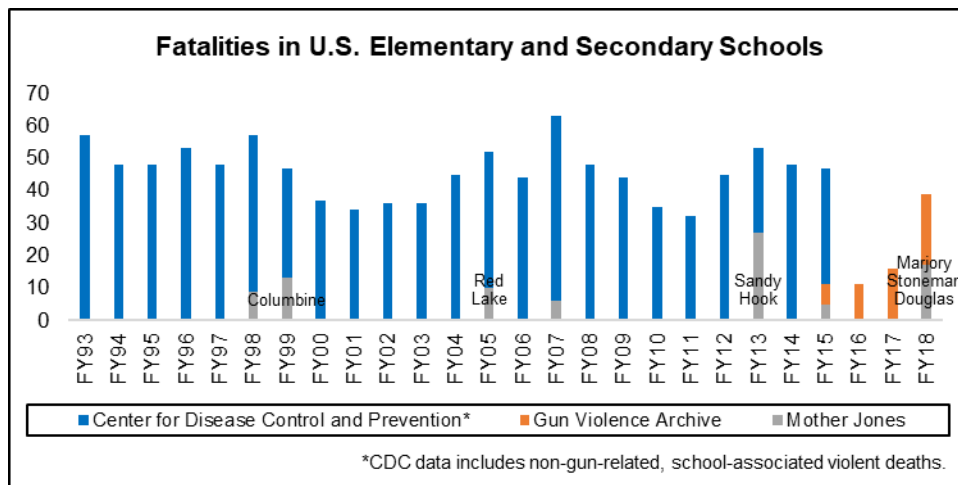


## BACKGROUND INFORMATION

The most recent New Mexico school shootings happened in the Aztec school district on December 7, 2017, which resulted in the death of two students and the suicide of the shooter, and the Roswell school district on January 14, 2014, resulting in two students wounded. In response to the Aztec shooting, state lawmakers approved up to \$46 million in public school capital outlay fund revenue to be used for school security projects over the next four years and directed the Public Schools Facilities Authority (PSFA) to develop a system for ranking and awarding funds for projects. Some of this one-time funding could be used for training and other one-time costs. The Legislature also passed a memorial to study gun violence and suicides in schools.

Experts who study mass shootings, including those in schools, indicate these incidents are not happening more frequently, but are more deadly than past attacks. The Florida school shooting at Marjory Stoneman Douglas High School on February 14, 2018, was the eighth deadliest mass shooting in U.S. history, prompting legislative efforts at the state and national level to address the issue of gun violence in schools. Just this week another school shooting occurred in Maryland. Multiple states have created proposals such as adding more physical security structures, training school personnel, hiring armed personnel on campuses, restricting access to guns, revising school disciplinary procedures, establishing early warning systems, and expanding mental health services.



**AGENCIES:** Public Education Department (PED), Public School Facilities Authority (PSFA), Human Services Department (HSD), Department of Public Safety (DPS), Public School Insurance Authority (PSIA)

**DATE:** March 22, 2018

**PURPOSE OF HEARING:** Preventative and Responsive Interventions for School Shootings

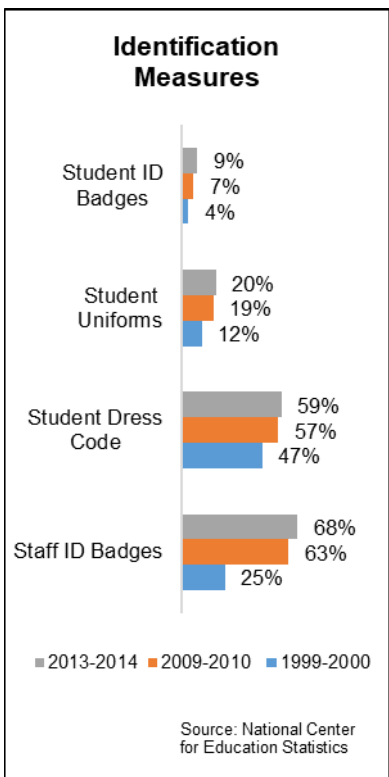
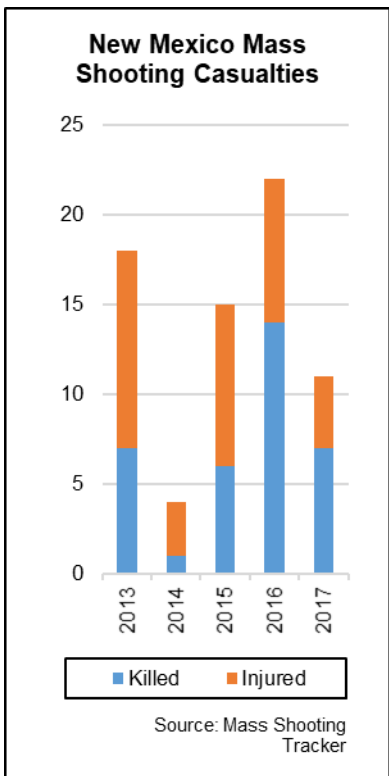
**WITNESSES:** Christopher Ruskowski, PED; Kirk Carpenter, Aztec Municipal School District; Stan Rounds, New Mexico Coalition of Educational Leaders; Jonathan Chamblin, PSFA; Pete Kassetas, DPS; Dr. Wayne Lindstrom, HSD; Michael Baker, Rio Rancho Public Schools; David Poms, Poms and Associates

**PREPARED BY:** Chenier, Edwards, Esquibel, Force, Hanika-Ortiz, Liu, and Rogne

**EXPECTED OUTCOME:** Informational

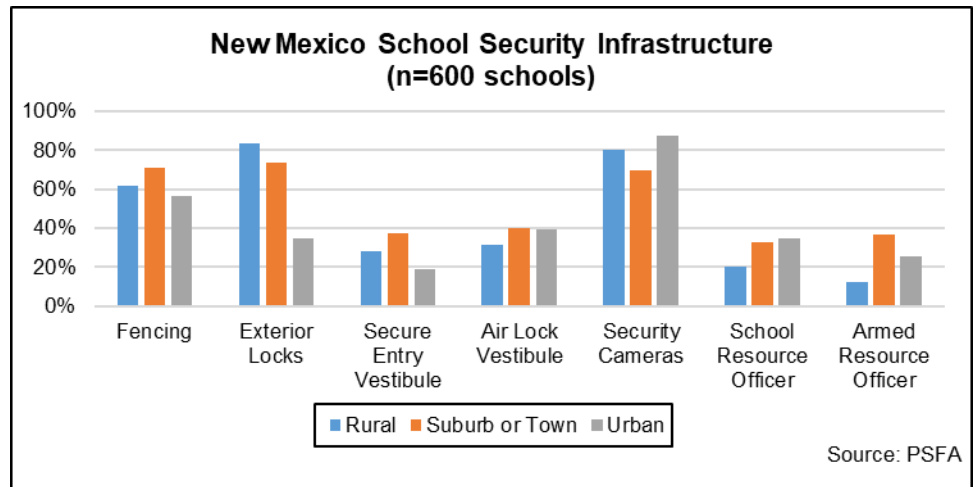
## School Safety and Security Strategies

There is no strategy, or combination of strategies, that can provide a 100 percent guarantee against school shootings. The president of the National School Safety and Security Services organization advises “avoiding making knee-jerk reactions after high-profile incidents of school violence... while [he] understands the normal parent reaction of wanting some physical, tangible ‘guarantee’ of greater security,



such as metal detectors or cameras, [he] believes the practicality of implementation must first be considered.”

According to PSFA, many New Mexico schools currently employ various security measures, such as using security cameras, locking exterior doors during school hours, and employing school resource officers. PSFA notes many security structures are included as part of new school building designs; however, emergency response stakeholders (e.g. law enforcement, emergency medical teams, fire response personnel, etc.) are not included in design discussions and security structures are not effectively incorporated. For example, law enforcement may need sufficient signage on separate buildings to identify incident locations, medical responders may need larger entry points for ambulances, and glass vestibules may not be an effective barrier for intruders.



### Physical Security Structures

Schools across the country are taking a variety of measures to improve safety including physical surveillance. However, few measures have been evaluated and determined effective. Weapons deterrence, the most commonly used physical surveillance strategy in schools, uses metal detectors, security cameras, or other security infrastructure to prevent students from bringing weapons to school. Research shows weapons deterrence prevents students from bringing guns to school but it cannot prevent all school shootings. Additionally, some schools are decreasing their use of weapons deterrence because of research showing that weapons deterrence may increase physical safety but compromises the psychological well-being of students.

**Identification Measures.** Easy identification of strangers in schools has become increasingly important as the incidence of school violence has risen. While scholarly research in this area is scant, according to the National Center for Education Statistics, the use of discreet identification methods employed as school safety and security measures increased from 1999 to 2014, with a sharp uptick after 1999, the year of the Columbine school shooting. The courts have usually upheld school security measures as a compelling state interest necessitating limits on rights. For example, a Texas program requiring parents to show identification before entering school was upheld when challenged as an unconstitutional interference in the fundamental right of a parent to direct the upbringing of her child. Likewise, a program in Texas requiring students to wear identification

badges containing electronic tracking devices – which cannot track students off school property – was upheld in the face of a First Amendment challenge.

**Metal Detectors.** Most schools do not use metal detectors, with only 4 percent of schools using random metal detector checks in the 2013-2014 school year. The U.S. Department of Justice reports metal detectors vary widely in price but can cost as much as \$5,000. Initial purchase prices are insignificant compared to ongoing personnel costs. For example, a school with 2,000 students and a metal detector program requires nine security officers for approximately two hours each morning and must secure all other entrances to prevent unauthorized entry. In addition, metal detector polices should stipulate a 24/7 surveillance schedule and address student and staff daily processing and use, particularly for after-school programs, athletic events, etc. Even with well-run metal detector programs, there are several examples of school shootings with fatalities where metal detectors were in place. In addition, research has found metal detectors to be associated with more incidents of school crime and disruption and higher levels of disorder in schools.

**Security Cameras.** In the 2013-2014 school year, 75 percent of schools reported the use of security cameras to monitor the school. However, research suggests surveillance cameras in schools may have the effect of simply moving misbehavior to places at the school that lack surveillance. School districts indicate cameras reduce incidents of vandalism and improve evidence gathering; however, this apparatus is a responsive – rather than a preventative – intervention for misbehavior. In addition, some studies suggest restrictive school security measures have the potential to harm school learning environments.

According to a 2008 study by the U.S. Secret Service and the Department of Education, in 93 percent of targeted school violence incidents, the offender planned the attack in advance. In 81 percent of planned incidents, the shooter informed other individuals about the attack ahead of time.

In the case of the mass shooting at Marjory Stoneman Douglas high school, several news outlets noted that community members repeatedly reported the gunman for exhibiting violent behaviors. It is likely the systems that were in place in Florida to intervene with people like the gunman failed. Additionally, there have been many other cases where perpetrators in mass shootings had no prior history of mental illness and none of the warning signs.

### Aztec High School Shooting

On December 7, 2017, a 21-year-old entered Aztec High School, disguised as a student, and shot two students with a Glock pistol. The former student then fired several rounds in a computer lab where a teacher and several students were barricaded. After 3.5 minutes, he committed suicide when he heard the police approaching. Notes detailing his intentions were on his person and at his home. In 2016, the FBI investigated him for posting plans of his shooting online, but they did not charge him because he possessed no firearms and had committed no crimes.

PSFA, LESC, and LFC staff toured the school district recently as part of a series of site-visits to review school security challenges and potential solutions. The school district found that several measures helped prevent further violence including the requirement that every staff member in the district, including substitute teachers, be issued radios and provided training prior to school employment. In a matter of seconds, a janitor used a radio to warn the school and district of the presence of an active shooter on campus, allowing effective staff communication. District administration stressed the importance of school-law enforcement partnerships, and noted district officials' monthly meeting with county emergency management personnel had helped prepare them for the possibility of active shooter events. District administration also noted the utility of training staff and students as invaluable.

**Controlled Building Access.** Structures limiting access to schools, such as locked or monitored doors, fencing, and security vestibules, are the most common school security structure in place, with 95 percent of schools reporting these measures in the 2013-2014 school year. A significant portion of previous district- or state-funded projects with security features included adding security vestibules or providing a secure entry. Albuquerque Public Schools provided a rough estimate of the cost for comprehensive new security system installation that includes installing card access for school buildings, intrusion alarms, and security cameras

### **Ten Tips for Law Enforcement Personnel Working in Schools:**

1. Greet everyone
2. Show an interest in students
3. Establish yourself as someone students can trust and go to with their concerns.
4. Be visible in the school.
5. Educate students on school safety.
6. Emphasize nonviolent ways to resolve conflict.
7. Limit building access and monitor school guests,
8. Encourage students to take an active role in the safety of their school.
9. Work with the school to implement proper policies and procedures, a threat assessment team, and a reporting system.
10. Consider developmental maturity.

Source: FBI – “Violence Prevention in Schools” (2017)

### **Preventative Approaches: PAX Good Behavior Game**

- Evidence-based prevention methodology for classroom regulation shown to have a \$60:\$1 return on investment
- Improves learning and performance
- Reduces disruptive behaviors, over-identification of special education, drug and alcohol addictions, suicide attempts, and violent crime
- Currently implemented in 11 school districts in New Mexico with federal grants

as follows: elementary school (550 students) \$82 thousand, middle school (900 students) \$120 thousand, and high school (2,000 students) \$220 thousand.

**Other School Security Infrastructure.** There are many school security features on the market that warrant further research, such as electronic gunshot detection, 3M safety window film, emergency notification systems, and classroom evacuation and lockdown kits. Not all schools have the same security needs, and it is important to create a program flexible enough to serve all schools.

### **Intelligence Gathering**

The New Mexico All Source Intelligence Center, also known as the Fusion Center, located at the Department of Homeland Security and Emergency Management (DHSEM) is a potential tool that would benefit from more robust resources. The center’s major objectives are to provide tactical and strategic analysis and information to public safety agencies, provide needed trainings to appropriate parties, and collaborate with federal, state, local and other public safety agencies.

All 50 states have a fusion center to help protect citizens. Connecticut’s Division of Emergency Management and Homeland Security provides a list of school security consultants, higher education review plans, safety plan standards, and competitive school security grants. Focusing resources on bolstering law enforcement’s ability to analyze threats from social media, crime data, and reporting from families, teachers, and friends could help prevent tragedies from occurring. Albuquerque’s Real Time Crime Center is also a centralized data center providing analysis to the state’s largest city, enabling police resources to be placed at predicted crime hotspots or to prevent crimes from occurring.

### **Cross-Training and Planning**

Law enforcement officials are integral to preventing, mitigating, and responding to school violence issues. Effective threat assessment at schools requires faculty and law enforcement to work together to determine risks and appropriate responses, if needed. The Federal Bureau of Investigation (FBI) states violence at schools is rarely unpredictable or spontaneous if information is collected, analyzed, and used appropriately among the necessary parties. Efficient and useful intelligence gathering, cross-training partnerships, and access to facilities for emergency responders are critical to threat prevention and management.

Effective prevention and response to school violence involves careful coordination and cross-training between school officials and local law enforcement agencies. Schools should determine who law enforcement officers report to in case of emergency, provide officers with keys to access the school, and determine what procedures should be followed for working with outside agencies like Child Protective Services. The FBI recommends all plans be clearly documented, easily accessible in emergencies, and frequently revisited and refreshed. Data sources such as annual school climate surveys and intelligence from data centers are all helpful in preventing and responding to violence. Frequent cross-trainings on school safety protocols, critical incident response, reporting and dispatch systems, and access to diversion programs are integral.

Although law enforcement response time varies throughout the state depending on school location, ensuring law enforcement officers have easy access to school buildings in case of emergency and access to floor plans enhances their chances of

success. Additionally, universal access to security cameras by law enforcement officers allows for the best possible response as they can fully assess the situation and provide all appropriate personnel more quickly.

**Safe Schools Toolkit.** The Public Education Department (PED) offers schools active shooter trainings and provides a safe schools toolkit online that includes guidance on establishing incident command systems for crisis response, developing a behavioral threat assessment procedure to identify students who pose a threat, and practicing active shooter drills, including a *Run, Hide, Fight* protocol.

PED’s Safe Schools Program oversees the three-year review cycle of site-specific safe school plans as required in Section 6.12.6.8.(7) NMAC. The Safe Schools Program provides technical assistance to school districts and state-chartered charter schools on school safety issues (which includes suicide and violence prevention) and works closely with DHSEM and the Readiness and Emergency Management in Schools Technical Assistance Center. These entities review and provide recommendations to improve the quality of emergency operation plans, site-specific suicide awareness and prevention protocols, and site-specific active shooter protocols.

## A Public Health Approach to Safe Schools

School violence is related to the health of communities and the community’s ability to respond to the needs of students and others. If students are bullied, mistreated, or experience trauma they are more likely to become isolated and exhibit outward signs of violence. According to the federal Centers for Disease Control and Prevention, trauma can also tip a child's developmental trajectory and affect physiology. Many experts recommend taking a public health approach to preventing school violence and focusing on:

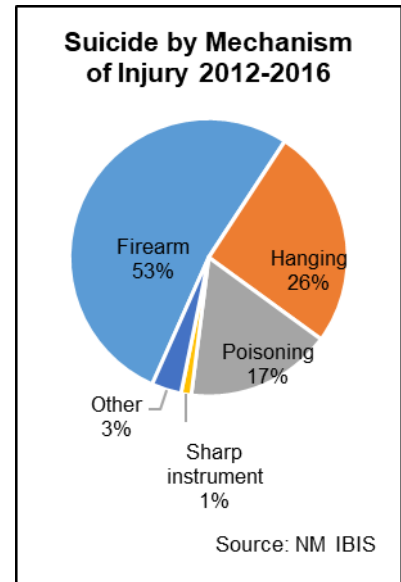
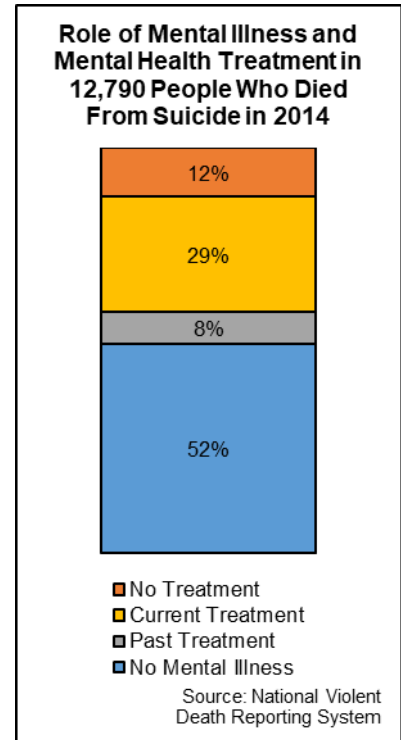
- Creating a safe and positive environment for students to learn and grow,
- Identifying the needs of kids and other community members experiencing problems, and
- Limiting the dangers posed by access to firearms.

### Schools and Community

Research shows that students who bring weapons to school are more likely to report being bullied or threatened. As such, creating a positive school environment should be of primary importance. According to the American School Counselor Association, prevention activities such as conflict resolution and bullying prevention are integral to creating a safe school environment that is free of fear, bullying, harassment, and violence. Delivered by school counselors, teachers, administrators, and qualified community experts, prevention programs increase the opportunity for improved academic achievement, appropriate behavior, positive relationships, successful resolution of conflicts, safe school climate, and increased attendance. Participating in prevention activities empowers and encourages students to take responsibility for their behavior and for the climate of their school and community.

### Addressing Those at Risk for Violence

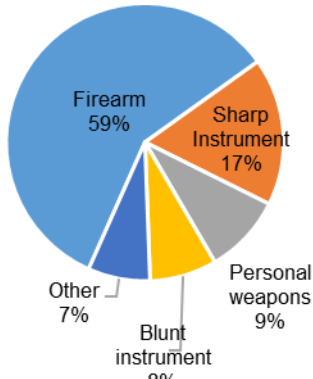
Identifying people with serious mental illness (SMI) and implementing interventions such as limiting access to firearms is a commonly discussed strategy to prevent mass shootings. However, mental illness alone is not a causal factor for



The national benchmark ratio for guidance counselors to students is 250 to 1; however, the average in New Mexico is approximately 309 to 1.



### Homicide by Mechanism of Injury 2012-2016



Source: NM IBIS

### What is an Adverse Childhood Experience (ACE)?

A child with ACEs has experience with one or more of the following:

- Physical, emotional, or sexual abuse
- Feelings of being unsafe or unsupported by their family
- Food insecurity
- A caregiver that struggles with substance abuse or behavioral health issues
- Parental domestic violence
- An incarcerated household member

### Consortium for Risk Based Firearm Policy

Recommends state firearm reform policies include:

- Prohibiting firearms, on a temporary basis, from persons with behavioral indicators and evidence of risk of harm to self or others,
- Make disqualifications for firearms contingent upon the state also having a meaningful, expedient, and clinically-informed process for restoring gun rights to individuals who are subject to temporary prohibition, and
- Enact “dangerous persons” preemptive gun removal laws with a judicial proceeding to restore gun based on risk.

violence and this focus creates a damaging misconception that people with disabilities are to be feared, avoided, and excluded. Studies have shown that people with mental illness are more likely to become victims of violence than perpetrators.

SMI factors contribute to only 4 percent of overall violence towards others while other factors such as being a young male, experiencing poverty, childhood maltreatment, exposure to violence, impulsive anger, and substance misuse contributes to 96 percent of overall violence towards others. While supporting people with SMI is critical, especially for youth exposed to violence and other trauma, focusing only on mental illness will not prevent violence.

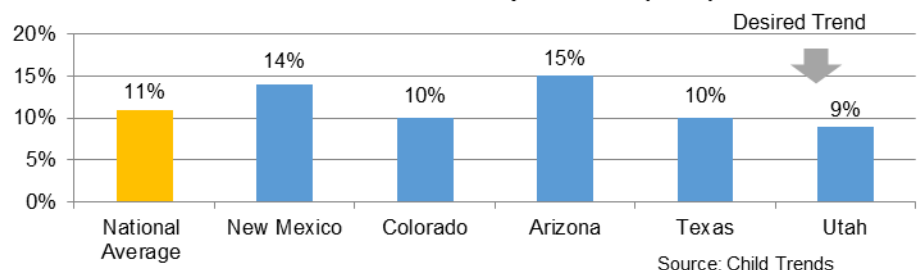
It is possible, with the proper systems in place, to implement strategies to reduce the risk posed by people at high risk for violence who have SMI. For example, if someone with SMI has experienced victimization, substance abuse, and exposure to violence they have a much higher probability of exhibiting serious violent behavior. They are also at an increased risk for violence in certain settings such as when they are seen in an emergency department, if they have been involuntarily committed, and when they are first-episode psychosis patients. However, given civil rights and other considerations, assessing the risk of people with SMI can only go so far.

One approach supported by research involves a comprehensive assessment of and response to children who pose potential threats. In this approach, teams of educators, health professionals, and law enforcement personnel come together to examine a child’s risk of engaging in violent behavior and, perhaps most importantly, refer the child to support systems.

**Substance misuse and adverse childhood experiences are also predictors of violence towards others.** Casting a wider net and ensuring our communities are safe by reducing adverse childhood experiences and treating substance misuse is likely to have a greater effect. According to Duke University researchers, substance misuse accounts for 34 percent of overall violence towards others. Since 1981, New Mexico’s alcohol-related death rate ranked 1st, 2nd, or 3rd in the U.S, nearly double the national rate for two decades. Additionally, the alcohol-related death rate in New Mexico is trending upward, increasing 34 percent between 2010 and 2016.

The original study on adverse childhood experiences, conducted by the U.S. Center for Disease Control and Prevention in the mid-1990s, found a strong relationship between adverse experiences in a child’s development and long-term risk for substance abuse, behavioral health issues, low economic and educational attainment, and other poor outcomes. Reducing the number of adverse experiences – at-risk families often have more than one – can greatly reduce the risk of negative cyclical-generational health and well-being outcomes.

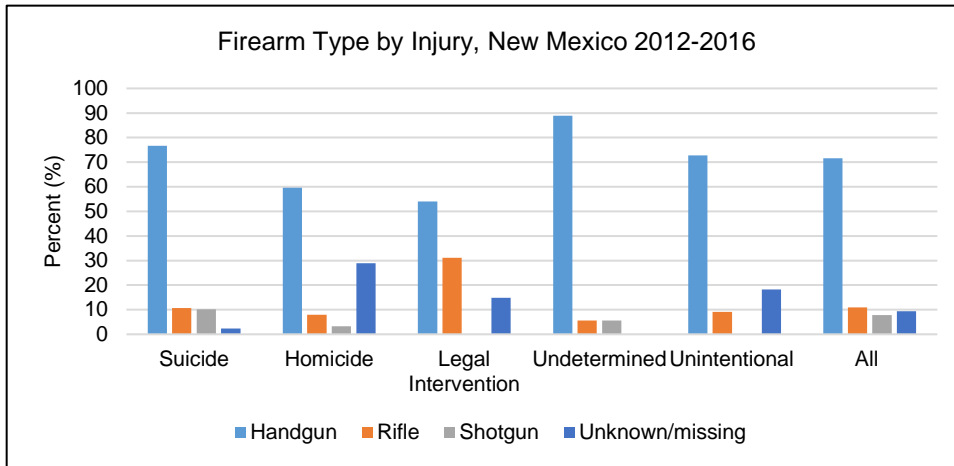
### Percent of Children with 3 or more Adverse Childhood Experiences (ACE)



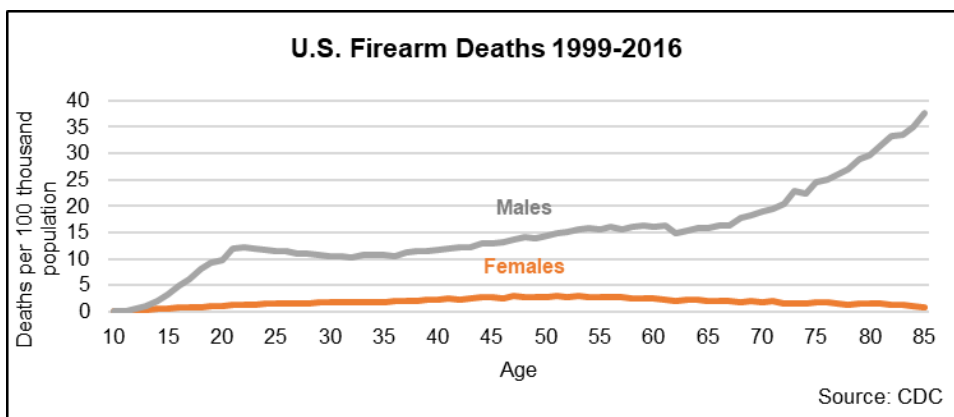
Source: Child Trends

## Firearm Risks and Interventions

According to the Department of Health, nearly 38 percent of New Mexico households had a firearm in or around the home and nearly 8 percent, or about one in 13 households, had a loaded and unlocked firearm. In 2016, firearms were the third leading cause of injury death after poisoning and motor vehicle traffic. Additionally, firearm injuries contributed to significant premature mortality accounting for an estimated 11,143 Years of Potential Life Lost (YPPL) before the age of 75 years.



**Arming School Personnel.** At least seven states (Georgia, Kansas, South Dakota, Tennessee, Texas, Wyoming, and Florida) have laws permitting school employees to carry firearms in public schools. In Florida, school staff can be deputized by local sheriffs as “armed guardians” subject to special trainings, mental health and drug screenings, and licensing to carry a concealed weapon. School districts must opt in to this program and nearly all classroom teachers are excluded from participating unless they are junior reserve officer training corps instructors, serve in the military, or have been police officers. Non-teaching personnel such as administrators, guidance counselors, librarians, and coaches are also eligible to be armed guardians.



**Risk-based Firearm Removal.** Five states, including Indiana, Connecticut, Washington, Oregon, and California, have risk-based firearms removal laws and another 16 have proposed legislation. Risk-based firearms removal laws are applied to people at high risk of harming themselves and others, even with no past criminal record or mental health adjudication. In many cases, these laws allow family members to ask the authorities to remove firearms from relatives they

Other recommendations to guide gun policy reforms related to mental illness include:

- Prioritize risk assessments based on evidence of behaviors that correlate with violence and self-harm (not mental illness or treatment history per se as a category of exclusion),
- Preempt existing gun access, rather than simply thwarting a new gun purchase by a dangerous person,
- Provide legal due process for deprivation of gun rights,
- Preserve confidential therapeutic relationships, and
- Prevent the unpreventable through background checks, but also reducing the social determinants of violence by investing in improved access to mental health and substance misuse services.

Arming school staff is not yet an evidence-based practice and may:

- Discourage a potential mass shooter from entering schools (however, most mass shooters are suicidal and this may not be a deterring factor),
- Redirect resources away from evidence based strategies,
- Reduce or increase casualties from shooting incidents and accidents,
- Place an additional duty on teachers and deter potential teachers from entering the field.

PSIA’s best practice guidelines regarding firearms encourage schools to work with local law enforcement but also include provisions for employees and volunteers carrying firearms on school campuses. It is unclear if volunteers fall under the “school security personnel” exception in law for the purposes of criminal prosecution.

After the shooting at Marjory Stoneman Douglas high school, Florida passed a law that will:

- Raise the legal age for buying rifles to 21 from 18,
- Impose a three-day waiting period for all firearm purchases or until a background check is completed (includes exemptions),
- Outlaw bump stocks,
- Allow police to temporarily seize firearms from someone who has been taken into custody for an involuntary mental examination,
- Prohibit firearms ownership by anyone judged mentally incompetent or has otherwise been committed to a mental institution,
- Allow police to petition for a risk protection order of up to 12 months barring the possession of a firearm because of mental illness or mental institution commitment,
- Create a mental health assistance allocation to help districts establish or expand school-base psychiatric care, and
- Appropriate \$98 million for physical security and \$25 million to replace the building at Marjory Stoneman Douglas High School where the shooting took place.

believe are at risk of harming themselves or others. Common elements in these laws include:

- Non-criminalizing civil court orders to allow for gun removal,
- A time-limit of 12 months, and
- Authorization for police to search for and remove firearms when there is an initial warrant based on probable cause of imminent harm and a subsequent court hearing (typically 2 weeks) requiring the state to show evidence of ongoing risk.

## Recommendations

For those planning and designing new schools:

1. Work to involve law enforcement and other emergency responders in the planning process so that law enforcement has sufficient signage on separate buildings to identify incident locations and medical responders have sufficient entry points for ambulances.
2. The Public School Facilities Authority should include security systems as a component of the statewide adequacy standards and advise school districts on passive building design strategies to improve school safety.
3. The Public School Facilities Authority should provide guidance to architects and construction-related personnel about best practices for safe building designs.
4. The Public School Capital Outlay Council should consider prioritizing funding for projects to improve emergency notification, communication, and secure building access. The council should also consider using the capital outlay funding for other one-time costs such as training for schools law-enforcement, behavioral health providers, and architects.

For schools:

5. Ensure law enforcement has access to school buildings, floor plans, and security cameras so law enforcement can fully assess the situation and provide all appropriate personnel more quickly.
6. Schools should continue to work with NMPSIA and APS risk services providers to manage and plan for risk across the full spectrum of threats and hazards they face for a given facility or location. These services along with a wide variety of safety, security, and human resource trainings are available at no cost to schools.

For law enforcement:

7. Ensure access to school buildings, floor plans, and security cameras so law enforcement can fully assess the situation and provide all appropriate personnel more quickly.

For the Public Education Department:

8. Consider streamlining the safe schools toolkit to make it more accessible.
9. The Public Education Department should consider collecting data on school bullying, discipline, and other measures of student well-being.
10. The Public Safety, Health, Public Education, and Human Services Departments, and federal agencies should develop a cross-agency early warning system to identify students who pose a potential threat to themselves and others to apply appropriate supports or interventions.