

Public Safety Work Group Meeting

June 11, 2013

Public Safety Workgroup Members Present

The Honorable Marla Graff Decker

Amy Atkinson

Weet Baldwin

Hugh Skip Blanchard

Chief Craig Branch

Captain Steve Carey

John Childrey

Dewey Cornell, Ph.D.

Vincent Darby

Lee Day

Colonel Steven Flaherty (represented by Lt. Colonel Robert Kemmler)

Robert Foresman

Mark Gooch

John Lindstrom, Ph.D.

Chief Dave McCoy

Donna Michaelis

Chief Doug Middleton

Chief Chris Perkins (represented by Deputy Chief Curtis Davis, Jr.)

Shannon Taylor

Garth Wheeler

Chief Jim Williams

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

The minutes from the March 26, 2013 Workgroup meeting were approved as written. Motion by Lee Day, seconded by Robert Foresman. The motion passed unanimously.

The first item on the agenda was the **Summary of Recommendations Passed at the March 26 Workgroup Meeting** (see handout provided in packet). Donna Michaelis provided a brief overview and updates related to Recommendation Numbers PS-17, PS-18 and PS-19.

PS-17 directs the Virginia Center for School Safety (VCSS) to host a Bullying Prevention Forum, a National School Safety Summit, and a School Safety & Technology Vendor Fair. PS-18 directs the VCSS to host Mental Health 101 Training and School Safety Audit Team Training. PS-19 directs the VCSS to produce and disseminate best practices information to school divisions via conferences, trainings and specialized forums; to review and update the *Educator's Guide to Conducting Emergency Drills*; and to review and update the Juvenile Law Handbook.

All PS-19 resources noted above will be available on the DCJS website.

The next item on the agenda was a **Discussion of the Final PS Workgroup Recommendations**.

Secretary Decker noted that the more lengthy and detailed recommendation discussions will be best held at a full Task Force later this summer, as to not have to review them twice. Efforts will be streamlined and more productive. Secretary Decker stressed Workgroup members' attendance at the full Task Force meeting, as many discussion items will require members' expertise, and varying opinions will be necessary to reach the right results.

There were two recommendations by DCJS to be reviewed at today's meeting – **Campus Safety** and **Training & Resources**. Donna Michaelis explained that, in 2004, the Virginia State Crime Commission was asked to perform a study on campus safety (HJR 122).

The final report was distributed in 2006. Out of this report came five recommendations and 27 best practices on campus safety. DCJS has reviewed the report and is evaluating what the best practices are, how much progress has been made with them, and what DCJS and other state agencies can do to support advertising and/or prioritizing these best practices. The Campus Safety recommendation is for DCJS to review the HJR report, see what items are currently relevant, and make a strategic plan to implement some of the best practices and recommendations that never came to fruition.

Donna Michaelis offered a motion that DCJS will review the recommendations as set for in the 'HJR 122 Final Report: Study on Campus Safety' to review strategies for implementation of relevant recommendations to enhance school or campus safety. The motion was seconded by Chief Jim Williams and passed unanimously.

Donna then explained that, in 2002, Governor Warner, by Executive Order, created the Secure Virginia Panel initiative to examine school safety initiatives across the nation. Many recommendations were set forth in the Panel's final report (2004), some of which were implemented, some were not. DCJS' intent is to review these reports and bring important and relevant recommendations forward to the Task Force.

Donna Michaelis offered a motion that DCJS will review and evaluate the Secure Virginia Panel recommendations from the 2004 report and determine the relevancy of recommendations for school safety. The motion was seconded by Weet Baldwin and passed unanimously.

Secretary Decker noted that an item of interest of the Workgroup is those first responders, other than law enforcement (Fire, EMS, Emergency Managers), who respond to active shooter events. An assessment from the Virginia Department of Fire Programs, the Virginia Department of Health-OEMS, and the Virginia Department of Emergency Management was requested relating to the training of these first responders in the area of 'active shooter'.

In response to this request, Don Hansen (Virginia Department of Fire Programs) and Susan Mongold (VDEM) provided PowerPoint presentations on the agenda item **Module for Active Shooter Integrated Training Module for Fire/EMS and Non-Law Enforcement Personnel** (see PP presentations provided in packet).

The question was raised to Ms. Mongold about student EMS teams and how they can be incorporated into and participate in some of the VDEM active shooter exercises. Secretary Decker noted that a listing of these student groups could be obtained from Gary Brown (VDH/OEMS). Secretary Decker suggested Ms. Mongold include these groups when marketing VDEM's trainings.

Secretary Decker requested a timeline from Mr. Hansen on the completion of VDFP's active shooter training. The first training will be implemented within six months or sooner. Virginia is one of twelve states assisting with the project.

Secretary Decker recommended the Virginia Sheriffs' Association and the Virginia Association of Chiefs of Police send out a request for any localities that have developed their own operations plans and have already started to do similar training.

Secretary Decker announced she would like to see the Workgroup recommend the development of a template for use by localities in developing their own local plans for the integration of first responders. Motion by Mark Gooch, seconded by Chief Jim Williams. Motion passed unanimously.

The next agenda item was an **Update on the Recommendation to Amend § 18.2-308.2**. Lt. Colonel Robert Kemmler (proxy for Colonel Flaherty-Virginia State Police) explained that the convicted felon statute has three categories – (i) any person convicted of a felony; (ii) any person adjudicated delinquent as a juvenile 14 years of age or older at the time of the offense who is convicted of capital murder, first- or second-degree murder, kidnapping, robbery or rape; (iii) any person under the age of 29 who was adjudicated delinquent as a juvenile 14 years of age or older at the time of the offense of a delinquent act that would be a felony if committed by an adult.

The provision the Workgroup would like to change is the second one, by adding forcible sodomy and object penetration to the list of crimes. Rape, forcible sodomy, and object penetration are all five-to-life crimes. Plea agreements will not be affected. The General Assembly previously aligned all three statutes to keep penalties consistent.

Also, the way the statute is currently written, if a 13 year old is adjudicated, he will never lose his gun rights, as he was not 14 years of age or older at the time of the adjudication. At age 21, he would have gun rights. An additional change would be to take out the "14 years of age or older at the time of the offense" piece. Gun rights would be lost, no matter when they were adjudicated. Like an adult, they would still have ability to petition the Circuit Court to get their gun rights back.

Lt. Colonel Kemmler offered a motion that these recommended changes to the convicted felon statute be moved forward to the full Task Force for review. The motion was seconded by Chief Branch and passed unanimously.

The next agenda item was a **Higher Education Update on Challenges Related to Campus Safety**. Both Dave McCoy (Chief of Police, University of Richmond) and Craig Branch (Chief of Police, Germanna Community College) provided detailed PowerPoint presentations. Chief McCoy's

presentation, entitled 'Challenges in Providing a Safety Campus Environment', explained the challenges from a private college perspective.

Secretary Decker questioned whether some of the smaller private schools are networked into the same information that the larger schools have access to. Chief McCoy replied that is not the case yet, but there is certainly growth potential. Secretary Decker suggested Chief McCoy work with Garth Wheeler on wording a recommendation that DCJS, in combined efforts with VACLEA and others, invite the private sector to participate in conferences, etc., generating some coordination between the public and private institutions. The private and public institutions have the same issues, only different resource levels.

Secretary Decker also encouraged Workgroup members to educate the community and the correct population/stakeholders on the positive things that have come out of the Task Force (i.e., letters to the editor, articles in school magazines, etc.). As leaders in your communities, Workgroup members should get the word out on what the Task Force has done/is doing. July 1 is when some of the laws the Task Force has originated go into effect.

To prepare for his presentation, 'Safety & Security Challenges & Issues for Non-Residential IHE's', Chief Branch surveyed police chiefs and security directors from the 23 non-residential institutions of higher education (IHE's) across the Commonwealth and asked for feedback on the challenges they face relating to campus safety and security.

In summary of his presentation, many IHE's reported the largest safety and security challenges are in trying to maintain the balance between maintaining safety and security while maintaining an open and easily accessible campus environment. Key concerns include:

- Support with staffing, facilities and resource needs to accommodate growth and added safety/security services
- Ensuring colleges earmark adequate funding for their police/security department's budgets to achieve its safety/security mission
- Ensuring police/security administrators are included in capital outlay planning projects.

Shannon Taylor inquired about the proximity of community college campuses to other larger four-year institutions. Chief Branch noted there is a strategic placement of community colleges and their larger counterparts. Ms. Taylor commented that, despite their close proximity, the community college system has a disservice to not have adequate levels of security compared to the larger institutions. Safety mandates should be paralleled.

Per Secretary Decker, Chief Middleton's Interoperability Subcommittee should look at their K-12 recommendations and incorporate those same designs for future campuses, whether community colleges or four-year institutions. Chief Branch and Chief McCoy will develop recommendations based on the key concerns.

It was noted that the Task Force should include some of the reported campus safety and security challenges in its final report, to include those from private, four-year, and community colleges. In addition, recommendations should be made to the Secretary of Education to ensure these concerns are communicated to the college administrators.

Chief Branch will work with DCJS and bring some recommendations to the next meeting of the Workgroup. Teresa Gooch will work with Chief Middleton on what his Subcommittee is doing so efforts are not duplicated.

The final presentation of the day was by Rick Arrington (DCJS) on the **Certified Crime Prevention Campus Program** (see brochure in packet). This program is an offset of DCJS' Certified Crime Prevention Community Program, which publicly recognizes and certifies localities that have implemented community safety strategies. The Campus Program is different, in that it recognizes and certifies those public and private accredited colleges or universities in Virginia that have met the program requirements. The program is a one-of-a-kind in the nation

Three institutions have already contacted Mr. Arrington with interest in participating in the program - the University of Richmond, Christopher Newport University and Southwest Virginia Community College.

The 11 core elements of the program are a flexible framework of what should be the bare minimum standards of pro-active policing in a campus environment. Elements are not hard to achieve, and are applicable in the private or public institution environments. In addition to the 11 core elements, there are four optional elements that must be achieved. The Law Enforcement Subcommittee of the Criminal Justice Services Board reviews all applications and awards certifications, per approval of the full Board. Certification is for three years, and a reassessment process is necessary to maintain certification.

The program will take approximately six months to a year to fully implement. The full manual and application are available on the DCJS website.

Dr. Cornell inquired about how completion of the elements by each applicant is verified? Like an accreditation process, Mr. Arrington explained that he conducts site visits to the localities and/or institutions to ensure the elements indicated are fulfilled. Goals and objectives have to be measurable. In addition, Letters of Intent must be signed by university officials, so DCJS knows they are on board with support for the program.

A motion was offered that all Virginia colleges and universities consider participation in this program. The motion was seconded by Amy Atkinson and passed unanimously.

Public Comment

None.

Next Steps

Secretary Decker noted that, at the June 20 Task Force meeting, all outstanding recommendations from the three Workgroups will be discussed (Public Safety, Education and Mental Health). Amy Atkinson will also make a presentation on evidence-based practices for children and adolescents with mental health needs.

Other upcoming Task Force meetings after this one will be critical, as the report on campus safety will be discussed, as well as the issues of guns in schools, civil liability, etc. DCJS will also be presenting at an upcoming meeting on firearms training.

Secretary Decker raised the issue of Task Force next steps, as school safety issues will continue to arise, and if there should continue to be a method in place for evaluating safety and security in schools and on campuses in our ever-changing world. She questioned if a mechanism should be institutionalized and have a future beyond this administration.

The meeting concluded at 4:05 PM.