

Public Safety Work Group Meeting

March 26, 2013

Public Safety Workgroup Members Present

The Honorable Marla Decker
Leah Hamaker for Amy Atkinson
Amy Atkinson
Weet Baldwin
Chief Craig Branch
Captain Steve Carey
Chief Jim Cervera
John Childrey
Dewey Cornell
Lee Day
Gene Deisinger
Sheriff Danny Diggs
Colonel Steven Flaherty (represented by Lieutenant Colonel Bobby Northern)
Robert Foresman
John Lindstrom
Chief Dave McCoy
Donna Michaelis
Deborah Pettit
Michael Reilly
Shannon Taylor
Director Garth Wheeler
Steve Witmer (Counsel)

The meeting was called to order at 1:05PM by Secretary Decker.

Outstanding Recommendations

The first recommendations to be discussed were those that have been incorporated into other legislation and/or recommendations:

- **CHANGES IN DEFINITION OF SAFETY AUDIT (VDEM):** *The definition of a "school safety audit" in the current legislation states "Solutions and responses shall include recommendations for structural adjustments, changes in school safety procedures, and revisions to the school board's standards for student conduct". This definition should be changed to "may include", as structural adjustments, school safety procedures, and revisions to standards of conduct for students are not always required.*

This recommendation is addressed by HB 2344. No vote necessary by Work Group.

- **FULL SITE INSPECTION OF SCHOOLS (VSP):** *Make it mandatory that a certified CPS trooper/officer conduct a full site survey of each school on a regular basis (every 2-3 years).*

This recommendation is addressed by HB 2346. No vote necessary by Work Group.

- **MANDATORY TRAINING FOR EDUCATORS AND LAW ENFORCEMENT IN IMPLEMENTING SECURITY MEASURES (VSP):** *VSP provide classes to all educators and administrators*

on active shooter situations, conduct crime prevention assessments of schools, provide walk-through assessments of lock-down procedures, and work together with the schools and other law enforcement partners to enhance safety and security.

This recommendation is addressed by HB 2346. No vote necessary by Work Group.

- **SCHOOL RESOURCE OFFICERS (DCJS):** *Conduct statewide survey and research study of law enforcement in school divisions and law enforcement agencies.*

This recommendation is addressed by Public Safety Work Group Recommendation PS-05.

The Public Safety and Education Work Groups will evaluate and assess the feasibility of armed security positions within the school building, weighing the pros and cons, and assessing the risks and liability concerns. Report will be provided by June 30, 2013.

Motion made by Donna Michaelis, seconded by John Childrey, to include this recommendation in the report due June 30, 2013. Motion passed unanimously.

- **TRAINING AND RESOURCES (VDEM):** *From a security perspective, individuals conducting school safety audits should receive training on how to conduct them. If it does not already exist, standard training should be developed by the Virginia Center for School Safety and be required for all individuals responsible for conducting school safety audits. The class should incorporate elements of Crime Prevention Through Environmental Design. Their current class, entitled "Application of CPTED in School Security Survey's," might be sufficient to meet the need.*

This recommendation is addressed by Public Safety Work Group Recommendation PS-08, which mandates the establishment of security and vulnerability checklists, and sharing of crisis management plans with law enforcement and first responders. An annual school safety team vulnerability checklist will be completed using a standardized safety protocol provided by the Virginia Center for School Safety, and be inclusive of CPTED principles. The results of the checklist will be shared with local law enforcement. Training on the conducting of School Safety Audits will be developed once these checklists are in place.

- **ENHANCE VIDEO SURVEILLANCE (MIDDLETON):** *Increase video surveillance systems at all schools. Many schools have no video surveillance, or limited surveillance that is accessible. Increasing cameras in existing school facilities provides school administration and law enforcement with another tool to address and/or prevent potential threats to a school's security.*

This recommendation is addressed by Public Safety Work Group Recommendation PS-09, which proposes the creation of a fund to provide grants and loans to localities, subject to local match, for upgrades of older facilities to improve security.

Video surveillance systems are included on the list of equipment items schools can receive through this grant process (See also Education Work Group Recommendation E-05).

The next recommendations to be discussed were those to be referred to the Education Work Group.

- **HOUSE BILL 2337 (KORY'S BILL):** *This bill was endorsed by LeMunyon through a letter to the PS Workgroup. The bill directs each local school board to hold and require the parents of each student in the local school division to attend an informational session no later than August 31 of each year, at which the school board shall distribute and present an overview of the school crisis, emergency management, and medical emergency response plan. The bill requires each parent to sign a form to certify that he attended the informational session and received a copy of the plan.*

- **UNIFY COMMUNITY PLANS (VDEM):** *All school systems localities in Virginia should have a Family Assistance Center (FAC) plan based on the template provided by VDEM.*

Motion made by Lt. Col. Bobby Northern, seconded by Garth Wheeler, that the Department of Education, in consultation with DCJS, VSP and VDEM, ensure their updated Model Crisis Management Plan includes a Family Assistance Center component. Motion passed unanimously.

- **TRAINING AND RESOURCES (VDEM):** *K-12 schools could participate with their respective local Emergency Management and first responder community training and Homeland Security Exercise and Evaluation Program (HSEEP). This training would include specifically being educated on the roles and responsibilities during and after an incident, then practicing responding to a scenario developed to test the locality's ability to respond and recover from the incident.*

Discussion ensued on the seemingly recent movement away from equipment purchases and in the direction of collaborative training. There are reduced budgets; we are doing more with less, which results in more collaboration needs – train together; work with more private sector partners.

Dave McCoy commented on changing 'could' to 'shall', and would like to craft the language that DOE grant eligibility requires that 10%, or other amount, be set aside for a collaborative training. DCJS will make suggestions to DOE.

Motion made by Shannon Taylor, seconded by Mike Riley, to forward the *House Bill 2337* and *Training and Resources* recommendations to the Education Work Group for discussion. Motion passed unanimously.

The next recommendations to be discussed were those to be referred to the Public Safety Sub-Group.

1. **ESTABLISH RECOMMENDED BUILDING DESIGN (MIDDLETON):** *Establish recommended building designs for all school buildings based on type: elementary; middle; high; college, etc. Many facilities in current use today were built in the 1950's. Clearly, security concerns have dramatically increased since that time. Many schools, built on the 'campus style' design cannot be secured adequately. Discuss after Sub-Group's work at May Meeting.*

Secretary Decker recommends the formation of a Sub-Group to evaluate the processes and mechanisms at the State level for establishing best practices on building design and security/safety features of all schools based on type – elementary, middle, high, etc.

The Sub-Group would be composed of experts from DOE, DGS, DCJS, Fire Programs, as well as representatives from law enforcement, fire and emergency management. The Sub-Group would look at this recommendation, and any others related, to come up with recommendations for the full Work Group.

Secretary Decker would like to forward the *Establish Recommended Building Design*, the *Provide Access to Schools*, the *Address Radio Interoperability* recommendations, as well as the *Enhanced Video Surveillance* recommendation to the Sub-Group for discussion.

Shannon Taylor recommended including a Henrico County representative on the Sub-Group. Donna Michaelis recommended including Fred Ellis on the Sub-Group, as he is an expert on the radio interoperability issue. Garth Wheeler also recommended DCJS employee Rick Arrington as a Sub-Group member.

Motion by Shannon Taylor, seconded by Garth Wheeler, to form the Sub-Group. Motion passed unanimously.

Secretary Decker announced that anyone interested in participating on the Sub-Group should contact Teresa Gooch (DCJS).

2. **PROVIDE ACCESS TO SCHOOLS (MIDDLETON):** *The current environment has created security-related issues in schools that are of such a nature that law enforcement cannot access the school without being 'buzzed' in to the facility. Should an incident occur, police officers would have to "breach" the access point and thereby give away their position of entry.*

Discuss after Sub-Group's work at May Meeting.

3. **ADDRESS RADIO INTEROPERABILITY (MIDDLETON):** *Develop a recommendation for radio interoperability for schools and law enforcement. In many instances, law enforcement and schools do not have the capability to communicate direct with one another during an incident or crisis...*

Per Chris McIntosh, the following recommendation is already covered in Code 915.1. Transferred to C. McIntosh, Middleton will work with him. Discuss after Sub-Group's work at May Meeting.

On behalf of Fred Ellis, Donna Michaelis made a recommendation that Mr. Ellis' recommendation on radio requirements be included in this list of recommendations to be studied by the subcommittee. This particular recommendation was addressed at an earlier meeting and was subsequently elsewhere. Mr. Ellis and others requested it be looked at again. The original wording for Mr. Ellis' recommendation is below.

- **RADIO REQUIREMENTS (ELLIS):** Require evaluation of all schools being built or renovated to determine adequate in-building penetration of local public safety radio frequencies. If in-building penetration is insufficient to provide adequate communication capability for such system, the building shall be equipped with radio amplification systems necessary to do so...

The next recommendations to be discussed were those still outstanding for the Work Group to review.

4. **SAFETY AUDIT AND CRISIS/EMERGENCY PLANS (DCJS):** *Host National School Safety Summit.*

Donna Michaelis noted that the U.S. Department of Education, Office on Safe & Drug Free Schools previously hosted an annual national conference of School Safety Center Directors. This Office is no longer in operation, and is therefore, no longer hosting the conference. Virginia, as a national leader on school safety, and is now taking on the task. A National School Safety Summit would provide an opportunity to show off Virginia's national experts, what we are doing and what has been accomplished here in Virginia. Virginia will also have an opportunity to see what is going on throughout the rest of the country. Directors of School Safety Centers are the main target audience; however, law enforcement, fire, EMS, as well as Association leaders will also be among those invited.

A survey will be distributed to find out what topics are of importance to the audience; the conference agenda will be formed from there.

Motion by Donna Michaelis, seconded by Jim Cervera, to move forward with the planning of the conference. Motion passed unanimously.

5. **SAFETY AUDIT AND CRISIS/EMERGENCY PLANS (DCJS):** *Host School Safety and Technology Vendor Fair – highlight latest technology and private industry safety standards available to school personnel to include cost benefits of access control systems, electronic notifications, and fencing.*

Donna Michaelis explained this event is in response to the many requests from vendors who would like to demonstrate the latest technology, products and wares to the public safety/school safety community. Including vendors at conferences is typically not beneficial, as the conferences are more content driven, and participants are resistant to the products. The target audience would be the decision makers - chiefs, sheriffs, emergency managers, school superintendents, county officials, etc.

Secretary Decker also suggested hosting a reception in conjunction with the fair, as well as possibly inviting procurement staff from the target agencies. The event would pay for itself with vendor fees.

Motion by Lt. Col. Bobby Northern, seconded by John Childrey, to move forward with the planning of the Vendor Fair. Motion passed unanimously.

6. ***SAFETY AUDIT AND CRISIS/EMERGENCY PLANS (DCJS): VCSS provide annual statewide training on conduct of school safety audit inspections for new safety audit team members.***

Donna Michaelis explained this training would be a priority. Secretary Decker applauded DCJS for moving forward with this training, as it is an unfunded mandate.

Motion by Weet Baldwin, seconded by Lt. Col. Bobby Northern, for the VCSS to provide annual statewide training on conduct of school safety audit inspections for new safety audit team members. Motion passed unanimously.

7. ***SEMI-ANNUAL PRACTICE OF CRISIS PLANS (VDEM): From a preparedness perspective, each school should be required to exercise their crisis, emergency management, and medical emergency response plans semi-annually and report on the status of this exercise to their local Emergency Coordinator and the Virginia Center for School Safety.***

Dave McCoy recommended striking this recommendation, as it hits on the same idea as the *Training and Resources* recommendation already being referred to the Education Work Group.

Motion by Donna Michaelis, seconded by Gene Deisinger, to forward this recommendation to the Education Work Group for discussion. Motion passed unanimously.

8. ***TRAINING AND RESOURCES (DCJS): Develop and offer Mental Health 101 courses for law enforcement. Also a recommendation from MH Workgroup (MH-03)***

Donna Michaelis explained that, prior to the passage of the MH-03 recommendation (Mental Health First Aid), DCJS had looked at conducting five, 8-12 hour courses for law enforcement on how to respond to individuals in crisis. A budget amendment was included this year for DBHDS to receive funding to conduct the training. DCJS has requested of DBHDS that they train a cadre of 15-20 law enforcement instructors, who can then go forward and train their fellow law enforcement colleagues and constituents.

DCJS is working to make this Train-the-Trainer course happen prior to June 30, 2013.

Secretary Decker noted that Fire and EMS also have mental health/crisis exposure, and have minimal training on this issue. She proposed they be added into the groups that receive this training.

Per John Colligan, \$600,000 has been allocated to DBHDS for FY14 for training "first responders and gatekeepers who have extensive public contact". DCJS would develop an MOU with the instructors, that they will teach 4-5 trainings within the next year, with DCJS supplying materials.

After Work Group discussion on CIT training, and the benefits of it versus Mental Health First Aid, the recommendation was tabled, and Donna Michaelis will develop a comparison of the two to provide at the next Work Group meeting.

9. ***TRAINING AND RESOURCES (DCJS): Produce and disseminate best practices information to school divisions through conferences, trainings, and specialized forums.***

DCJS is currently disseminating best practices information via its website. Secretary Decker noted that grant funds are getting tighter, and requested that DCJS include some scholarly works on best practices on its site to assist those submitting applications for funds.

Motion by Donna Michaelis, seconded by Dave McCoy, that DCJS will produce and disseminate best practices information through conferences, trainings and specialized forums. Motion passed unanimously.

10. ***TRAINING AND RESOURCES (DCJS): Coordinate with VDH, DOE and DCJS a statewide Bullying Prevention Forum to highlight evidence-based programs designed to address bullying and other forms of student conflict.***

Donna Michaelis announced that DCJS is working with VDH and DOE to host a Bullying Conference on June 17, 2013. The conference will address “What Bullying Is, What It Isn’t, and When Does It Cross the Line?”

A stipulation to receive conference funding from VDH was that the conference be a ‘community forum’ that would include the public, along with law enforcement, prosecutors, etc.

Motion by Donna Michaelis, seconded by Shannon Taylor, to move forward with the Bullying Conference. Motion passed unanimously.

11. ***TRAINING AND RESOURCES (DCJS): Review and update the ‘Educators’ Guide to Conducting Emergency Drills’.***

DCJS developed the Guide in 2004, but it has not been updated since. Now, considering the renewed mandates on lockdown drills, shelter-in-place, etc., DCJS will revisit and update the Guide.

Motion by Donna Michaelis, seconded by Weet Baldwin, that the Guide will be reviewed and updated by DCJS. Motion passed unanimously.

12. ***TRAINING AND RESOURCES (DCJS): Review and update the Juvenile Law Handbook.***

Donna Michaelis announced the Handbook will be reviewed and updated in consult with the Attorney General’s office. Secretary Decker recommended also consulting the Commonwealth’s Attorneys’ Services Council. The Handbook is meant for educators, so they know what is the law and what is not.

Motion by Garth Wheeler, seconded by Lt. Col. Bobby Northern, that DCJS review and update the Handbook in consult with the AG’s office and the CASC. Motion passed unanimously.

13. ***UTILIZE EARLY WARNING SYSTEM (ARRINGTON): These predictive capabilities would allow for early identification of emerging issues and allow for the diffusion of problems early on through predetermined and set protocols to be developed by the appropriate Task Force work group.***

Teresa Gooch explained that, Rick Arrington, DCJS’ Crime Prevention Specialist, believes there is value in the early warning system, looking at behaviors as a whole. There can be specific indicators when something is amiss, or when someone is having a problem. This recommendation could be meshed into some other

recommendations. DCJS will incorporate early warning systems into developing the threat assessment protocols (See PS-12).

Secretary Decker noted that critical training is needed on what triggers problem escalation.

Motion by Garth Wheeler, seconded by Weet Baldwin, that the utilization of early warning systems be included in threat assessment protocols, as appropriate. Motion passed unanimously.

14. **INFORMATION SHARING (VSP):** *Creation of Mental Health Database of Persons Involuntarily Committed for Mass Violence Ideation.*

Per Lt. Col. Bobby Northern, this recommendation should be forwarded to the Mental Health Work Group.

Shannon Taylor questioned what the difference is in this proposal and what came out of the Virginia Tech Executive Order/legislation? Lt. Col. Northern responded that this is a database to track folks who show declining behavior and/or those who have expressed the desire to commit violent crimes.

Secretary Decker noted that the Tech legislation referred to those individuals who had already been deemed to have a mental health problem. Because they voluntarily submitted to commitment, versus being ordered by the court, their information was not tracked.

This issue is out of the expertise of the Public Safety Work Group, and would require additional funding, resources, *Code* changes, etc.

Motion by Lt. Col. Bobby Northern, seconded by Gene Deisinger, that this recommendation be forwarded to the Mental Health Work Group for discussion.

15. **CRIMINAL OFFENSES (VSP):** *Eliminate age designation, and adds additional disqualifying adjudications of forcible sodomy and object sexual penetration as prohibitions against possession or transportation of firearms, firearms ammunition, stun weapons, explosives or concealed weapons through proposed legislation.*

Lt. Col. Bobby Northern explained that this recommendation would amend current legislation §18.2, 308.2 by closing two loopholes in the current law that prohibits felons from possessing or transporting firearms. The proposed amendments would also eliminate the age designation (14 years of age or older), and add the additional disqualifying adjudications of forcible sodomy and object sexual penetration.

After some discussion, Lt. Col. Northern made the motion, seconded by Craig Brach, that the two violent felonies eliminated from the legislation (forcible sodomy and object sexual penetration) be added.

After further discussion on the age designation motion, Secretary Decker noted that the issue would be tabled. Col. Kemmler (VSP) will be invited to the next meeting to answer questions/clarify issues prior to a vote by the Work Group.

Deferred to Next Meeting

16. **CAMPUS SAFETY (DCJS):** *Review the recommendations as set forth in HJR122 Final Report: Study on Campus Safety to review strategies for implementation of relevant recommendations to enhance school or campus safety. DCJS will report on this and come up with a plan at a later meeting, strategy for implementing some of recommendations, review internally; Discuss in May prepare for June report.*

17. **TRAINING AND RESOURCES (DCJS):** Review and evaluate the Secure Virginia Panel recommendations from 2004 reports to determine relevancy of recommendations for school safety. *Discuss at May Meeting.*
18. **AUXILIARY LEO EDUCATOR (CAREY):** Law enforcement entities across the Commonwealth and school systems could begin a recruiting program for educators to apply for their department's auxiliary program. The goal would be to hire one auxiliary per elementary...or middle, or high school. The person would apply and go through the same hiring process as other auxiliary officers. *Discuss at June meeting.*
19. HOUSE BILL 1730 (COLE'S BILL) Standards of Quality; full-time uniformed school resource officer.
20. HOUSE BILL 2277 (GILBERT'S BILL) School Security Officers; officers shall be retired law-enforcement officers.
21. HOUSE BILL 1557 (MARSHALL'S BILL) School boards; training for persons designated to carry concealed handguns on school property.

The next item on the agenda was the **Public Safety and Education Work Group Recommendation**. This was the recommendation that came out of the joint meeting held on March 4, 2013.

"Recommended that law enforcement officers complete the School Resource Officer training curriculum provided by the Virginia Center for School Safety or the equivalent training provide through their local department prior to assignment as an SRO or within 12 months of being assigned to the position."

This former mandate was turned into a recommendation.

Secretary Decker noted that this recommendation would be discussed further at the Work Group meeting to be scheduled in May or June, while the larger discussion of gun issues will take an entire meeting unto itself. Amy Atkinson will present on best practices, mental health issues at an upcoming full Task Force meeting.

Other items for upcoming discussions include Active Shooter training for Fire/EMS and integrated training modules for localities to use for their public safety systems. Secretary Decker would like to discuss how to identify and promote best practices in school safety at the Work Group's next meeting.

The Public Safety Study is due to the Work Group by June 30, which coincides with when the final report to the Task Force is due. Secretary Decker questioned if there was more work for this Work Group? Should the Governor be asked to extend the Group, or memorialize an executive team to meet continually as issues arise?

Secretary Decker announced that a Constituent Feedback document was included in members' meeting packets. She asked that members read the document and be ready to discuss at a future meeting if there are any ideas that have not been covered. An e-mail will be sent to members on the subject. Most of the comments are on issues that have been addressed, or have been noted to not be addressed. The Feedback document will be sent electronically to Work Group members.

John Colligan (DCJS) provided the **Update on Budget Amendments**. These are the budget recommendations that have passed the House and Senate, and are now awaiting the Governor's signature.

- House Bills 2344 & 2345 - \$202,300 to DCJS for the development of a model critical incident response training program for public school personnel, and for the development of a model policy for establishing threat assessment teams in public schools.
- \$1.3 million to fully restore general fund support for the SRO Incentive Grant Program. DCJS will prioritize the provision of grants to localities requesting SROs or SSOs in elementary, middle and high schools where no such personnel are currently in place. Localities shall match these funds based on the composite index of local ability-to-pay.
- \$500,000 for DBHDS to implement a statewide program of public education, evidence-based training, health and behavioral health provided capacity-building, and related suicide prevention activity in collaboration with VDH, DOE, Veterans Services, Aging & Rehab Services, and other partners.
- \$600,000 to provide mental health first aid training, and certification on how to recognize and respond to mental or emotional distress. Training will target school personnel, clergy, health professionals, community agency personnel, military and veteran service organizations and advocates, and other first responders and 'gatekeepers' who have extensive public contact.
- \$900,000 for crisis response services and psychiatry for children requiring mental health services.
- \$6 million, issued by VPPA, for the security equipment grant program. DOE handling distribution of funds, in consult with DCJS. There is a \$100,000 cap per school division.

Public Comment

Kristen Howard, Director of the Virginia State Crime Commission, announced that the Executive Committee of the Crime Commission will be studying PS-16 (the one bill/recommendation not passed through by the Public Safety Work Group). This recommendation creates new criminal offenses for entering a school while armed or in possession of an explosive device with the intent to commit a violent felony listed in *Code* §19.2-297.1.

Meeting concluded at 3:30 PM.