

School & Campus Safety Task Force Meeting

July 31, 2013

Task Force Members Present:

The Honorable Marla Graff Decker
The Honorable Laura Fornash (represented by Deputy Secretary Javaid Siddiqi)
The Honorable Bill Hazel, M.D.
The Honorable Kenneth Cuccinelli
The Honorable Joseph Yost
The Honorable Richard Stuart
The Honorable Tom Garrett
Patricia Wright, Ed.D.
Colonel W. Steven Flaherty (represented by Major Tracy Russillo)
Donna Michaelis
Garth Wheeler
Mark Gooch
Michael Cline
Michelle Wescott
Dr. Sandy Ward
Dewey Cornell, Ph.D.
Sheriff Brian Heatt
Chief Steve Cover
Edward "Bubby" Bish
Chief Don Challis
Dr. Deborah Pettit
Regina Blackwell Brown
Judi Lynch, Ph.D.
Charles Klink
Captain Steve Carey

The meeting was called to order at 1:00PM by Secretary Decker.

The minutes from the June 20, 2013 Task Force meeting were approved as written. Motion by Garth Wheeler, seconded by Chief Challis. The motion passed unanimously.

The first item on the agenda was a presentation by Chief Douglas Middleton (Henrico County) on the Final Report and Recommendations of the Public Safety Workgroup's School Design Sub-Group (see handout provided in packet). Chief Middleton provided an overview of the work of the Sub-Group, which was assigned to consider relevant information associated with School Design.

Sub-Group Co-Chair, Dr. Stewart Roberson, presented the recommendations of the Sub-Group's **Infrastructure** Team:

Recommendation 1 – Motion by Donna Michaelis, seconded by Dr. Cornell to pass the recommendation. The motion passed unanimously.

Recommendation 2 – Motion by Sheriff Hieatt, seconded by Edward Bish to pass the recommendation. The motion passed unanimously.

Recommendation 3 – Motion by Chief Cover, seconded by Chief Challis to pass the recommendation. The motion passed unanimously.

Recommendation 4 – Motion by Garth Wheeler, seconded by Donna Michaelis to pass the recommendation. The motion passed unanimously.

Mr. Wheeler noted, in follow-up to a discussion at the July 25 Public Safety Workgroup meeting, a link to the Department of Education website should also be added to this recommendation as an amendment.

Recommendation 5 – Motion by Charles Klink, seconded by Garth Wheeler to pass the recommendation. The motion passed unanimously.

After providing an overview of the Narrative, Sub-Group Co-Chair, Chief Middleton, then presented the recommendations of the Sub-Group's **Communications** Team. He explained these recommendations were crafted in a way to encourage dialogue/discussions between local school divisions and public safety agencies. It was also noted that training is a critical component to implement these recommendations successfully.

Recommendation 1 – Motion by Edward Bish, seconded by Michelle Wescott to pass the recommendation. The motion passed unanimously.

Recommendation 2 – Motion by Dr. Ward, seconded by Mark Gooch to pass the recommendation. The motion passed unanimously.

Recommendation 3 – Motion by Chief Cover, seconded by Attorney General Kenneth Cuccinelli to pass the recommendation. The motion passed unanimously.

Recommendation 4 – Motion by Michelle Wescott, seconded by Sheriff Hieatt to pass the recommendation. The motion passed unanimously.

Lastly, Sub-Group Co-Chair, Dr. Roberson, presented the recommendations of the Sub-Group's **Building Codes** Team:

Recommendation 1 – Motion by Attorney General Kenneth Cuccinelli, seconded by Mark Gooch to pass the recommendation. The motion passed unanimously.

Recommendation 2 – Motion by Sheriff Hieatt, seconded by Secretary Hazel to pass the recommendation. The motion passed unanimously.

Recommendation 3 – Motion by Edward Bish, seconded by Mark Gooch to pass the recommendation. The motion passed unanimously.

Recommendation 4 – Motion by Garth Wheeler, seconded by Michelle Wescott to pass the recommendation. The motion passed unanimously.

The next item on the agenda was a presentation on **Crisis Intervention Team Funding** by Attorney General Kenneth Cuccinelli (see handout provided in packet).

Twenty (20) grants, made possible by \$100 million in asset forfeiture funds out of the 2012 Abbott Pharmaceuticals health care product case, have been issued by the Office of the Attorney General for CIT training for localities throughout the state. Each grant has been approved by the Task Force’s Mental Health Workgroup. The funds will roll out this **fiscal** year.

The purpose of the training is to better equip law enforcement when interacting with the mentally ill – it keeps officers safer; it keeps those individuals being addressed safer, by deescalating situations; and it diverts folks from the criminal justice system to the health care system.

It was noted that the focus of the trainings should be ‘training the trainer’, making the sustainability of the training perpetual.

The training is also critical for correctional officers, as jails can sometimes be turned into mental institutions of last resort. These funds will make training available to this population of professionals that have not had the opportunity previously.

The next item on the agenda was a presentation on the full **Public Safety Study** by Dr. William Pelfrey, Associate Professor at Virginia Commonwealth University (see handouts provided in packet).

Dr. Pelfrey provided a detailed PowerPoint presentation on each of the three pieces of legislation addressing the issue of ‘guns in schools’ - HB 1557-Armed Persons in Schools, HB 1730-Requiring SROs in all Schools, and HB 2277-Defining the School Security Officer Position.

The emergent themes of the three bills include the facts that:

- All three point towards a desire to enhance safety of students and school personnel.
- There is no research to indicate that armed persons in schools can prevent or deter events like Sandy Hook or Columbine.
- Key issues of costs and liability must be thoroughly considered prior to making decisions.
- Psychological impacts of armed persons (either school or law enforcement employees) should also be considered.

Secretary Decker noted that these bills were referred to the Task Force by the 2013 General Assembly for review, assessment and comment only, not for them to be acted upon.

Secretary Decker requested the Task Force members review the Public Safety Study materials in detail in preparation of the August 13 Task Force meeting, as decisions will need to be made on the recommendations.

The next item on the agenda was a presentation on **Civil Liability in Schools** by Bradford King, an Attorney with Sands Anderson, PC in Richmond (see handout provided in packet).

Mr. King provided a detailed PowerPoint presentation on *School Personnel Carrying Firearms: Civil Liability for Schools*.

Lastly, Donna Michaelis provided a presentation on the **Outstanding Public Safety Workgroup Recommendations** (see handout provided in packet). Each of these recommendations passed the Workgroup at their July 25, 2013 meeting.

PS-20 – Motion by Chief Challis, seconded by Michelle Wescott to pass the recommendation. The motion passed unanimously.

It was noted by Michael Cline that DCJS should also have a collaborative role in the development of a template for use by localities in developing their own local plans for the integration of first responders, and this should be included in the recommendation as an amendment. The amendment passed unanimously.

PS-22 - Motion by Michelle Wescott, seconded by Edward Bish to pass the recommendation. The motion passed unanimously.

PS-23 - Motion by Attorney General Kenneth Cuccinelli, seconded by Secretary Hazel to pass the recommendation. The motion passed unanimously.

PS-24 - Motion by Senator Stuart, seconded by Secretary Hazel to pass the recommendation. The motion passed unanimously.

The question was raised on which state agency would lead the referenced standing committee. Secretary Decker noted this recommendation would need to be amended with that information once a decision is made.

PS-25 - Motion by Chief Challis, seconded by Attorney General Kenneth Cuccinelli to pass the recommendation. The motion passed unanimously.

PS-26 - Motion by Michelle Wescott, seconded by Garth Wheeler to pass the recommendation. The motion passed unanimously.

PS-27 - Motion by Secretary Hazel, seconded by Garth Wheeler to pass the recommendation. The motion passed unanimously.

It was noted by Dr. Cornell that, as an amendment to the first bulleted item, the word 'proven' should be changed to 'widely recommended', as he opined that the current wording overstated the evidence. The amendment passed unanimously.

PS-28 - Motion by Chief Challis, seconded by Mark Gooch to pass the recommendation. The motion passed unanimously.

It was noted that the word 'annually' be inserted in the recommendation after 'Department of Criminal Justice Services'.

PS-29 - Motion by Sheriff Hieatt, seconded by Delegate Yost to pass the recommendation. The motion passed unanimously.

PS-21 – Ms. Michaelis explained the General Assembly aligned all three of these statutes to keep the penalties consistent. Plea agreements will not be affected.

Ms. Michaelis clarified that, if a crime is committed at age 13, at age 18 one automatically has their gun rights restored. If the same crime is committed at age 14, one would have to petition the Circuit Court to have their gun rights restored.

Public Safety Workgroup member Shannon Taylor (Henrico County Commonwealth's Attorney) then addressed the Task Force as a member of the public to voice her concerns on the changes to the legislation.

After lengthy discussion, Senator Garrett moved to table the recommendation, as the issues are out of the purview of the Task Force's responsibility, per Executive Order 56. The motion was seconded and passed, with opposition by two members – Dr. Pettit and Dr. Ward.

Public Comment

Mr. Will Frank of the Virginia Association of Community Service Boards, addressed the Task Force and announced, as a priority, the Association will be implementing five Youth Violence Prevention programs throughout the state. He was asking for the Task Force's approval and support of the project. Secretary Decker noted that, as there are so many great initiatives regularly presented to the Task Force, it was decided early on that no particular items would be endorsed.

The meeting concluded at 4:20 PM.