfatal injuries, or substantial damage to property.**



# INVOLUNTARY TREATMENT ACT

RCW 71.34.020	RCW 71.05.020
(10) "Less restrictive alternative" or "less restrictive setting" means <b>outpatient treatment</b> provided to a minor who is not residing in a facility providing inpatient treatment as defined in this chapter.	(26) "Less restrictive alternative treatment" means a program of individualized treatment in a <b>less restrictive setting than inpatient treatment</b> that includes the services described in RCW 71.05.585;



# INVOLUNTARY TREATMENT ACT

RCW 71.34.020	RCW 71.05.020
<p>(8) "Gravely disabled minor" means a minor who, as a result of a mental disorder, is in <b>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.</b></p>	<p>(17) "Gravely disabled" means a condition in which a person, as a result of a mental disorder: (a) <b>Is in danger of serious physical harm resulting from a failure to provide for his or her essential human needs of health or safety;</b> or (b) <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;</b></p>



"Risk comes from not knowing what you're doing."  
~ Warren Buffett

# INVOLUNTARY TREATMENT ACT

RCW 71.34.020	RCW 71.05.020
	(20) "Imminent" means the <b>state or condition of being likely to occur at any moment or near at hand, rather than distant or</b>





## June 5 Meeting

The Work Group held its third meeting on June 5<sup>th</sup> 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**
  - a. Teachers and students report feeling safer in schools that have consistent and positive cultures and that provide targeted behavioral interventions for struggling students. Bradshaw, C., Koth, C.W., Thornton, L.A., & Leaf, P.J. *Altering school climate through school-wide positive behavioral interventions and supports: findings from a group-randomized effectiveness trial*. *Prevention Science* 10(2), 100-115 (2009); Skiba, R.J. et. al. *Beyond Guns, Drugs, and Gangs: The Structure of Student Perceptions of School Safety*. *Journal of School Violence* 3: 149-171 (2004).
  - 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. *Structures:*
    - 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 84 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).
  - i. One study showed that after officers were regularly assigned to schools, arrest rates for disorderly conduct dramatically increased. Theriot, M. *School Resource Officers and the Criminalization of Student Behavior*. *Journal of Criminal Justice*, 37: 280-87, 280 (2009).
  - ii. 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).
  - iii. In New York City, a school-police partnership initiative resulted in a 50 percent increase in the number of students cited or ticketed by police for noncriminal incidents after one year. Brady, K., Balmer, S. and Phenix, D. *School-Police Partnership Effectiveness in Urban Schools: An Analysis of New York City's Impact Schools Initiative*. *Education and Urban Society*, 39(4), 455-478 (2007).
- 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 Colleague 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

Impact of School Resource Officer Interaction on Students' Feelings About School and School Police. *Crime and Delinquency*, 62(4): 446-469 (2016).

- 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

- a. A first-time arrest doubles the odds that a student will drop out of high school, and a first-time court appearance quadruples the odds. Sweeten, G., *Who Will Graduate? Disruption of High School Education by Arrest and Court Involvement*. *Justice Quarterly*, 23(4) (2006).
- 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)
- c. Young people who drop out of school in turn have lower income and lifetime earnings than their peers. Bureau of Justice Statistics. *Earning and Unemployment Rates by Educational Attainment* (2015), at [http://www.bls.gov/emp/ep\\_chart\\_001.htm](http://www.bls.gov/emp/ep_chart_001.htm)
- d. Juvenile arrest also increases students' chances of future imprisonment: young people with an arrest record are subject to greater surveillance and harsher discipline from police and other adults that significantly increases their chances of future arrest and incarceration. Liberman, A., Kirk, D., and Kim, K. *Labeling Effects of First Juvenile Arrests: Secondary Deviance and Secondary Sanctioning*, *Criminology* 52: 345, 359, 363 (2014).

#### 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 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 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* (2018); 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).

- iii. 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. *The Essence 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](mailto:vhernandez@aclu-wa.org)

## July 11 Meeting

The Work Group held its fourth meeting on July 11<sup>th</sup> 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>.

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 15<sup>th</sup> 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<sup>1</sup>; 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.

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<sup>1</sup> 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

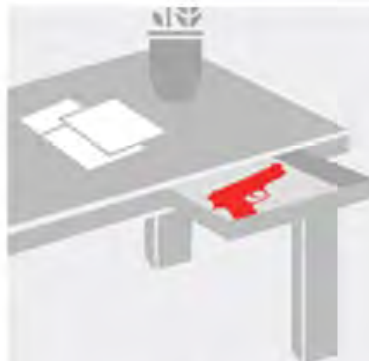
- **Threats of violence** towards others
- **Threats of self harm**
- Prior **domestic violence** incidents
- **Abuse of drugs or alcohol**
- Change in behavior (crisis calls or new disturbance calls)
- Prior protective orders issued
- Recently acquired firearms/ fixation with firearms

# 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.<sup>2</sup>



**WHEN A GUN IS PRESENT IN A DOMESTIC VIOLENCE SITUATION, THE WOMAN IS FIVE TIMES MORE LIKELY TO BE MURDERED.<sup>3</sup>**

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.<sup>4</sup>



**55%**  
of women killed with guns are killed by intimate partners or family members<sup>5</sup>

**57%**  
of mass shootings involve domestic violence

**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 63 of those 110 incidents (57%), 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.<sup>6</sup>**

# 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)** Allege 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

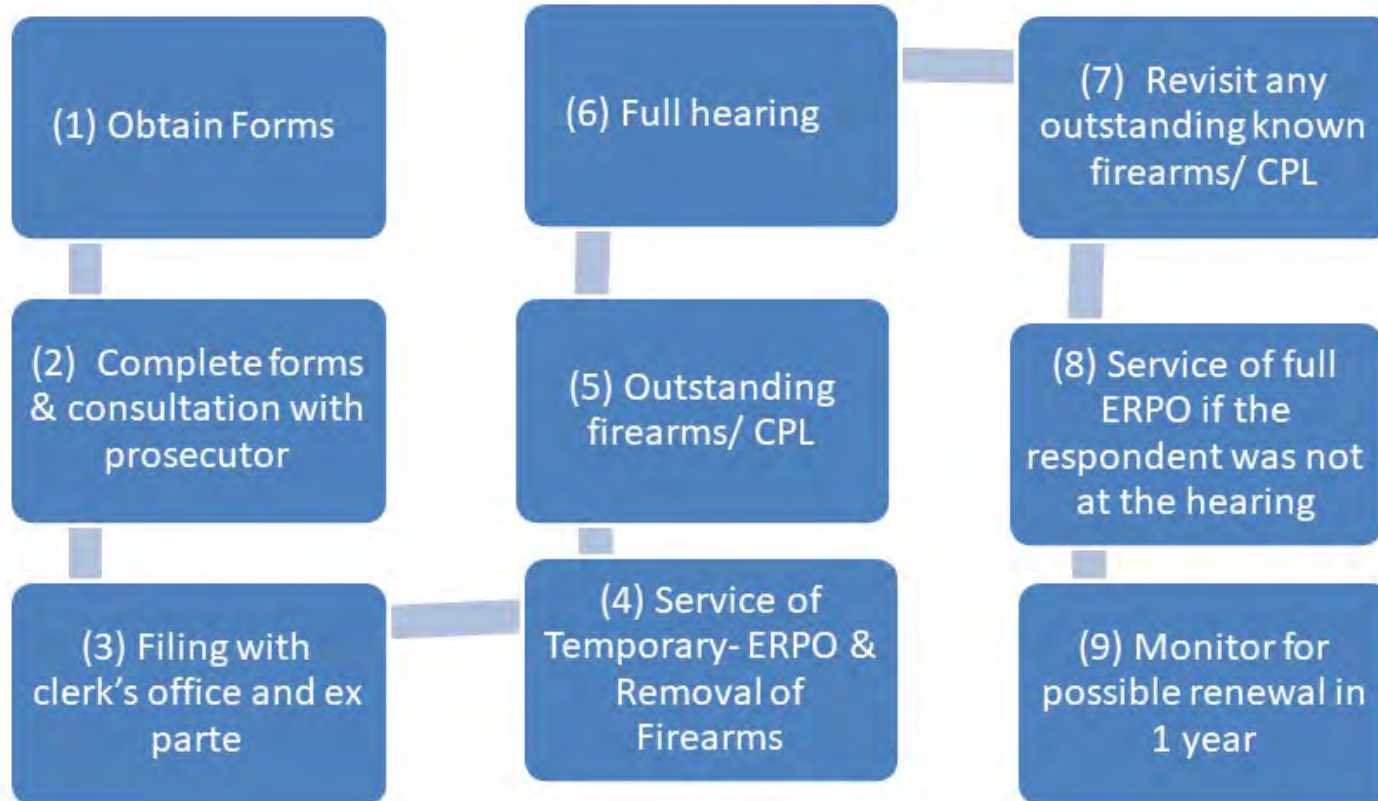
# Service and Enforcement of the ERPO

- 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



# 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 3<sup>rd</sup> 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](http://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](mailto: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:

	Petitioned		Not pursued
Teen	1		2
20's	8		9
30's	10		18
40's	8		5
50's	3		3
60's	2		3
70's	2		1
80's			
90's			1
Totals	34		42

## 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.

**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**

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

anceled 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.

## 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



## Case Study #2: October 2017



“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**

## Case Study #4: March 2018



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

## EXTREME RISK PROTECTION ORDERS

### ➤ Failed

Alabama

Kansas

New York

Alaska

Kentucky

North Carolina

Arizona

Louisiana

Tennessee

Colorado

Maine

Utah

Hawaii

Minnesota

Iowa

Missouri





Seattle Police Department

CRISIS RESPONSE UNIT

Crisis Response & Follow-up



**Sergeant Eric Pisconski:**

[eric.pisconski@seattle.gov](mailto:eric.pisconski@seattle.gov)

**QUESTIONS?**

## Remarks

### Mass Shootings Task Force

By: David Lord  
Public Policy Director  
Disability Rights Washington  
[davidl@dr-wa.org](mailto: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/>

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”.

[http://www.bazelon.org/wp-content/uploads/2018/02/Statement\\_Parkland-Shooting\\_2-16-18.pdf](http://www.bazelon.org/wp-content/uploads/2018/02/Statement_Parkland-Shooting_2-16-18.pdf)

### **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:

<https://www.rootedinrights.org/videos/explainers/people-with-mental-health-disabilities-shut-down-dangerous-ideas-about-gun-violence/>

### **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.

<https://www.politico.com/magazine/story/2018/01/17/gun-violence-masculinity-216321>

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.

The New York Times also debunked some of the myths regarding the mental health-violence connection in “Checking Facts and Falsehoods about Gun Violence and Mental Illness After the Parkland Shootings”. <https://www.nytimes.com/2018/02/16/us/politics/fact-check-parkland-gun-violence-mental-illness.html>

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 31<sup>st</sup> 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**

# Averted School Rampage

(Madfis, 2014ab; 2016; 2017; 2018)



## Philly Police Foil Teen's Plot to Attack School

Seize huge cache of weapons on display in his bedroom

Oct 11, 2007 8:51 PM CDT



## Bomb Explodes in Home of NY Teen Columbine 'Fan'

Sep 30, 2009 2:07 AM CDT



## Another Teen Nabbed in Columbine-Like Plot

Apr 25, 2008 9:04 AM CDT



Apr 21, 2011 5:10 AM CDT



## Tampa Police: We Stopped School Massacre

Aug 17, 2011 12:46 PM CDT



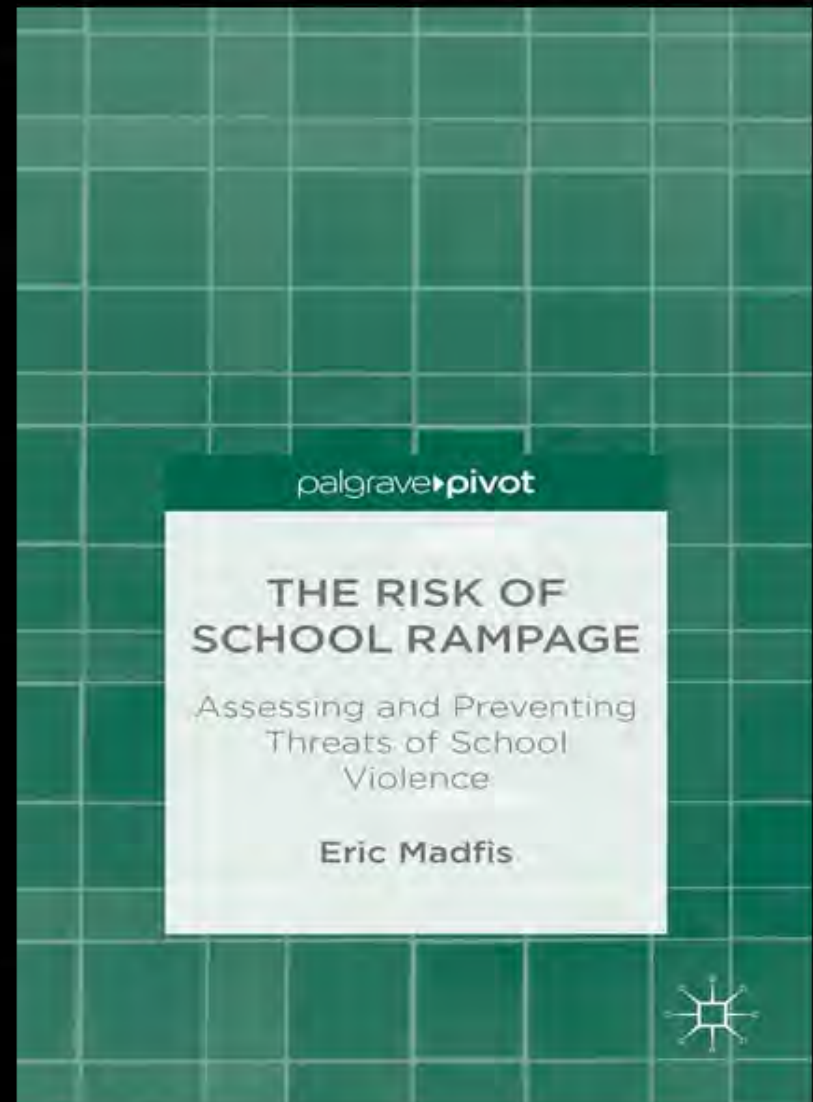
Apr 21, 2008 5:29 AM CDT

## **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**

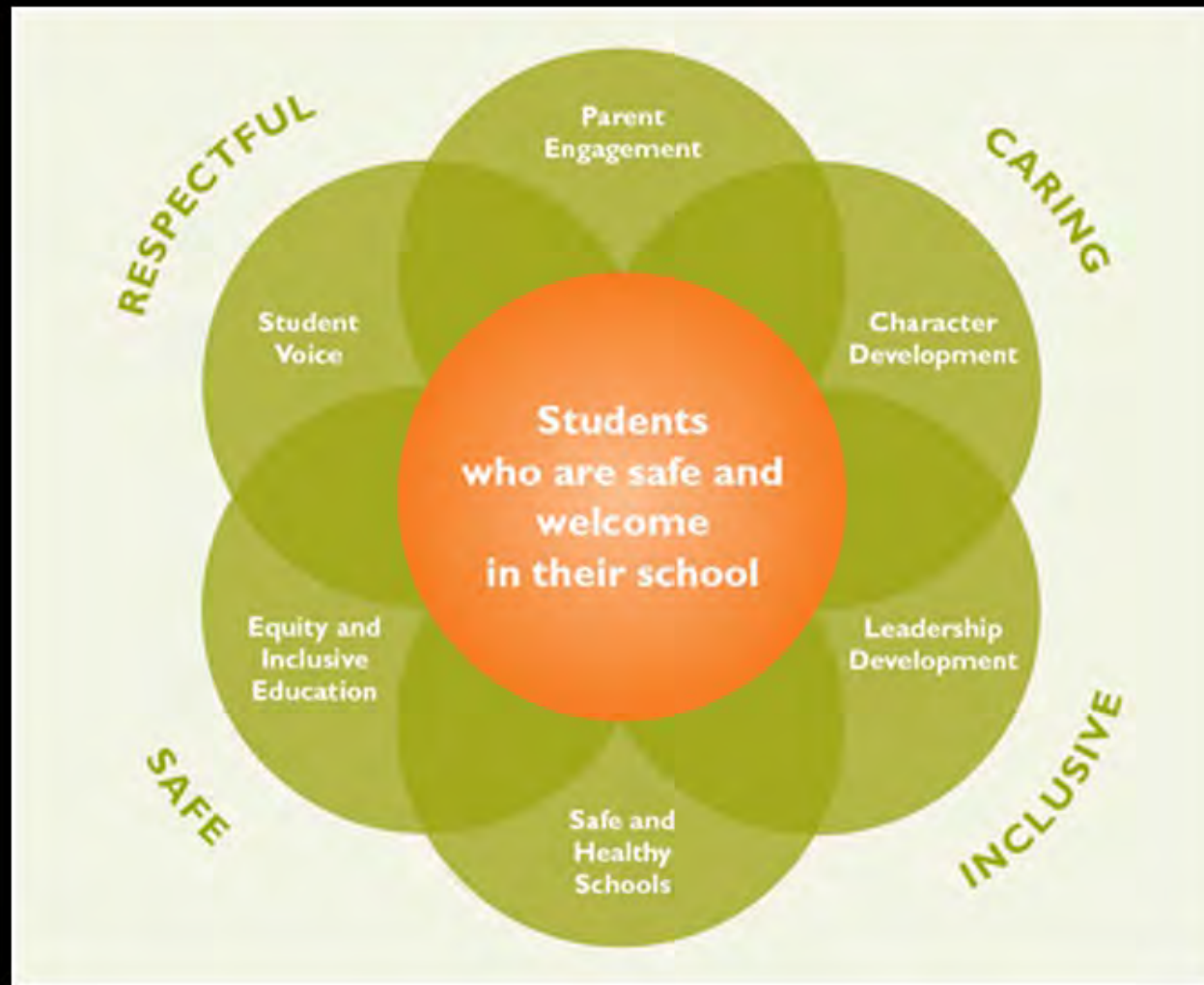
- Indirectly Informed Bystanders, Directly Informed Confidants, Threatened Targets, Involved Co-Conspirators

## **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?



# 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 18<sup>th</sup> in Kennewick, WA.

Having decided during its fifth meeting (August 15<sup>th</sup> 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>

There were no presentations given during the September 18<sup>th</sup> meeting.

### [October 17 Meeting](#)

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

This meeting was a continuation of the Work Group's September 18<sup>th</sup> 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 30<sup>th</sup>. Members of each of the three sub-committees were also asked to submit their respective committee's report no later than Tuesday, October 30<sup>th</sup>.

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 17<sup>th</sup> meeting.

## November 7 Meeting

The Work Group held its ninth, and final, meeting on November 7<sup>th</sup> 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 7<sup>th</sup> 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 51<sup>st</sup> 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](#)

[Secret Service: Enhancing School Safety Using a Threat Assessment Model: An Operational Guide for Preventing Targeted School Violence](#)

[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)

[The Educational Fund to Stop Gun Violence: Extreme Risk Protection Orders: An Opportunity to Save Lives in Washington](#)

[Police Executive Research Forum: Key Findings and an Action Plan to Reduce Gun Violence](#)

[Department of Homeland Security: School Security Survey](#)

[Department of Homeland Security: K-12 School Security: A Guide for Preventing and Protecting Against Gun Violence \(2<sup>nd</sup> Edition\)](#)

[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 \(Final report\)](#)