

MARJORY STONEMAN DOUGLAS HIGH SCHOOL
PUBLIC SAFETY COMMISSION

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VOLUME III of III
(Pages 299 through 420)

PUBLIC SAFETY COMMISSION
MEETING

DATE: December 12, 2018
TIME: 8:30 a.m. - 6:15 p.m.
LOCATION: Donald L. Tucker Civic Center
Tallahassee, Florida

Reported by:

JESSICA RENCHEN, Court Reporter
For the Record Reporting, Inc.
1500 Mahan Drive, Suite 140
Tallahassee, Florida, 32308

P R E S E N T

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CHAIR, BOB GUALTIERI; JASON JONES, GENERAL COUNSEL;
CHRIS NELSON; BRUCE BARTLETT; RICK SWEARINGEN;
MAX SCHACHTER; LARRY ASHLEY; MELISSA LARKIN-SKINNER;
JUSTIN SENIOR; TIMOTHY NIERMANN; MIKE CARROL;
JAMES HARPRING; GRADY JUDD; DOUGLAS DODD; LAUREN BOOK;
RYAN PETTY; MARSHA POWERS; VICE CHAIR, KEVIN LYSTAD;
CHRISTINA LINTON; REBECCA KAPUSTA

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P R O C E E D I N G S

(Proceedings continued from Volume II.)

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3 SHERIFF GUALTIERI: All right. We'll go
4 ahead and start again. Before we move into
5 Chapter 5, we have one last thing I think Chief
6 Lystad wanted to bring up regarding Chapter 4.
7 Chief, go ahead.

8 CHIEF LYSTAD: Thank you, Mr. Chair.

9 I just want to make sure -- because I heard
10 it from a couple other commissioners, I think it
11 was James who talked about making sure we have a
12 credible report. And so the recommendations that
13 are in 4 that we have as for Level 4 -- this Level
14 4 -- these are kind of high-dollar, high complex,
15 and I don't there's complete agreement on the
16 commission of what these are, and I think we're
17 kind of outside of our lane, at least most of us.
18 I'm not going to defer to the school -- I'm going
19 to defer any question about school to the people
20 that work in the school system, just as I would
21 expect them to defer questions about law
22 enforcement, and I think there's agency experts
23 and there's industry experts that would be better
24 suited to provide these recommendations.

25 So I would like to recommend to the

1 commission that we not make these Level 4
2 recommendations, but more of other items for us --
3 for schools and others to consider for
4 implementation, and kind of defer those
5 recommendations to if the Office of Safe Schools
6 puts together a commission to look at
7 target-hardening, which I totally agree they
8 should, I think the legislature should do that,
9 that they look at our recommendations and provide
10 us guidance or provide those recommendations at
11 school. I want to make sure that our report is
12 credible, that we stay in our lane, and I know Mr.
13 Schachter has done a lot more research in this
14 area, but I think that's outside the lane of most
15 of our commissioners, and so I don't know that I'm
16 comfortable with Level 4, I think it would be
17 others, and let someone else pick up that ball to
18 provide those guidance.

19 SHERIFF GUALTIERI: So is your suggestion
20 that as opposed to the label for everything that's
21 in Level 4, to then just title that "Other
22 Considerations"?

23 CHIEF LYSTAD: Yes, "Other Considerations,"
24 and that we list each item in there is basically
25 just as the first title says, "Consider the use of

1 metal detectors, consider implementing real-time
2 crime centers, consider gunshot locations," and
3 then allow the Office of Safe Schools and whatever
4 commission is formed for that to provide further
5 guidance to the schools.

6 MR. SCHACHTER: What is your apprehension --
7 which ones are you specifically --

8 SHERIFF GUALTIERI: Everything in Level 4.
9 So we'll have Level 1, 2, and 3 that are actual
10 commission recommendations that are that tiered
11 approach, and then Level -- everything that is now
12 Level 4, as opposed to calling it a Level 4 and
13 make it an actual commission recommendation, it
14 will just be titled "Other Considerations" and
15 leave it at that as opposed to making it an
16 actual, because they are so high level and they
17 are so costly and they are so unvetted by us and
18 outside our collective area of expertise, that it
19 would be better and not detract from the
20 credibility of our work or the credibility of our
21 recommendations, because we really don't have a
22 clue with a lot of that stuff what we're talking
23 about, is just to put it in there for other
24 considerations and then let it be vetted by the
25 appropriate people to vet it.

1 SHERIFF HARPRING: Perhaps the exception of
2 the metal detectors and x-rays, which maybe we
3 could move to 3, because that's kind of standard
4 technology that we have and that actually we tend
5 to control in our courthouses and even in our own
6 agencies to some extent. I would fully support
7 that, Chief.

8 MR. SCHACHTER: And what about real-time
9 crime centers or the equivalent of live video
10 monitoring capability with all the cameras?

11 SHERIFF GUALTIERI: Those are just other
12 considerations. That is so costly and so, you
13 know --

14 MR. SCHACHTER: That's why it's in 4 though.

15 SHERIFF GUALTIERI: But -- right. So it
16 would just be -- we're not saying anything other
17 than we're just saying other considerations.
18 That's all we're saying.

19 SHERIFF ASHLEY: Recommend additional
20 research, I mean, you could do that.

21 SHERIFF GUALTIERI: Yeah. That way it's not
22 part of -- it's not part of the tiered approach.
23 What we're signaling by that -- and I think Chief
24 Lystad has a point on that and I agree with him --
25 is that it's not part of what we're saying is a

1 tiered approach to look at. It -- that requires
2 additional work.

3 And the other thing that -- and it does
4 require -- I agree on the technology side,
5 commissioner Harpring, is the x-ray machines and
6 the metal detectors. Boy, that is going to take
7 an extremely significant amount of human resources
8 and human capital, and it is something that needs
9 to be looked at and needs to be -- it's an other
10 consideration as opposed to run out and put it in
11 a Level 3. That's a big deal, you know. Across
12 Florida, to consider that, that's almost
13 insurmountable.

14 MR. SCHACHTER: I agree, and to your point,
15 Marjory Stoneman Douglas did -- had a site survey
16 for metal detectors, and we were going to make it
17 down to three entrances, and with our student
18 population, we would need 13 different metal
19 detectors, we would need about 30 personnel, and
20 it would cost us a million dollars a year just for
21 one high school. So I agree with you in that
22 aspect, but --

23 SHERIFF GUALTIERI: Is there anybody that
24 can't live with just changing -- not going to do
25 anything else, just take what it says is Level 4

1 and just move it to "Other Considerations"?

2 Anybody can't live with that?

3 Okay. So, Heather, we'll make that note,
4 that's what we're going to do, and let's move on
5 to Chapter 5.

6 Okay. So in Chapter 5, going over to Slide
7 53, the chapter itself, the "Facts" section begin
8 on page 77. The first findings are for 5.1 and
9 they begin on page 86 of the report and Slide 53.

10 And first finding says this: "Former Deputy
11 Scot Peterson was derelict in his duty on February
12 14th. He failed to act consistent with his
13 training and fled to a position of personal safety
14 while Cruz shot and killed MSDHS students and
15 staff. Peterson was in a position to engage Cruz
16 and mitigate further harm to others, and he
17 willfully decided not to do so."

18 Anybody have anything on that?

19 Second one -- second finding: "There is
20 overwhelming evidence that Peterson knew that the
21 gunshots were coming from within or within the
22 immediate area of Building 12. Furthermore, there
23 is no evidence to suggest that Peterson attempted
24 to investigate the source of the gunshots. In
25 fact, the statement of Greenleaf confirms Peterson

1 did not attempt to identify the source, and by all
2 accounts, including surveillance video, and he
3 retreated to an area of safety."

4 Any changes to that one, or concerns?

5 MR. BARTLETT: Mr. Chairman, Greenleaf
6 indicated that it was his opinion it was coming
7 from inside the building, and he's standing next
8 to Peterson at the time that he hears the shots.

9 SHERIFF GUALTIERI: Right.

10 MR. BARTLETT: So, I mean, he said he was
11 pretty sure it was from inside the building that
12 the shots were coming from. So, I mean, you can
13 further conclude that Peterson can say he
14 didn't -- couldn't tell where all the gunshots
15 were, but all indications are everybody else --
16 nobody else had a problem with figuring out where
17 the gunshots were.

18 SHERIFF GUALTIERI: And I think that goes
19 to -- doesn't that go to the overwhelming evidence
20 that Peterson knew that they were coming from
21 within or the immediate area? Is that what
22 that --

23 MR. BARTLETT: I guess --

24 MR. SCHACHTER: Correct me if I'm wrong.
25 Didn't Peterson say, "You better get out of here,

1 you don't have a" --

2 SHERIFF GUALTIERI: He told Greenleaf to get
3 out of there because he didn't have a gun.

4 Are you okay, Commissioner Bartlett, with the
5 recitation of the statement in there, the
6 findings?

7 MR. BARTLETT: Yes, sir.

8 SHERIFF GUALTIERI: Okay. Moving on to
9 Section -- continuing on Section 5.1 and No. 3:
10 "The confusion in identifying the source of the
11 shots due to echoes around the structure was
12 eliminated as an excuse for Peterson not entering
13 12 due to an abundance of evidence." And I think
14 this goes to some of what you just said.

15 "Peterson had been told by Medina that the
16 noises were coming from within 12. Peterson was
17 dropped off at the doors to 12. He repeatedly
18 referenced 12 on the radio and told Officer Best
19 from Coral Springs that the shooter was on the
20 second or third floor. Peterson identified in his
21 interview that the gunshots were coming from
22 within or the immediate area of 12."

23 So any concerns about that finding, No. 3?

24 No. 4: "On the 14th, the BSO law enforcement
25 response was hindered in part by Peterson's

1 erroneous directions and other improper
2 information relayed over the BSO radio channel,
3 including directing deputies to shut down nearby
4 intersections and requesting no pedestrian traffic
5 anywhere on nearby roads."

6 Are we good on that one? Anybody -- okay.

7 "Peterson told deputies to stay back 500 feet
8 from the twelve or thirteen hundred building, and
9 that conflicts with current law enforcement
10 response procedures to active shooter, and that is
11 that law enforcement officers should try to
12 eliminate any immediate threat, even if that
13 requires approaching the gun fire and danger."

14 I think we're all okay with that hopefully.

15 All right. Moving on to No. 6: "Peterson
16 responded to the area in 1 minute and 39 seconds
17 after the shots were fired. Prior to his arrival,
18 21 victims had already been shot, 9 of which were
19 fatally wounded."

20 So this makes clear that seconds matter and
21 that SROs cannot be relied upon as the only
22 protection for schools. Even if there is a rapid
23 response by an SRO, it is insufficient in and of
24 itself to safeguard students and teachers.

25 Any thoughts, discussion on that one?

1 Moving over now, we're going to get into
2 Peterson's training. So we're going to move over
3 to page -- 87 is where it begins in the text, and
4 then the findings begin over on 88. So the first
5 finding under 5.2 is that "The sheriff's office
6 trained Peterson in active shooter response and he
7 was familiar with solo deputy protocols. He knew
8 through his training that the appropriate response
9 was to seek out the active shooter and not
10 containment."

11 He made a reference in his interview with The
12 Today Show that he trained, and he mentioned the
13 word "containment." Containment was the process
14 that was used or the protocol that was used prior
15 to Columbine, and that law enforcement would set
16 up a perimeter, wait for additional resources to
17 get there, including the SWAT team, and would not
18 go in. You're containing the scene, you're
19 containing the shooter, and that has not been the
20 protocol since Columbine. So we just explained
21 that there -- that he was trained, he knew solo
22 deputy response protocols, and he knew through his
23 training the appropriate response was to seek out
24 the shooter and not containment despite what he
25 said in his interview on The Today Show. That's

1 the reason why we included that.

2 Anybody have any thoughts or considerations
3 on that? Questions? Concerns?

4 No. 2 is that "He also knew that the
5 shooter -- the situation called for a code red.
6 Based on interviews conducted, Peterson never
7 called out a code red over the radio."

8 I think we've established that pretty
9 clearly.

10 This next one, No. 3: "He was an SRO for 28
11 years, and that provided him with a great deal of
12 experience in some aspects; however, it also
13 contributed to his inadequate response."

14 This is tied into the next one, so we're
15 going to cover this at the same time.

16 "SROs typically are not faced with many
17 high-risk, high-stress situations. The normal
18 patrol officer or deputy encounters domestics,
19 robberies, et cetera. So they're not afforded the
20 chance to maintain and exercise their tactical
21 skills, and for that reason it's of the utmost
22 importance that SROs be provided with frequent,
23 thorough, and realistic training to handle
24 high-risk, high-stress situations, which will also
25 test their -- at least in a training setting their

1 ability to act and react."

2 So anything on 3 and 4 together?

3 Secretary Kapusta, go ahead.

4 SECRETARY KAPUSTA: So I thought when Sheriff
5 Israel was here and testified before the
6 commission, that his testimony was that Peterson
7 wouldn't have gone toward the active shooter under
8 any circumstances, even if he hadn't been an SRO
9 for 28 years. So I just want to make sure that --
10 and while I have no expertise, I would assume that
11 28 years as an SRO would impact one's natural
12 instincts or training to go in toward the active
13 shooter, but that was inconsistent with what his
14 testimony was, if I recall correctly.

15 SHERIFF GUALTIERI: You're saying that his --
16 him being an SRO for 28 years would impact it
17 positively or negatively?

18 SECRETARY KAPUSTA: Negatively, as is written
19 here in the finding. And that was my assumption,
20 but I recall Sheriff Israel saying "I don't think
21 that has anything to do with it. I believe that
22 he just would not have done it regardless."

23 SHERIFF GUALTIERI: Well, you know -- and I
24 do recall as well Sheriff Israel making that
25 statement. Just because he said it doesn't

1 mean --

2 SECRETARY KAPUSTA: No, I agree, I agree
3 wholeheartedly. I think No. 4 is completely on
4 point. No. 3, that was just my only hesitation
5 with that.

6 SHERIFF GUALTIERI: Right. It's hard to tell
7 what -- you never know -- at the end of the day,
8 you never know for sure how somebody's going to
9 react, but I can tell you that realistic training
10 environment that simulates in a significant way
11 does test people and does give you some
12 indication. Now, it does fall somewhere short, it
13 may be slightly short, but it does fall short of
14 the real thing but if you're using simunition
15 rounds and you're creating an environment that is
16 very similar to the real thing, you'll have some
17 idea about somebody's reaction. So that's why it
18 says that it's important that that's what they do,
19 especially with the SROs who don't encounter these
20 high-risk situations on a regular basis, that they
21 should be trained, and what goes with training is
22 also testing somebody the best you can.

23 Mr. Schachter.

24 MR. SCHACHTER: And I think this goes to the
25 training aspect that they received and the

1 frequency. We'll get this -- we'll get to it in
2 the recommendations, but I think that's extremely
3 important and that was deficient.

4 SHERIFF GUALTIERI: So everybody's good with
5 No. 3 and 4, right?

6 No. 5, "At the time of the incident, Peterson
7 did not have a ballistic vest or a patrol rifle
8 with him." Those are just facts.

9 Then we're going to move over here to 5.3,
10 which is on page 89. And that is that -- No. 1 is
11 that "One SRO per campus is inadequate to ensure a
12 timely and effective response to an active
13 assailant, and some campuses require additional
14 armed personnel."

15 Anything on that one?

16 "And that the Broward County Sheriff's Office
17 decentralized the supervisory structure of its SRO
18 program raises concerns about whether Peterson was
19 adequately supervised."

20 SHERIFF HARPRING: Is that a strong enough
21 statement? I mean, my -- I guess my take on it
22 was that he affirmatively was not based on the
23 information that we got from the sergeant who was
24 responsible in that district. I mean, I can live
25 with it. I just bring up the fact that it seems

1 that it was pretty clear that -- that he wasn't
2 based on the statements about what the frequency
3 was of supervisory contact with the SROs.

4 SHERIFF GUALTIERI: He said -- the sergeant
5 said that he had contact with him about once a
6 week. Captain Jordan commented on that as well,
7 that it wasn't regular or certainly it wasn't
8 daily, and that sergeant supervising is a
9 collateral responsibility.

10 We're wording it this way for a reason. I
11 don't know that -- it is a pretty strong thing to
12 say definitively that he was not adequately
13 supervised. Define "adequately." It depends
14 upon -- I think it raises concerns about it, but
15 if anybody wants to go stronger than that, we can
16 certainly have further discussion about it. I
17 would just caution some about going too much
18 further because I don't think we can say for sure
19 that it was totally inadequate. It may not have
20 been the best practice, and I don't think it was,
21 but to say that it was totally inadequate, I --
22 personally I'm not comfortable with that, but --
23 Sheriff Judd, go ahead.

24 SHERIFF JUDD: It's very difficult to say
25 whether he was adequately supervised or not, but I

1 think we can say from the research that not having
 2 a dedicated school resource officer supervisory
 3 infrastructure is a weakness, because these SROs
 4 report to the different districts, and, of course,
 5 I can tell you from at one time being a district
 6 commander and a division commander, if it doesn't
 7 squeak, you don't have any time to deal with it.
 8 So if they're over there taking care of the
 9 schools and that's not my primary responsibility
 10 and there's no issues going on, you really don't
 11 know what he's doing over there. Whereas if you
 12 have sergeants, lieutenants, captains, majors,
 13 depending on the size of the infrastructure, and
 14 you have a division -- in our office we have a
 15 division of safe schools where there are people
 16 specifically responsible for the SRO program, the
 17 training, the interactions with the kid, how many
 18 counselings they have, if there's discipline, if
 19 there's arrest. There's an infrastructure that's
 20 concerned with the entire process.

21 It's an afterthought at BSO. It is -- and
 22 apparently -- I believe we were told at some point
 23 in time it was during the downturn of the economy,
 24 they kind of did that as a cost-saving method, but
 25 I think rather than question about how much

1 supervision he had, I think if we, once again,
2 went toward the system and said, you know,
3 evidence clearly suggests that there's no unified
4 command of the school resource officer program in
5 BSO, that that would be more --

6 SHERIFF GUALTIERI: We can say it
7 differently. That's what they're kind of trying
8 to say there where there's a decentralized
9 supervisory structure. That kind of goes to that.
10 We could say it differently if it's not clear
11 enough.

12 SHERIFF JUDD: That way we're not -- we don't
13 challenge whether or not he was, quote/unquote,
14 adequately supervised, because obviously, you
15 know, his training would indicate that he should
16 have gone in and he certainly was a total failure,
17 but, once again, I'm after the system here that if
18 we say -- and it's a safe statement in that
19 everybody's testified before us that there is no
20 school resource officer --

21 SHERIFF GUALTIERI: At the time, the SROs
22 weren't -- didn't even fall under the Department
23 of Law Enforcement. They were in the Department
24 of Community Affairs. And so give us some
25 proposed language.

1 SHERIFF HARPRING: For my part, I guess if we
2 were to add -- thank you, Sheriff -- if we were to
3 add Sheriff Judd's concerns that it reflects a
4 system failure, then we could just simply tag that
5 on to the sentence that exists now because it goes
6 to one of our statutory responsibilities, which is
7 to identify system failures. So I would support
8 that.

9 SHERIFF GUALTIERI: So what are you
10 proposing, leave it B-S- -- go ahead, Sheriff.

11 SHERIFF JUDD: BSOs does not have a unified
12 command and control system in place for the school
13 resource officer program. As a result -- then you
14 can say as a result, the decentralized supervisory
15 structure of the SRO program creates an
16 environment for inappropriate, not enough, weak,
17 absent, supervisory --

18 SHERIFF GUALTIERI: Inadequate.

19 SHERIFF JUDD: -- inadequate supervisory
20 checks and balance.

21 SHERIFF GUALTIERI: We'll take all --
22 Heather, you got most of that? We'll take it,
23 we'll tweak it, we'll figure it out. We'll just
24 revise it.

25 COMMISSIONER DODD: Mr. Chairman, just to

1 follow up on the first one, just want to make sure
2 we are consistent with our recommendation that
3 every campus have a backup. It does say, "One SRO
4 per campus is inadequate to ensure timely and
5 effective response to an active assailant
6 situation, and some campuses require additional
7 armed personnel." Wouldn't it be better if we
8 took the "some campuses" off and just ended it
9 there? Because our recommendation is going to be
10 that all campuses have an immediate backup. Isn't
11 that right?

12 SHERIFF GUALTIERI: So one SRO per campus is
13 inadequate to --

14 COMMISSIONER DODD: Aren't we saying --
15 aren't we going to recommend that all campuses
16 have --

17 SHERIFF GUALTIERI: Adequate backup?

18 COMMISSIONER DODD: Yeah, that's in a
19 recommendation that's coming. So I just -- when
20 you said some campuses were -- we say all
21 campuses --

22 SHERIFF GUALTIERI: Okay. What about this --
23 point well-taken because it's consistent with the
24 other recommendation we already, I think, approved
25 here is that active assailant and --

1 SHERIFF JUDD: We could just end it there.
2 Then we could address it over here saying you had
3 to have backup. One SRO is inadequate to ensure a
4 timely and effective response to an active
5 assailant on school campuses.

6 SHERIFF GUALTIERI: Leave it at that? Okay.
7 That's fine. So anybody can't live with that?

8 So it'll read, "One SRO per campus is
9 inadequate to ensure a timely and effective
10 response to an active assailant," period.

11 SHERIFF JUDD: Period. And then we address
12 in the recommendations what to do about that.

13 SHERIFF GUALTIERI: All right.

14 MS. LARKIN-SKINNER: Mr. Chair, I was
15 wondering if we want to just note that it's best
16 practice to have a unified command structure,
17 because you mentioned it when you were talking
18 about it and the legislature doesn't know that
19 it's best practice.

20 SHERIFF GUALTIERI: It's in the
21 recommendations when we get there. So we're in
22 the findings now, and it will dovetail into
23 recommendations.

24 MS. LARKIN-SKINNER: Okay.

25 SHERIFF GUALTIERI: It's in there now.

1 All right. We go over to -- continue here,
2 Chapter 5 recommendations. Now we're going over
3 to page 90, 91, and we're into recommendations.

4 So the first one in the recommendations --
5 and this gets right to that. Good segue. "BSO
6 and all law enforcement agencies should ensure
7 their SROs are part of a single unit and that they
8 are closely supervised. A single unit and
9 centralized supervisory structure provides SRO
10 supervisors the ability to effectively communicate
11 with and evaluate the officers and deputies at the
12 various schools."

13 Y'all good with that?

14 Okay. Next one: "It should be made clear to
15 all stakeholders that the primary responsibilities
16 of the SRO shall be the enforcement of the laws,
17 and safety and security of the campus, students,
18 and personnel. The SRO may still have teaching
19 and counseling duties, but these are secondary to
20 that of safety and security."

21 Good with that one?

22 All right. Next one, Slide 62, the
23 contracts. This is getting to the contract.
24 Every district has a contract with a law
25 enforcement agency that provides the SROs. And it

1 says, "The contracts between the agencies and the
2 school board should require a high level of
3 information sharing that the -- between the SRO
4 and the administrator."

5 It should also state that "The SRO or
6 applicable agency have access to educational
7 disciplinary records provided by the school,
8 decisions regarding enforcement actions are solely
9 within the discretion of the officer, and that
10 school administrators shall not interfere with
11 enforcement decisions, and that they have
12 consistent operating procedures, staffing levels,
13 and clearly-defined roles and responsibilities for
14 the SRO personnel." So that's all that should be
15 in the contract that governs the relationship and
16 what the SROs do.

17 Anybody have anything there they want to make
18 any changes or recommendations on?

19 SHERIFF JUDD: One -- and I'm not sure this
20 is the appropriate place. There may be another
21 place. One of the things that we are doing in the
22 process of now is mandating that there is a
23 database of these students so that if we have a
24 disciplinary issue or a problem and that student
25 moves to another town or something like that, or

1 moves to another school, that that database of
2 discipline are -- occurs. I don't know that
3 that's necessarily -- the contract with the SRO is
4 the right place to put that in.

5 SHERIFF GUALTIERI: I think if you make a
6 note of it, Sheriff, I think when we get maybe to
7 Chapter 15 with information sharing, that's
8 probably the best place to address that.

9 SHERIFF JUDD: Okay. No, this is fine with
10 me.

11 SHERIFF GUALTIERI: Okay. The next one there
12 on 62 was that "All SROs should be issued patrol
13 rifles and ballistic vests and have those
14 immediately available to them on campuses."

15 Mr. Schachter.

16 MR. SCHACHTER: So this goes to one of the
17 recommendations about the mandatory wear policy.
18 We're just talking about them having them issued.
19 Do you -- do we want to make that recommendation?

20 SHERIFF GUALTIERI: No.

21 MR. SCHACHTER: No? What about the fact that
22 if they choose not to wear them, that should not
23 impede their decision to go in as a -- trying to
24 discourage them to get dressed?

25 SHERIFF GUALTIERI: I think that's got to be

1 addressed by an individual sheriff or police
2 chief. That's a -- that's certainly the
3 expectation. I can tell you that you're going to
4 have a very, very hard time with the unions
5 getting that type of a statement into any policy
6 and, you know, that's my take on it, but --

7 MR. SCHACHTER: I don't think that should
8 discourage us from making a recommendation. We
9 saw that as a problem here. Why not address it?

10 SHERIFF JUDD: I don't know about the labor
11 contracts, but I think Sheriff Israel referred to
12 the fact that he wanted a mandatory wear policy
13 and he was fighting the union. State law mandated
14 it as an SRO. You see, now we're not telling the
15 sheriff what to do for everybody, but if you're
16 going to be assigned to the school there's a
17 mandatory wear, then everyone -- you know, when
18 you signed up for the job, you know that was
19 mandated by law, but, once again, that's kind of
20 down in the weeds about --

21 SHERIFF GUALTIERI: I know there's differing
22 views on it, as you well know, and I don't know,
23 you know. I'm reluctant, I don't think that it
24 should be in the law, I don't think that there
25 should be a mandatory wear policies. I certainly

1 encourage everybody to wear them in the strongest
2 of terms, but mandating them I don't think is
3 appropriate.

4 SHERIFF HARPRING: And I think that we should
5 recall that some of the most striking delays that
6 we saw didn't have anything to do with SROs. They
7 had to do with responding deputies who were taking
8 time to go into their vehicles to, to quote them,
9 get dressed, as it were, to put their -- put their
10 vests on, and I think that -- you know, I think
11 that does get a little outside of the parameters
12 and --

13 SHERIFF GUALTIERI: Yeah. I think we're kind
14 of getting too far below the water line of where
15 we should be.

16 MR. SCHACHTER: I mean, I was going to bring
17 this up in 6, but this is apropos to here. He
18 didn't wear a vest and didn't go in. So if you're
19 not going to wear a vest, then that should not
20 prevent you from going in.

21 SHERIFF GUALTIERI: I said that, you know,
22 extensively, so I wholeheartedly agree with you
23 and couldn't agree more is that it's your choice,
24 but if that is your choice, then you go in. But
25 to put that into a policy, I don't think you can

1 do that.

2 MR. SCHACHTER: But if we don't put it on
3 paper, how do we expect this to change? I think
4 it's an acknowledgment that this happened here and
5 we need to make sure --

6 SHERIFF GUALTIERI: If you start going down
7 there, Mr. Schachter, you start going down there,
8 then you start having to figure out all of the
9 exceptions. You can't just have a blanket policy
10 because, well, I strongly believe that any law
11 enforcement officer that encounters this type of
12 situation needs to immediately go in; however,
13 there has to be some level of discretion and there
14 has to be some level of exception. This should be
15 something to immediately kill the killer,
16 neutralize the threat, and save people, but it
17 also shouldn't be an absolute suicide mission for
18 the person going in. So there are times, there
19 are circumstances where that person may have good
20 reason. The person sitting there with a bomb in
21 their hand or an IED or -- I'm not going to even
22 get into all the different hypotheticals, but you
23 just can't blanketly [sic] say is that you wear a
24 vest, and if you don't wear a vest, you shall go
25 in, because then you got to start getting into the

1 discussion about carving the right language out
2 for the exceptions and those (inaudible)
3 circumstances or those unusual occurrences so that
4 they have it, and I just don't think that we
5 should go down that path. It's too far below the
6 water line.

7 SHERIFF JUDD: We can tell them they got to
8 go in, whether they wear a vest in or not.

9 SHERIFF GUALTIERI: Right. And that's what
10 it is, and that's what -- I think we all agree on
11 that, I know I agree on that, I think everybody
12 here does, we've talked about it, is the policy
13 should say shall do it, you will, that is the
14 expectation, and make it unequivocally clear. And
15 it doesn't differentiate between whether you're
16 wearing a vest or not. So it should be
17 encompassing all of that without trying to get
18 into those situations.

19 MS. LARKIN-SKINNER: I actually think that it
20 might help in the next chapter, No. 3, in the
21 findings addresses the issue of taking so long to
22 put on the vests. So I think that gets at what --
23 you just want it to be -- the point to be made.
24 So --

25 SHERIFF GUALTIERI: All right. Number --

1 page 63: "SROs should be among the most
2 well-trained, well-equipped personnel to confront
3 active shooters, and in order to do so, they
4 should receive additional training in this area."

5 So what that goes to is additional training
6 above and beyond the ordinary training that
7 agencies do and that they should go through it
8 more often, more frequently.

9 MR. SCHACHTER: And I'll bring this up now.
10 I was going to make this recommendation in 6
11 because they talk about this, but I'd like to make
12 a recommendation active shooter training should be
13 mandated every year. The prime example was Coral
14 Springs PD, not every three years like the Broward
15 Sheriff's Office. You have to do sexual
16 harassment training every year; is that correct,
17 Sheriff?

18 SHERIFF GUALTIERI: Right.

19 MR. SCHACHTER: Okay. So they should be
20 doing active shooter training every year. You
21 have to do CPR training every two years. If you
22 don't use the skills, you lose them, you'll react
23 the way you train, muscle memory.

24 SHERIFF GUALTIERI: So I'd be good with if
25 you want -- and others can weigh in -- is that

1 SROs should receive annual training in this area,
2 just remove the word "additional" and substitute
3 it with "annual training." Anybody not good with
4 that? Okay. So we'll put "annual" as opposed to
5 "additional" for SROs.

6 "The SRO's immediate supervisor should
7 regularly walk the school with the SRO to discuss
8 the layout, identify vulnerable target areas and
9 effective methods of response." Make sure you got
10 supervisory engagement.

11 Any concerns about that?

12 We get into Slide 64: "SROs should receive
13 adequate training on records laws and there should
14 be a required number of hours focusing on
15 trauma-informed care, social/emotional learning,
16 restorative justice, problem-solving and cultural
17 competence."

18 SHERIFF HARPRING: Sheriff, I don't want to
19 sound stupid, but it won't be the first time
20 today. I'm not exactly sure what all that means
21 and what practical effect it will ultimately have
22 because the language there, while not in a vacuum
23 objectionable, really has such a wide umbrella in
24 terms of what type of training and things like
25 that, and, again, trying to maybe narrow the focus

1 a little bit and have some practical
2 application --

3 SHERIFF GUALTIERI: Some of those things
4 probably don't apply to this area. It is probably
5 a little bit much.

6 SHERIFF HARPRING: And even as to the public
7 records, normally, at least in my experience, it's
8 not the SRO that's going to get in the argument
9 about whether they should or should not see an
10 educational record or disciplinary record. It's
11 going to kind of go up the chain to somebody. So,
12 I mean, I would recommend that maybe we just
13 remove that for clarity.

14 SHERIFF ASHLEY: Second that.

15 SHERIFF GUALTIERI: Okay. Anybody have a
16 problem with that? We'll just take that out.
17 Okay. So we're going to remove that bullet. I
18 agree.

19 "SROs should receive frequent, thorough,
20 realistic training to handle high-risk,
21 high-stress situations, especially single officer
22 response."

23 I think that we've already talked about that.
24 I think that needs to get incorporated back --
25 that should probably get moved up. Heather, on

1 Slide 63 is that let's incorporate maybe some of
2 that with the first bullet on 63, okay?

3 Going over to Slide 65. So this one I will
4 just remind y'all we're going to go through it,
5 but this is one that is verbatim that we already
6 approved at an earlier meeting when we were
7 talking about the SROs, and what it says is that,
8 again, I'll remind everybody "There should be a
9 minimum of at least one law enforcement officer on
10 ever middle and high school campus and a minimum
11 of one law enforcement officer or guardian on
12 every elementary school campus."

13 We also said that "The campuses should be
14 defined," and that goes into the asterisk, "and
15 that each allocation of law enforcement officer or
16 guardian should be staffed sufficiently to provide
17 for an immediate backup and an immediate, timely
18 response consistent with the circumstances of an
19 emergency."

20 Again, we've already approved that, but I'll
21 open it up if anybody has any -- go ahead.

22 MR. SCHACHTER: I know we talked about this,
23 but I do feel bad about not having an SRO on an
24 elementary school campus. Next Thursday -- no,
25 no, I'm sorry. Tomorrow is the anniversary of --

1 sixth anniversary of Sandy Hook. I feel like
2 that's a mistake.

3 SHERIFF GUALTIERI: But we have guardians on
4 those campuses and we have a good guy with a gun
5 on the campus. So --

6 MR. SCHACHTER: What's the rationale, I mean
7 that we don't have an SRO on the elementary school
8 campuses?

9 SHERIFF GUALTIERI: We're going to talk about
10 this a little bit more as far as this is
11 concerned, but I'll tell you right now is that, 1,
12 there's not enough money to do it, and 2, there's
13 not enough cops to do it. So it simply can't be
14 done. There are not enough cops and there's not
15 enough money, and that is the bottom line.

16 MR. SCHACHTER: Listen, if we made every
17 recommendation based on the amount of money that
18 we have, a lot of this wouldn't be in there,
19 but --

20 SHERIFF GUALTIERI: Money is realistic, Mr.
21 Schachter. You have 3,900 schools in the state of
22 Florida, and it would cost -- to put a cop on
23 every campus, you're talking 400 million for just
24 one. Right now, there's about 2,100 SROs. You
25 know, you can go on and on.

1 MR. SCHACHTER: Let me ask you, since in my
2 view the SRO is going to be able to better protect
3 a school than a guardian, that's inherent, can we
4 increase the number of guardians at an elementary
5 school to compensate?

6 SHERIFF GUALTIERI: Well, that's something --
7 we'll talk more about that. Just hold on to that
8 thought. We're going to talk more about that here
9 in a second.

10 Sheriff Ashley.

11 SHERIFF ASHLEY: With all due respect, and
12 you know how much I respect you, I totally
13 disagree that we don't have the ability to fund or
14 have enough officers to do this. We do it in my
15 county and we have for a while. I don't know why
16 we would take the most -- the least capable of
17 protecting themselves -- certainly the guardians
18 would be great to augment, but I don't know why we
19 would require an SRO in a high school and middle
20 school when they certainly have better ability to
21 protect themselves or run or hide or fight than
22 elementary school kids. And so I just
23 wholeheartedly disagree with this decision to say
24 that -- from this commission that elementary
25 schools are not deserving of sworn law enforcement

1 officers.

2 SHERIFF GUALTIERI: Okay. But it comes down
3 to -- you know, and -- that there's simply -- and
4 it's great that you all are able to do it in your
5 county, but there are simply not enough to do it
6 across the state of Florida and there's simply not
7 enough dollars to do it across the state of
8 Florida. I know --

9 SHERIFF ASHLEY: If we require the state to
10 fund it, I would agree, but the counties -- our
11 county funds it. The state just subsidizes it.
12 And it's not just Okaloosa County that does it.
13 There's a great number of counties in Florida that
14 do all elementary schools as well.

15 SHERIFF GUALTIERI: The only ones that I know
16 of -- and correct me if I don't have this right
17 and you know of it -- the only two that I know
18 that do it are Seminole and Okaloosa.

19 SHERIFF ASHLEY: Walton County I know does,
20 which is our neighbor.

21 SHERIFF GUALTIERI: How many elementary
22 schools do they have in Walton County?

23 UNKNOWN SPEAKER: Martin County does it as
24 well.

25 SHERIFF GUALTIERI: How many elementary

1 schools, do you know?

2 UNKNOWN SPEAKER: Twelve.

3 SHERIFF HARPRING: Citrus does it. We have
4 11.

5 SHERIFF GUALTIERI: Eleven. So you've got a
6 whole difference between those of us that have got
7 like 80, you know, in that.

8 So let's just do this -- and I'm going to
9 raise it here since we're talking about all this
10 issue because it's all hand and hand. So one of
11 the things that we know for sure, and I think that
12 we can all agree on this, that there is no profile
13 of the next shooter, there is no set of indicators
14 that's going to identify that person. But we can
15 also, I hope, agree that we can look at the
16 history to know what has happened in the past and
17 what the best chances that we have of mitigating
18 the harm when one of these incidents happen. When
19 we look at the history, there are four or five
20 things in the history that tell us what it is that
21 will best provide for the defense of the kids and
22 the staff and the schools.

23 So we talked about this several times today,
24 and I'll say it one more time is that as we talk
25 about all this hardening and we talk about single

1 ingress and egress points, we talk about
2 biometrics and we talk about all this other stuff
3 is that in the majority of the cases, it wouldn't
4 make a difference because we know that in 43 of
5 the 46 prior K-12 incidents in the last 20 years,
6 they are committed by people who had authorized
7 access because they were current or former
8 students.

9 We also know that the predominant number of
10 all of these K through 12 targeted attacks over
11 the last 20 years are committed by people with
12 handguns. So what does that tell us? It tells
13 that handguns are, 1, easily concealed, and that
14 means that they have the ability to be quickly
15 produced at will. We also know that the majority
16 of these events, including this one at Stoneman
17 Douglas, are over within less than 4 minutes. So
18 Cruz shot and killed 37 people in 3 minutes and 51
19 seconds. He shot and killed 23 people on the
20 first floor in about a minute and 45 seconds. So
21 these things happen fast, are over with fast, and
22 even if -- it goes without saying you all -- you
23 know, Scot Peterson was derelict in his duties,
24 but Scot Peterson didn't arrive at the east door,
25 and even if you had a stellar deputy who was

1 willing to go in and take action and do what that
2 man should have done that that man didn't do is
3 that Scot Peterson didn't get there until 23
4 people were shot and killed -- or 23 people were
5 shot and/or killed. So these things happen fast.
6 Somebody's got to be there to take immediate
7 action. You have to take immediate action because
8 these things happen fast.

9 And we also know and it's been talked about
10 today that the majority of these incidents are not
11 stopped by cops. The majority of these incidents
12 are stopped by school personnel. Why? Because
13 they are there and in a position to do it.

14 Now, you take that the majority of people who
15 are doing these are authorized to be where they
16 are, the majority of them at will can produce a
17 weapon and quickly use it whenever they want to,
18 the majority of them are over with very fast, and
19 the majority of them are stopped by school
20 personnel. Then you take that and you apply it to
21 what happened at Stoneman Douglas. What happened
22 at Stoneman Douglas was Cruz was in there
23 shooting -- and remember, that first magazine that
24 he used only had six rounds in it -- that he
25 unloaded that weapon and had to reload it and

1 change the magazine five times, three times on the
2 first floor and two times on the third floor.
3 That means that he had an empty gun in there.

4 And you take certain things that happened in
5 there. When Coach Hixon ran into that building,
6 knowing that he was going into gunfire, and he ran
7 in because he was going to try and do something
8 about it and he showed all that courage and all
9 that fortitude to do that, and when he went
10 through that west door, he was shot in the legs,
11 fell down to the ground and he crawled over to the
12 hallway. We know what happened. We know that
13 Cruz continued to fire.

14 Now, I don't know this, I don't have a
15 crystal ball, and I can't get in Coach Hixon's
16 mind, but I'm willing to guess that if that man
17 had the courage to go into that school that day
18 and get shot in the legs and crawl across the
19 hallway, that as he saw Cruz coming down the
20 hallway and then Cruz executed him, that he would
21 have shot Cruz if he had a gun.

22 When you take the third floor and you take
23 Rospierski, and Rospierski was on that third floor
24 in no-man's land, or a teacher that is in there
25 doing what Ernest Rospierski did and saved all

1 those kids, that there are teachers, there are
2 school personnel, there are staff that have the
3 mindset, that have the willingness, that have the
4 fortitude, have the ability to be that person that
5 reacts, because cops cannot be there, you know,
6 all the time.

7 Take that campus. Stoneman Douglas is an
8 example. 45 acres, 16 buildings, 3,200 students
9 and about 200 staff. There is no way that you can
10 have one, two, or even three cops there that in
11 that minute and 45 seconds is going to be able to
12 stop this. You can make the case, well, you're
13 never going to have enough. True, I would
14 acknowledge that. But two is better than one,
15 three is better than two, four is better than
16 three, and there are limits on that. But you've
17 got to have enough people that are going to be
18 able to stop the event when it happens.

19 And there is no doubt, unfortunately and
20 sadly, that it's going to happen again. The
21 question is when and where. And I suggest to you
22 the real question is and the most important
23 question is what is in place to mitigate the
24 threat and stop it when it happens because one
25 death, two deaths, one or two way too many, but

1 one is better than 34 people shot or killed.

2 So you got to have people that have the --
3 who want to do it, who have the ability, who have
4 the mindset, who are willing to go through the
5 right amount of training, and we need more than
6 what we have because one person on every campus is
7 not enough. That is why -- and remember this --
8 that is why when we interviewed the teachers --
9 and the unions can say whatever they want and the
10 advocate groups can say whatever they way, but
11 when we interviewed the teachers at Stoneman
12 Douglas, that's what they said, "We should have
13 the ability to be armed if we want to." And I
14 suggest to you that the current program, the
15 current guardian program, authorizes a lot more
16 people to be guardians than what are being
17 utilized in the districts across the state is that
18 some districts are allowing school personnel who
19 are now authorized under the guardian program to
20 participate, but a whole bunch of districts are
21 not. A whole bunch of them are only allowing
22 people who are dedicated guardians. They're not
23 allowing the people who are currently authorized,
24 the principals, the assistant principals, the
25 counselors, the plant personnel, the janitors,

1 the -- whoever it is, or even for that matter
2 those that are teachers who are now permitted,
3 which are current or former law enforcement
4 officers, ROTC people, et cetera, and they're only
5 limiting it so you have just that one gun on
6 campus.

7 So getting back, Sheriff Ashley, to your
8 point, Mr. Schachter a little bit to yours, is
9 that when we look at this, there is simply not
10 enough, simply not enough law enforcement
11 officers.

12 The reason why I say that is this: First of
13 all, just to do one in every school would cost 400
14 million. And so with that 400 million that we
15 would have to have is that right now we have -- in
16 the schools, we have -- last count is somewhere
17 around 2,100 current SROs. So that means to hit
18 the 3,900, we would need another roughly 1,800
19 more cops and 180 million in new, recurring
20 revenue.

21 Now, I asked our HR folks about a week and a
22 half ago to do a survey and an analysis of 15 of
23 the largest law enforcement agencies in Florida,
24 and as of a week and a half ago to tell me how
25 many current openings they had for police

1 officers. What they came back with was that there
 2 were about 800 current openings. That's just 15
 3 out of about 400 law enforcement agencies. So I
 4 think it's a fair statement that probably across
 5 Florida, out of 400 -- and we only surveyed 15 of
 6 the largest -- there's probably around 1,500
 7 openings. So we can't even fill those 1,500
 8 openings, and then we're talking about putting a
 9 cop in every school and we would need another
 10 1,800. Where are we going to get all these cops?
 11 We can't get those cops. They don't exist. We
 12 can't hire what we need now and we don't have the
 13 money.

14 So I suggest to you, and I'm going to put up
 15 a recommendation here in a second and ask Harold
 16 to put it up, that we consider this and that we
 17 consider a recommendation to encourage the
 18 districts to expand the current authorizations
 19 under the guardian program to allow people who are
 20 volunteers, people who are well-selected,
 21 well-trained, well-qualified, to participate in
 22 the guardian program. And that we also consider
 23 asking the legislature to expand the guardian
 24 program to include those teachers who fit the same
 25 criteria, because I think people should have a

1 right to defend themselves and people shouldn't be
 2 in a situation where they're doing what guys like
 3 Chris Hixon and Ernest Rospierski did and they're
 4 putting themselves in these situations and
 5 somebody is saying to them "No, you can't be
 6 armed."

7 We need to put aside these ideological
 8 positions and realize what reality calls for. And
 9 people will say what about this, what about this,
 10 what about this. Those are parades of horrors.
 11 There's a parade of horrible for everything.
 12 There's risk with everything. Well, what if the
 13 teacher drops the gun, what if the teacher does
 14 this, what if the teacher does that? There's ways
 15 to address all that because you do weapon
 16 retention training, you do fragmentation drills,
 17 you do shoot houses, you do shoot/don't shoot
 18 scenarios, you properly train these people and you
 19 mitigate all that the best you possibly can,
 20 because I'll tell you, in my view, there's no
 21 greater parade of horrible than dead kids, and we
 22 got to do something different. If you always do
 23 what you've always done, you're always going to
 24 get what you always got. And what we got right
 25 now ain't working, so we need to do something

1 differently. And having one cop on every campus
2 or one guardian on every campus is not enough.
3 Could we add more guardians? Possibly. But you
4 got -- and another thing that goes hand in hand
5 with this, so I'll just couple this in the
6 discussion. This is a problem, and I have a
7 recommendation for you.

8 Right now you've got sheriffs, and I'm --
9 don't like to hear this, but we have sheriffs in
10 the state of Florida that will not authorize the
11 guardian program in their counties. Sheriffs need
12 to be part of the solution, not part of the
13 problem. And you have districts that want to use
14 the guardian program, but the sheriff won't
15 authorize it. And so we've got to figure out a
16 way around the sheriffs in those counties because
17 I can tell you that the intention that I know from
18 talking to the Governor and talking to members of
19 the legislature is that they thought the sheriffs
20 were going to be the best people to provide
21 consistent training, consistent policies,
22 consistent implementation, and that the sheriffs
23 were going to get this done. But we've got some
24 of our colleagues that aren't doing it. So you've
25 got a situation where you talk about adding more

1 guardians. Well, you've got some sheriffs that
2 won't add it and won't authorize it at all.

3 We have to give people a fighting chance.
4 We've got to give them an opportunity to protect
5 themselves, in my view. We don't have enough to
6 put cops in every school or multiple cops in every
7 school, and we're not maximizing the use of the
8 guardian program, and one person, one good guy
9 with a gun on every campus is not adequate.

10 So I'm going to open it up for discussion,
11 but before I do that, I want to tell you what the
12 proposal is, and then anybody and everybody can
13 weigh in on it. That's the proposed
14 recommendation, that the school districts and the
15 charter schools permit the most expansive use of
16 the guardian program under existing law to allow
17 volunteer personnel who are properly selected --
18 here's another thing I hear: "Well, I know this
19 teacher and I wouldn't want that person carrying a
20 gun." Well, you know what, I may not want them
21 either. That's why you properly select them.
22 Just because they want to, I'm suggesting a very
23 lasered approach, a very narrow approach to this
24 is that you got people who first want to do it,
25 then we decide if we want them and you go through

1 a very rigorous selection process, you thoroughly
2 screen them with background checks, et cetera, you
3 extensively train them, and that these are
4 concealed weapons that are there for
5 self-protection and the protection of others, and
6 that the districts and the charter schools should
7 not restrict the program only to dedicated
8 guardians and expand the eligibility to other
9 school employees.

10 Then the third item suggesting there is that
11 the legislature expand the guardian program to
12 allow volunteer teachers in addition to those now
13 authorized who are selected -- properly selected,
14 thoroughly screened, and extensively trained to
15 carry concealed firearms on campus for
16 self-protection and protection of others.

17 So that's where I am on it and that's what
18 I'm going to throw out to you for discussion.
19 Sheriff Ashley, go ahead.

20 SHERIFF ASHLEY: All great points, Sheriff,
21 and I totally agree, I'm all for arming teachers
22 and I'm all for arming anybody that needs to be
23 armed as long as they meet the criteria and are
24 trained. But what I'm asking the commission to
25 consider is our priorities is if we're suggesting

1 that we have a law enforcement officer -- a single
2 law enforcement officer in every high school and a
3 single law enforcement officer in every middle
4 school, why are they bigger priorities than
5 elementary school, even if we use guardians as
6 augmentation to any of them? I'm just saying why
7 would we not require -- if we're going to require
8 a law enforcement officer at all, why wouldn't it
9 be in elementary schools first rather than high
10 schools and middle schools?

11 SHERIFF GUALTIERI: I think it's because the
12 function of the law enforcement officer, the SRO,
13 in the middle and high schools is a hybrid and a
14 blend and is less of a security function -- or put
15 it this way, it's an important security function,
16 but they also have collateral duties, where in the
17 elementary schools it is predominantly security.
18 It's a totally different role in the elementary
19 schools. So you're trying to put the law
20 enforcement officers in the middle and the high
21 schools because you have fights, because you have
22 all the other things that happen where in the
23 elementary schools, really what it is, it's that
24 good guy with a gun that can stop an active
25 assailant situation.

1 SHERIFF ASHLEY: Which brings the other
2 issue, one of the ones that concern me the most is
3 sharing intelligence with guardians. We don't
4 have that capability yet. And so if you have
5 custody orders, child abuse issues, the list goes
6 on and on, it's much more than a security role in
7 elementary schools, or at least what our deputies
8 are doing. So, again, the priority is the issue
9 with me -- is the concern with me.

10 SHERIFF GUALTIERI: Anybody else? Mr.
11 Schachter, go ahead.

12 MR. SCHACHTER: And I agree with the sheriff.
13 I think that the elementary schools are as at risk
14 as a middle and a high school, and I would like to
15 re-vote on that issue.

16 SHERIFF GUALTIERI: Mr. Schachter, if we say
17 in this recommendation that there shall be at
18 least one law enforcement officer in every middle,
19 high school, and elementary school -- and that's
20 your suggestion -- where are you going to get them
21 from? Where are they going to come from? They
22 don't exist.

23 MR. SCHACHTER: We have them in our county.

24 SHERIFF GUALTIERI: You're asking for
25 something that's not attainable and can't happen.

1 MR. SCHACHTER: We have them in our county.

2 SHERIFF GUALTIERI: Did you not hear what I
3 said? Right now, just in 15 law enforcement
4 agencies, there are 800 openings. That's just in
5 15 out of 400. Where are you going to get them
6 from? It's easy to sit there and say, oh, you
7 should do this. Well, I'm in the trenches doing
8 it. I got 40 openings right now I can't fill. We
9 got 80 elementary schools. Where am I going to
10 fill them from?

11 MR. SCHACHTER: If you're prioritizing middle
12 and high schools over elementary schools, and I'm
13 just saying that they are as at risk as a middle
14 and high school. Sandy Hook is a prime example.

15 SHERIFF GUALTIERI: Sheriff Judd, go ahead.

16 SHERIFF JUDD: The initial reason to put SROs
17 in high schools -- and that's where it started --
18 and then middle schools was because the size of
19 the children and the proclivity for them to create
20 problems and to be a problem and to cause a
21 problem.

22 We're not suggesting -- I'm not suggesting --
23 I want to say "amen" to what Sheriff Gualtieri,
24 our chair, said. We're not suggesting -- I would
25 never suggest that elementary schools are less

1 important. What I would tell you, that under the
2 current -- under the current system, our guardians
3 have 25 percent more training and qualify at a
4 higher percentage in order to be a guardian. Day
5 1 out of the guardian academy, Day 1 out of the
6 policy academy, the best trained of the two are
7 the guardians. So if you tell me on Day 1 out of
8 the academy which one I want in a gun fight,
9 because the guardians have gone through the
10 backgrounds, they've gone through the
11 psychologicals, they've gone through the testing,
12 Day 1, the one that's proven to meet the highest
13 standards, the guardians.

14 So I don't think anyone's suggesting that
15 school resource officers wouldn't be nice, and
16 certainly the counties that can afford them and
17 can find them can put all the SROs they want to on
18 campus.

19 What we have to underscore here is that --
20 and -- is that one SRO or guardian on a campus is
21 not enough. I would submit to you that two on a
22 campus is not enough. We have to get to this
23 proposed recommendation, and it shouldn't be
24 "should permit," it should be "must permit" if
25 they meet these recommendations, and part of that

1 background process is the principals, the
2 supervisors saying, "Hey, look, I know old Grady
3 wants a gun, but that teacher doesn't need a gun."
4 Well, that teacher hasn't passed the background
5 then because they got washed out of the background
6 process.

7 But the facts are the facts are the facts,
8 and it's not just Parkland. You go back and look
9 at the data. But Parkland is a great instant
10 example. At a minute and 40 seconds, 22 had
11 already been shot, nine had been killed.

12 The question remains, what would have
13 happened if there had been an interested teacher?
14 What if Aaron Feis could have had a gun?

15 The reality of it is that cops live in this
16 denial that they believe that they're the only
17 ones capable of handling guns, just like school
18 unions think there should never be a gun on a
19 campus. We have these two perceptions. Neither
20 of them are right. And the reality of it is that
21 the more people we have appropriately trained and
22 appropriately equipped after they are
23 appropriately selected, the safer kids are because
24 we have to get there in seconds, and minutes don't
25 help us. And Sheriff Ashley, who is a dear friend

1 of mine and I highly respect him as the consummate
2 police professional and administrator, his county
3 is fortunate enough to be able to do that. Today,
4 in my county, we would need 95, and I've got 39
5 openings, and I don't know how many openings my
6 colleagues from the police departments have.

7 So we've got to get away from ideal
8 circumstances and get to reality, and the reality
9 is this is a good proposal and recommendation
10 because it strikes right at the very core of what
11 we want to do or what we need to do. In the ideal
12 world, we shouldn't have to need anyone on campus
13 with a gun, we shouldn't need an SRO at all, but
14 that's not the world we live in today.

15 So at the end of the day, I agree with my
16 colleague, Sheriff Ashley, if the folks want it
17 and can afford it, go for it, but there's an
18 alternative that's already in legislation. All we
19 need to do is make the school districts understand
20 that one's not enough, two's not enough. We need
21 multiple people in order to ultimately protect the
22 children.

23 SHERIFF GUALTIERI: And you may have three at
24 a school, you may have zero at a school, you --
25 and I again suggest that it's a significant

1 deterrent effect if it's authorized, and people
2 don't know how many people are at that school that
3 are armed and nobody knows, that's a good thing.
4 And if you got five, you got five, if you got
5 zero, you got zero. And it should be laser
6 focused, it should be very selective and making
7 sure that you got the right people that can do
8 this. So I --

9 SHERIFF ASHLEY: I just got one response
10 to --

11 SHERIFF GUALTIERI: Go ahead.

12 SHERIFF ASHLEY: Is I think we're all saying
13 the same thing. The more, the better. I'm just
14 saying that if our guardians are so much better
15 than law enforcement, why aren't we hiring them
16 for law enforcement? If they're that much better
17 in a gun fight, then put them a uniform and --

18 SHERIFF GUALTIERI: But I don't want to speak
19 for him on this, but I think to that point is I
20 feel this way about it is the reason is because
21 the guardian's sole responsibility is to be that
22 good person with the gun that can protect and
23 defend against the active assailant. The SRO has
24 significantly more responsibilities that are doing
25 other things within the school such as

1 participating on threat assessment teams and such
2 as the traditional function of the SRO in building
3 relationships with the kids and all that. So I
4 think that's the reason is that it's not a one
5 size fits all, and if you had to select, it is
6 more important to have the copy in the middle
7 schools and the high schools because of the
8 collateral issues they deal with, because of the
9 relationship building, and because of those other
10 things. So that's my take, but I don't want to
11 put words in your mouth, Sheriff, if you feel
12 differently or --

13 SHERIFF JUDD: No, that's exactly correct,
14 and quite frankly, for those who want to put a
15 police officer or a deputy on every campus and can
16 find them and afford them, more power.

17 SHERIFF GUALTIERI: More power, and I'll
18 suggest this and recognize Secretary Carrol is
19 that I agree with that, if you can in your county
20 or your city and you want to put a cop in every
21 elementary school, middle school, and high school,
22 I still suggest to you that that one is not
23 enough.

24 SHERIFF JUDD: You're still not there.

25 SHERIFF GUALTIERI: You're still not there,

1 and you should allow one under existing law for
2 that person to be augmented with -- under this
3 strict criteria, and that should include -- and
4 that should include teachers who fall into this
5 category for the reasons I said. So, again, if
6 you want to do it, great, fantastic, but one is
7 not enough.

8 SHERIFF ASHLEY: But the ratio -- the whole
9 ratio issue that we got into earlier that we
10 really don't have a way to measure, every one of
11 our high schools have two, and elementary school
12 and middle schools are smaller and they're smaller
13 facilities, so they're easier to secure, or at
14 least cheaper to secure than the larger high
15 schools and institutions.

16 SHERIFF GUALTIERI: Secretary Carrol, go
17 ahead.

18 SECRETARY CARROL: Just a comment because I
19 too have a great deal of respect, Sheriff Ashley,
20 and I -- actually I applaud you too for getting
21 your county because I think it was your leadership
22 that kind of forced that issue in the county and
23 they were able to fund those positions. So I
24 think that's great.

25 I do want to comment on the issue about how

1 we're prioritizing middle schools and high schools
 2 and elementary schools, because I don't look at it
 3 that way. I do think there's a difference.
 4 Sheriff Gualtieri alluded to the statistics
 5 earlier about how most of the folks who perpetrate
 6 these crimes are either current or former
 7 students. The difference in middle school and
 8 high school is the perpetrator is -- it's more
 9 pervasive in that they -- like in this case, he
 10 may have been a former student, but he certainly
 11 fit the demographics to be at that school if you
 12 look from afar. If I walked into that school, I
 13 would not be able to tell he should not have been
 14 there.

15 In the elementary schools, that's not true.
 16 They are smaller facilities, they are easier to
 17 secure, they are easier to funnel folks through a
 18 single-entry point, and it's usually a former
 19 student, not a current student -- I don't see mass
 20 murders being perpetrated by 7-year-olds -- it's
 21 usually a former student like in Sandy Hook that
 22 return there. So there's a fundamental difference
 23 between the threat that face an elementary school
 24 than what faces a middle school and a high school.

25 I have been struck by this -- and I -- the

1 last meeting that I changed my mind on this
2 because originally I didn't think there should be
3 lots of guns on schools, but I tell you, based on
4 all of the research that was provided to us on how
5 quickly these event unfold, I am now convinced
6 that the reason schools have become such a target
7 is because for a long time, they're easy targets.
8 You could go there and there was going to be
9 little to no resistance. And I do think the three
10 recommendations that I see up here, I do think
11 long term is even more the answer than having
12 school resources at every place because I think if
13 you have folks with guns and you expand the amount
14 of folks and as a student you don't even know
15 which teachers have these guns, then that target
16 that was once easy is a lot more unpredictable now
17 because if you walk into the wrong hallway and you
18 show a gun, you could be stopped before you get
19 the first shot off because you're in the wrong
20 place. It becomes a guessing game. And so I
21 think if you adopted this, I think it -- schools
22 cease to be easy targets.

23 In terms of the school resource funding
24 issue, I've got to tell you, not just the issue of
25 where do we find all these cops, but if you're a

1 legislator, and I don't want to speak for Senator
2 Book, but they are faced with so many different
3 priorities. We want money for more teachers, we
4 want money to get rid of the portables, we want
5 money to harden schools, we want money for
6 resources to better teach our kids, we want money
7 for more school resource officers, we want money
8 for more mental health funding to treat kids that
9 have mental health issues and head some of this
10 off, and that pot of money is not limitless, and
11 there's many other people at that trough every
12 legislative session even beyond that that are
13 competing for the dollars that are available.

14 The long-term solution to this is finding
15 something that's economically viable going into
16 the future. And I think if you set a goal and say
17 I want to secure these, and a lot of what we
18 talked about and making schools safer in
19 Recommendation 1 and 2 that have no cost, I think
20 are great because I think it goes a long way
21 toward making schools safer, I think you follow
22 our recommendations in terms of the school
23 resources officers, I think it takes us further
24 but you do these three things up here and then, A,
25 it's more economically sound because teachers have

1 to be there anyway, they're going to teach,
2 administrators have to be there because they have
3 to administrate, and it becomes a lot more
4 unpredictable for a shooter. That's an
5 economically sustainable model into the future and
6 I think it would keep kids safer.

7 So I would like to see us keep at least in
8 the short-term the recommendation that we voted on
9 earlier the same, and it's no disrespect to
10 Sheriff Ashley because, like I said, I applaud
11 what they did in his county and I would like to
12 see every county get there. But in the meantime,
13 if you can't get there, that's what I'd like to
14 see, and if you supplement it with the
15 recommendations that we made and school districts
16 embrace that, then I think we've gone a long way
17 to making these schools safer.

18 SHERIFF GUALTIERI: So why don't we do this
19 because -- try and -- how to frame this. With
20 what we have on page 65 where we stopped before we
21 went further into this, that is the recommendation
22 that we had already previously approved. So
23 that's already been approved by the commission.
24 So unless there is a motion and a second and a
25 majority vote to change that, then we're going to

1 leave it as is.

2 SHERIFF JUDD: I would just like, once again,
3 instead of "should," "must," but --

4 SHERIFF GUALTIERI: And where -- I'm looking
5 at page sixty --

6 SHERIFF JUDD: "These allocations of law
7 enforcement officers/guardians must be staffed
8 sufficiently to provide an immediate backup."
9 Take away "should" and add "must."

10 SHERIFF GUALTIERI: Are there any other
11 motions on Slide 65's recommendations? Is that a
12 motion, Sheriff Judd, to amend this?

13 SHERIFF JUDD: That's a motion.

14 SHERIFF GUALTIERI: Is there a second on
15 that?

16 MS. LARKIN-SKINNER: I'll second it.

17 COMMISSIONER NELSON: I'll second.

18 SHERIFF GUALTIERI: Second by Chief Nelson.
19 Is there any further discussion on Sheriff Judd's
20 motion seconded by Chief Nelson that "should" be
21 changed to "must"? Any other discussion on it?

22 COMMISSIONER DODD: Just for clarification
23 because I've been asked this a lot and this is the
24 way I explain it, every middle school and high
25 school should have at least a law enforcement

1 officer, and every elementary school should have
2 at least a guardian --

3 SHERIFF GUALTIERI: Right.

4 COMMISSIONER DODD: -- and every campus
5 should have at least a guardian, is that --

6 SHERIFF GUALTIERI: Not should have, must
7 have.

8 COMMISSIONER DODD: Must have. But the
9 immediate backup is the minimum of a guardian,
10 correct?

11 SHERIFF GUALTIERI: Correct, yes. And --
12 yes, correct, and is that -- right now is that
13 because of the narrow permissions that many
14 districts have put on guardians, they won't allow
15 the people who are eligible to be guardians, to be
16 guardians. But, yes, we'll have that discussion
17 more here in a second, but the answer to your
18 question is yes.

19 So any other -- on Sheriff Judd's motion to
20 change "should" to "must," any other discussion on
21 that?

22 MR. SCHACHTER: So we're not voting on the
23 motion, we're just voting on the change?

24 SHERIFF GUALTIERI: We're voting on the
25 change from "should" to "must."

1 Any other discussion on that?

2 Hearing none, all in favor, aye.

3 (Chorus of ayes.)

4 SHERIFF GUALTIERI: Any opposed, same.

5 So we'll change "should" to "must."

6 All right. So any other motions on what is
7 in Slide 65? So seeing none, we'll move on now.

8 So I can't make a motion as the chair under
9 the rule. So before we go further on this is that
10 those that I put up there are just that,
11 recommendations. So before we go further with
12 this and we see if we have further discussion and
13 see if we take a vote on it, is there any motion
14 regarding those?

15 COMMISSIONER NELSON: (Inaudible) motion.

16 SHERIFF GUALTIERI: So all three of those?
17 Is your motion to adopt all three of those?

18 COMMISSIONER NELSON: Yes, sir.

19 SHERIFF GUALTIERI: So the motion by Chief
20 Nelson is to adopt all three of those
21 recommendations that are up there on the slide.
22 Do we have a second on that?

23 SHERIFF JUDD: Second.

24 SHERIFF GUALTIERI: Second by Sheriff Judd.
25 So any discussions on these? Mr. Schachter.

1 MR. SCHACHTER: So I -- if we look at
2 other -- other countries that have tried to arm
3 teachers before, Israel has tried it before once,
4 and I understand that Israel is a different
5 threat, I understand that in Israel they have an
6 outsider threat of terrorists that are trying to
7 attack the schools and they're not insider threats
8 like we have 14, 15, 16, 17, 18, 19-year-olds.
9 But there is a tremendous threat in Israel
10 nonetheless. Israel tried this in the past to arm
11 teachers. They gave 14,000 teachers guns, and
12 what they found was the teachers were leaving
13 their guns in the drawer, they were leaving their
14 guns in the bathroom, leaving their guns at home,
15 and they were extremely nervous that, you know,
16 bad things were going to happen. As a result of
17 that, they took all 14,000 guns away from their
18 teachers, they accounted for all of them except
19 for two, and they did a massive investigation to
20 find those two guns. They found one. One is
21 still lost. But the reason I say this, I
22 understand the sheriff's point that we do need
23 more good guys with a gun on campus, and nobody
24 understands that wish that we had more at Marjory
25 Stoneman Douglas than myself and the other

1 commissioner on this task force, Commissioner
2 Petty. But I do not -- I would be in favor of
3 arming certain personnel; for instance, assistant
4 principals. I don't think teachers should be
5 carrying guns. I think they have enough on their
6 plate. I think their priority is teaching. It
7 just creates a lot of -- host of -- more problems.
8 I am in favor of the guardian program, and I do
9 understand that we need more ways to stop an armed
10 intruder if he approaches the campus. There are
11 other tactics that are available out there that
12 would be able to notify law enforcement, you know,
13 but we haven't discussed those. But that's the
14 way I feel.

15 SHERIFF GUALTIERI: I want to be clear with
16 this because you just made the reference, and it's
17 so important because it's been misstated and
18 misrepresented what I've said in the meeting, you
19 know. The headline in the paper was "Sheriff:
20 Give Teachers Guns." That is not what I said.
21 That is not what I'm saying is that I'm not
22 talking about giving 14,000 people guns. And I'm
23 not saying give everybody a gun who wants a gun.

24 What I'm saying is that those who express an
25 interest and volunteer, that they go through a

1 very, very stringent and rigorous selection
2 process to see if we want them to do it. Then we
3 go through a background process to make sure that
4 there's nothing there that gives us concern about
5 it. That they go through a very rigorous -- and
6 that includes a psychological, it includes a
7 polygraph, includes all those things that we do
8 with the cops. And then we go through really an
9 even more rigorous training process that we do now
10 to make sure that we're including things that
11 people are concerned about like weapon retention,
12 like shoot/don't shoot, realistic scenarios
13 involving frag drills where they're getting that
14 so that we really take it to a level where these
15 people are, as Sheriff Judd had said, extremely
16 well-trained, that we can have a high level of
17 confidence. And, again, it needs to be lasered,
18 it need to be surgical, it's not just this en
19 masse, oh, if anybody wants a gun, have one.
20 That's not what I'm saying. And it's so important
21 that people understand that because we are not
22 just talking about heave-ho and give people guns,
23 because when you said that, it was like what the
24 headline in the paper was, and that is not what
25 I'm saying. It's a lot more nuanced, it's a lot

1 more precise, and the first thing I'm saying is
2 the districts by policy should maximize the use of
3 the existing guardian law because they're not
4 maximizing it; in fact, they're prohibiting it.
5 And so when you're talking about, Mr. Schachter,
6 the APs or these other people, by law, they can
7 participate now, but the districts won't allow it.
8 Why? Because it's ideological, philosophical,
9 parade of horrors, all these other things
10 that -- because they just don't like it. Well, as
11 you don't, I don't like dead kids. We got to do
12 something. You always do what you've always done,
13 you're always going to get what you always got.
14 You got to change and we have to be -- we got to
15 see the forest through the trees on this.

16 Sheriff Ashley.

17 SHERIFF ASHLEY: On that question about
18 trying to expand this, would that be an amendment
19 to Senate Bill 7026 on the exclusion of teachers
20 actually --

21 SHERIFF GUALTIERI: This is a recommendation.
22 Again, the recommendation here is that we would
23 adopt this recommendation in No. 1 and 2, and that
24 is to suggest -- and by no way, shape, or form is
25 any part of the suggestion any type of a mandate

1 to anybody, but it's saying to the districts use
2 the existing law and maximize the resources that
3 are available to you under existing law and stop
4 saying no to everything and figure out a way to
5 get it done and provide a safer environment in
6 this -- is coupled with the other things, like
7 Secretary Carrol pointed out, is that it's going
8 to get us there. So to maximize it.

9 Then the other thing on the next slide is
10 that it would be a recommendation of the
11 legislature that they do expand it, but it can't
12 be an amendment. 7026 is last session. You'd
13 have to find somebody that files a bill in both
14 houses -- in both chambers of the legislature and
15 --

16 SHERIFF ASHLEY: I'm just trying to clarify
17 what is -- if we can clarify what 7026 says. Now,
18 does it say teachers can't?

19 SHERIFF GUALTIERI: Yes, it says -- so 7026
20 right now --

21 SHERIFF ASHLEY: (Inaudible).

22 SHERIFF GUALTIERI: Okay. Let me tell you
23 this. 7026 right now says that there's a
24 requirement that there be a safe school officer on
25 every charter, elementary, middle, and high school

1 campus in the state of Florida. The safe school
2 officer can be a police officer or deputy sheriff
3 employed by a sheriff or police department, or a
4 police officer employed by a school board, or
5 somebody who is a guardian. A guardian is defined
6 as a person who is employed by the school district
7 who is not predominantly a classroom teacher,
8 unless that classroom teacher is a current or
9 former law enforcement officer or a member of
10 ROTC.

11 So there is a wide breadth of people that the
12 districts could permit to be guardians and
13 participate in the guardian program that they are
14 absolutely prohibiting, and that this says to them
15 use the existing law and allow these people under
16 these right circumstances -- again, narrowly
17 focused, selective -- to do this.

18 SHERIFF ASHLEY: My last statement on this --
19 and I certainly agree, I think we all agree that
20 the more people with -- the more trained,
21 selective people with firearms on our campuses,
22 the safer our kids will be. So for the media's
23 sake and public's sake, I want you all to know we
24 agree on that. I just disagree on the priority on
25 how we get there. So --

1 SHERIFF GUALTIERI: Secretary Carrol, go
2 ahead, and then Mr. Petty.

3 SECRETARY CARROL: Because it says up there
4 "the properly selected" -- question, then a
5 comment. On the -- with respect to the guardian
6 program that's currently operating, those are
7 folks who are employed by the school district, but
8 who makes the final decision on whether they are
9 actually hired and qualified to be guardians? Is
10 it the school system or is it law enforcement?

11 SHERIFF GUALTIERI: The sheriff -- the
12 sheriff has to approve them, and so the way that
13 it's working is that the school district
14 authorizes it, the sheriff authorizes it, and I
15 can just tell you, and others can talk to it if
16 it's any different that they know about, is a
17 school district goes through an initial -- first
18 of all, the board authorized the use of the
19 guardians, but like in our county, it's only
20 dedicated guardians, it's not everybody else we're
21 talking about, it's only those people who are in a
22 dedicated guardian function, which is largely
23 looking like a security officer function.

24 And so they do an initial screening. Then
25 they get turned over to our human resources. Our

1 human resources does the polygraph, the
2 psychological, the background check, and all of
3 that. And then those files are brought to me and
4 then I sign off on those files or I don't. And
5 there's a whole bunch I don't sign off on. Then
6 we put them through our training, and they're
7 trained because it says that all these people have
8 to be trained by criminal justice standards and
9 training commission certified instructors. So
10 it's law enforcement officers that have to do the
11 training, and then they go through the training
12 process.

13 So it's got to be authorized by the school
14 board and the sheriff, and then they've got to be
15 selected, and then they are trained by law
16 enforcement.

17 SHERIFF ASHLEY: Are they about half the
18 cost, Sheriff, as a deputy?

19 SHERIFF GUALTIERI: Oh, probably less than
20 that because I can tell you most of the charters
21 are paid a little bit more. The charters are
22 paying the guardians generally somewhere about
23 thirty to even 35,000. The school districts are
24 paying the guardians probably somewhere around
25 twenty-three, 24,000, somewhere in there. So the

1 guardians -- and you talk about the average cost
2 of a cop. The average cost of a cop, average
3 across the state of Florida, is about 100,000,
4 fully loaded. So you're talking about the
5 guardians are exponentially less.

6 And I'll tell you is that one of the concerns
7 I had going in, that we wouldn't get the quality
8 of the people. And my expectations -- they have
9 far exceeded my expectations. We have had very
10 little attrition. In fact, most of the guardians
11 are former law enforcement, former corrections,
12 former military, private security people. We have
13 had little to no attrition and it is working
14 extremely well and well exceeded what I thought
15 that the issues or problems would be. It couldn't
16 be going better in that respect.

17 So Mr. Petty, go ahead.

18 MR. PETTY: I guess a question on -- there
19 seems to be two issues you're asking us to think
20 through, right? One is -- on the first slide is
21 really recommending that school districts
22 implement the guardian program as the legislature
23 defined it, not as they've determined to interpret
24 it.

25 SHERIFF GUALTIERI: Narrowed it.

1 MR. PETTY: Or -- and -- but, yeah, certainly
2 narrowed it. That's one.

3 SHERIFF GUALTIERI: Right.

4 MR. PETTY: And then the second -- the second
5 piece on the next slide is really an expansion of
6 the guardian program to redefine it to a certain
7 extent.

8 SHERIFF GUALTIERI: Correct. So right now it
9 says that classroom teachers -- "those who are
10 predominantly classroom teachers except" couldn't
11 participate. And what I'm saying is recommend
12 that they allow -- again, narrowly tailored
13 without rehashing it -- those classroom teachers,
14 because there are classroom teachers -- and don't
15 forget that when the teachers are asked at
16 Stoneman Douglas "What do you want to see," they
17 said, "Allow us -- allow those who want to be to
18 be armed." And nobody's going to agree on all of
19 this. There is no perfect here. But, again,
20 that's what the recommendation is and is based on
21 everything I've said, including listening to the
22 teachers that we interviewed that made that
23 recommendation to us.

24 MR. PETTY: Yeah, and I know, you know,
25 having been involved with the legislature as we

1 were contemplating some of these issues and it
2 being labeled very early on that the bill is being
3 about arming teachers and then having to explain
4 the guardian program and defend it, I'm well-aware
5 of the -- of the challenge there.

6 Would the proposal here to expand the
7 guardian program include the same guardian
8 training that we're seeing today with guardians?
9 So no -- when it says "expand and allow
10 volunteers, in addition to properly selected,
11 thoroughly screened," it would be the same
12 guardian training that's already implemented by
13 the sheriffs and the counties that have
14 implemented the guardian program, correct?

15 SHERIFF GUALTIERI: Absolutely, yeah. And,
16 you know, perhaps there's even room for discussion
17 that it even be enhanced. I don't have a problem
18 with that. I can tell you that we're doing more
19 than what the minimum requirements are, again, to
20 include some of the things I'm talking about, you
21 know, involving the shoot houses, the shoot/don't
22 shoot and the frag drills and the weapon retention
23 drills and those things. They're not just going
24 in and throwing a bunch of rounds down a range and
25 just shooting at a target. They're getting real

1 scenario-based training. And, you know, I'd be
2 okay with that. I think that that's a good thing,
3 that's why we're doing it. But, no, they would
4 absolutely go through rigorous selection process
5 and rigorous training. And some of them don't
6 make it and some of them probably shouldn't make
7 it. And if you front-load the process and you're
8 very selective, you're going to have a decent
9 outcome, from my experience.

10 MS. LARKIN-SKINNER: I have a question
11 regarding the training. It's not a one and done,
12 right? There's ongoing training?

13 SHERIFF GUALTIERI: Correct. They come back
14 and -- yes, they come back.

15 SHERIFF JUDD: Quarterly training --

16 SHERIFF GUALTIERI: Yes, they come back. We
17 bring them back regularly. We have monthly
18 open-range drills and the guardians are allowed to
19 come to that.

20 Mr. Petty.

21 MR. PETTY: I guess back to original comment,
22 then. I could see supporting very easily the
23 first set of -- or the first category of
24 recommendations where we -- we essentially honor
25 the language in Senate Bill 7026 very easily

1 because I think that was the intent of the
2 legislature, that was the discussions we had, that
3 was hard-fought. And to see districts and/or
4 sheriffs' departments artificially restrict that
5 when we know there's a need, when there's a lack
6 of staffing within many of the law enforcement
7 agencies that are -- that are asked to provide
8 resources to these districts for school safety, I
9 like this idea a lot.

10 I've got to think about the other -- the
11 other section. Would the Chair entertain the idea
12 of splitting the recommendation into this
13 component here, which is to honor 7026, and then
14 we can have a little bit more discussion? Because
15 I'd like to hear some more perspectives on the
16 idea of expanding it.

17 SHERIFF GUALTIERI: So what we have right
18 now -- and we're going to follow the protocols --
19 we have a motion on the floor, we have a second,
20 we're in discussion on it. So we need to take a
21 vote, which is the motion from Chief Nelson to
22 recommend that in total. So we will take a vote
23 on that. If that passes, then it passes. If it
24 doesn't pass and there's another motion, then we
25 can have that consideration.

1 I think Senator Book, did you have --

2 SENATOR BOOK: Well, there's a motion on the
3 table, so I don't want to, you know --

4 SHERIFF GUALTIERI: We're in discussion on
5 the motion.

6 SENATOR BOOK: Okay. Wondering -- and to
7 really dove-tail off of what Commissioner Petty is
8 saying, no one -- no one has -- like within the
9 legislative process has been more integrated into
10 what this is than I have. And I -- I believe that
11 we have to have more guardians on campus, good
12 guys with a gun to protect our students and our
13 teachers.

14 Would you be willing -- and I understand
15 there's a motion on the table, but just to further
16 look at this? Perhaps there could be penalties to
17 districts that are not applying the guardian
18 program as it was intended. And my fear is that
19 adding this second component within the
20 legislative process at this point, I'm concerned
21 about support for what that could be from all
22 around. And so I -- if it's the will of the
23 commission, it's the will of the commission, you
24 know.

25 I, along with the rest of the commissioners

1 who watched all of the surveillance videos that we
2 have, cannot un-see the things that we have seen
3 and cannot argue that we need to have more good
4 guys with a gun on school campuses. I just -- I
5 caution about -- I don't want the perception to be
6 that the legislature does not care if they don't
7 act so aggressively, or that there isn't support.
8 And so it becomes a highly political issue. And
9 so I'm just -- I just want to put that out there
10 for the commission to think about.

11 SHERIFF GUALTIERI: Any other discussion on
12 the motion? Sheriff Ashley, go ahead.

13 SHERIFF ASHLEY: Just one. I'm just
14 concerned -- or not concerned -- a little confused
15 about the word "to allow volunteer personnel."
16 These aren't volunteer personnel, are they? Or
17 they can be, but they're not necessarily volunteer
18 personnel, they're paid?

19 SHERIFF GUALTIERI: Well, that's not the
20 intent of it, and to the extent that you think
21 that needs to be tweaked, instead of "volunteer
22 personnel," you could say "personnel who
23 volunteer."

24 SHERIFF ASHLEY: It just kind of limits --

25 SHERIFF GUALTIERI: It's not volunteers

1 because under the -- and you can't have that
2 anyway, Sheriff, because this is under the
3 guardian program, and the guardian program, in
4 order for them to participate, the law requires
5 they be an employee of the district. So, you
6 know, it says --

7 SHERIFF ASHLEY: It's kind of misleading, or
8 it was to me when reading it.

9 SHERIFF GUALTIERI: It means, in other words,
10 we're not forcing anybody, there is no mandate.
11 It's somebody that wants to do it and wants to
12 apply, in essence, because, again, I want to make
13 clear just because somebody says "I want to do it"
14 doesn't mean we want them, it doesn't mean they
15 should. So it's people who want to apply, and
16 then, again, go through a selection process and
17 everything else we've talked about. So it's not
18 volunteer. They can't be under the law anyway.

19 Secretary Carrol.

20 SECRETARY CARROL: That was the point I
21 wanted to talk about was that these -- while they
22 are not volunteers, participating in this program
23 is voluntary. We're not going to force anybody to
24 do it. If somebody feels they're capable and it's
25 something they want to do, they can step forward

1 and volunteer to do that. They're going to be
2 vetted by the school system, they'll be vetted by
3 law enforcement, they'll receive training. I
4 believe there should be processes put in place, if
5 folks are leaving guns around and stuff, they
6 should forfeit their right to participate in the
7 program. I mean, that's a pretty easy solution to
8 that. And I think if you set that up, I think it
9 can work.

10 I think the misnomer that every teacher's
11 going to have to do something that they don't have
12 the capability to do or the desire to do is just
13 not true. I do think, you know, if you have a
14 school teacher who can teach -- I don't even mind
15 if the school district can afford to give these
16 folks a stipend. It would be easier for me to
17 give an extra stipend to teachers to be guardians
18 than to hire folks to do it full-time as a
19 guardian. I could have five teachers do it with a
20 stipend rather than one do it as --

21 SHERIFF GUALTIERI: It's already in the law
22 that, you know, would include the teachers if this
23 was expanded is a \$500 a year stipend, and in 7026
24 it was 67 million in nonrecurring revenue, but
25 500,000 of recurring revenue for -- it was largely

1 for the stipend. So the stipend is already in the
2 law.

3 Any other discussion? Commissioner Dodd.

4 COMMISSIONER DODD: Yes, I just want to see
5 that third -- the third item again on -- so this
6 is the wide-ranging change that we're talking
7 about here that we're recommending. So I wanted
8 to make sure that anyone who volunteers in any
9 position in a school to become a guardian, as long
10 as they go through that same guardian training,
11 they would be able to arm themselves. I notice we
12 didn't use the word "self-protection," which I
13 haven't --

14 SHERIFF GUALTIERI: It's up there, self --

15 COMMISSIONER DODD: Yeah, self-protection,
16 right?

17 SHERIFF JUDD: It's not just the training.
18 It's first the background, then the training.

19 COMMISSIONER DODD: Right, the background and
20 the training.

21 We would open the door for any school -- or a
22 teacher to become a guardian and still be a
23 guardian, though, we're still --

24 SHERIFF GUALTIERI: Correct. Just like the
25 teachers at MSD that day who acted the way they

1 did and that those that have told us that they
2 would like the opportunity to protect themselves
3 and their students.

4 Secretary -- are you finished, Commissioner?

5 COMMISSIONER DODD: Yes.

6 SHERIFF GUALTIERI: Secretary Kapusta, go
7 ahead.

8 SECRETARY KAPUSTA: Which background screen
9 do they have to be able to pass? Is it Department
10 of Education's background screen or --

11 SHERIFF GUALTIERI: No. It's ours, law
12 enforcement's.

13 SECRETARY KAPUSTA: Okay.

14 SHERIFF GUALTIERI: Sheriff.

15 SHERIFF ASHLEY: Last consideration I would
16 ask the commission to consider when thinking about
17 this is what grounds do you refuse a potential
18 person that wants to come do this and you start
19 refusing a number of people that maybe just have
20 some gut feeling about --

21 SHERIFF GUALTIERI: I don't know about you,
22 Sheriff, but I do it all the time in the hiring
23 process, you know, and you got a file that's this
24 thick and you're looking through it and you're
25 looking at references, you're looking at

1 (inaudible), you're looking at psychologicals,
2 you're looking at neighborhood checks, you're
3 looking at colleague interviews, you're looking at
4 all this stuff, and you know as well as I that
5 those of us that are decision-makers in that
6 process do that all the time. And -- and
7 sometimes, you know, you go with your gut and you
8 hope you're right, and sometimes your gut is that
9 ain't happening and you nix the file. Sometimes
10 you go with your gut and you say, man, there's
11 some things there, but I'm okay with it. That's
12 part of being accountable and part of being the
13 decision-maker, and it rests with you -- and I say
14 "you" collectively -- with me and with everybody
15 else, that's your responsibility and you're
16 charged with making that decision and you own the
17 decision, so you hope you get it right.

18 SHERIFF JUDD: Part of that is -- part of
19 that background is evaluating -- looking through
20 their current employee files and talking to their
21 current supervisors. So if their current employee
22 files are not appropriate and/or the supervisor
23 goes, "You know, that's the last person in the
24 entire world I would trust with a gun," and --
25 that's part of the background process. So

1 certainly we wouldn't force upon a principal or a
2 superintendent, some employee of theirs --
3 that's to -- that they could carry a firearm if
4 they're looking at us and going "This is not
5 somebody I want on my campus with a gun."

6 SHERIFF GUALTIERI: That's why I say when
7 people say, "Oh, my God, we shouldn't do this
8 because X person shouldn't have a gun," well, I
9 might agree with you. That's why we're going to
10 ask you, that's why we're going to do the
11 backgrounds, that's why we're to vet these people
12 and we're going to make sure, just like we do when
13 we're hiring the cops. We don't hire everybody
14 that applies.

15 Mr. Schachter, go ahead.

16 MR. SCHACHTER: I would -- we all agree that
17 we need to have more good guys with a gun on
18 campus. I would definitely be in favor of
19 expanding the program, but to not include
20 teachers, to other personnel, for instance,
21 assistant principals and anybody else that I'm not
22 thinking of that's not in a classroom the whole
23 day, that's the only objection that I have.

24 SHERIFF GUALTIERI: Senator Book, go ahead.

25 SENATOR BOOK: I want to also clarify that I

1 think that some of the debate that went on during
2 the passage of 7026 was that -- that -- I just
3 want to be clear that that guardian would use that
4 weapon in the instance of a shoot -- an active
5 assailant with a weapon. That is when they would
6 use that weapon, or anytime they felt threatened.

7 SHERIFF GUALTIERI: No, it's in response, and
8 the guardian statute allows them to do it in
9 response to an active assailant incident. They
10 don't have general -- they don't have any police
11 powers, they don't have any authority to do
12 anything other than to stop killing when the
13 killing is occurring.

14 SENATOR BOOK: Not just because they feel
15 threatened themselves perhaps?

16 SHERIFF GUALTIERI: I want to be clear with
17 that, you know. If you got somebody that's
18 walking down the hallway and they're pointing a
19 gun at somebody and they haven't actually fired --

20 SENATOR BOOK: If they have a gun, they have
21 a gun.

22 SHERIFF GUALTIERI: Right. Or they come in
23 there with a big 'ol machete or they're coming in
24 there with anything el- -- you know, whatever it
25 may be, no, they have to -- they have to

1 reasonably be in fear of their life or the life of
 2 somebody else in order to be able to justifiably
 3 use deadly force. So it isn't the kind of thing
 4 where -- absolutely not is that if it's the kind
 5 of thing where somebody thinks, oh, my God, these
 6 two kids are fighting and they're just going to --
 7 that is not it at all. And this is why they go
 8 through the training. This is why they get legal
 9 guidelines. That's all part of the training.
 10 They get all the things I'm talking about so that
 11 these people, if they go through it, they are
 12 extremely well-trained. You're not going to have
 13 that.

14 SENATOR BOOK: Within that, too, perhaps, if
 15 this recommendation were to pass, I know that this
 16 says to carry on their person, concealed. That
 17 would mean they cannot take that weapon off while
 18 on school property, correct?

19 SHERIFF GUALTIERI: Correct. I don't think
 20 they should. And one of the things about carrying
 21 a concealed, and I purposely put that in there, is
 22 because you know the adage, and it's a good one,
 23 just because you can doesn't mean you should, and
 24 it doesn't mean just because they have it, that
 25 they should take it out. It may not be a

1 tactically sound decision. It may not be the
2 right decision. That's one of the reasons why I'm
3 a big opponent, always have been and always will
4 be, of open carry. It's dangerous. Somebody sees
5 you have it. You should be able to decide when
6 and if and under the right circumstances.

7 So here is that be discreet about it, carry
8 it concealed in an appropriate retention-type
9 holster that's safe, and then under the right
10 circumstances consistent with your training and if
11 you think -- especially when you got a guy like
12 Cruz, the way that magazine's out of the gun and
13 you don't even have to engage in a fire fight
14 because he's stripped it out, take the guy out.

15 SENATOR BOOK: And that would be -- and what
16 happened here -- for example, Mr. Rospierski would
17 be somebody as an example that is -- I'm just
18 going along the thread here. A classroom-based
19 teacher who may or may not want to volunteer to do
20 this program. That is like where we're --

21 SHERIFF GUALTIERI: Absolutely, that's what
22 we're talking about. And there may be -- in all
23 of Stoneman Douglas, there might be five, there
24 might be ten, there might be one, there might be
25 none. That's okay. But whatever we can get out

1 of it is better than what we got now, and it's a
2 force multiplier and it provides that backup and
3 accomplishes what we're trying to accomplish.
4 Again, I can't stress it enough, this is not just
5 give people guns. This is in a precise, lasered,
6 surgical, whatever adjective you want to use to
7 describe it, in a very specific way that's
8 limited.

9 SENATOR BOOK: One other one, Mr. Chair, and
10 I apologize, but one of the -- several of the
11 teachers that have reached out and expressed
12 concern -- again, you know, this is -- you would
13 have to want to do it and engage, do the training,
14 all of that. What would they do if they are a
15 classroom-based teacher, they are in their
16 classroom? Are they to leave their -- I think
17 like those are some of the conversations. No,
18 there's no you have to go --

19 SHERIFF GUALTIERI: Absolutely not. Again,
20 it's all within their discretion. Just because
21 you can doesn't mean you should and it doesn't
22 mean it's the right thing to do. And the right
23 thing to do depends upon the circumstances. It
24 may be for them to -- they get the lock-down
25 directive, the code red directive, whatever you

1 want to call it, and under those circumstances,
2 depending upon what's happening, it may be the
3 best thing for them to turn the lights off, put
4 that cover on the door, get all the kids in the
5 hard corner, and the best thing that they can do
6 under those circumstances with a gun is make sure
7 they're ready if somebody comes through the door,
8 not go out and -- you know, that's a discretion --
9 a discretionary decision that they're going to
10 have to make depending upon the circumstances and
11 what they feel comfortable doing at that time, and
12 that's nothing anybody can tell them what to do or
13 how to do it. That's something that they got to
14 decide.

15 SECRETARY CARROL: One follow-up question
16 based on the senator's question because I know --
17 and this has become high profile in some
18 communities, the whole issue around stand your
19 ground. So how does that come into play? It's
20 school fight, some kid is beating up another kid,
21 teacher breaks it up. Now the fight turns, the
22 teacher feels threatened. You're aware of that --
23 what happens.

24 SHERIFF GUALTIERI: Yeah, my favorite topic,
25 stand your ground.

1 SECRETARY CARROL: And I only bring it up
2 because that's not what this is -- this program is
3 intended to deal with. This program is intended
4 to deal specifically with active assailants.

5 SHERIFF GUALTIERI: Right. And there's a
6 difference between -- I'll say it this way:
7 There's a difference between permitted force and
8 authorized force. You know, citizens are
9 permitted to use force and permitted to stand your
10 ground under the right circumstances. Cops are
11 authorized to use force, guardians are authorized
12 under the right circumstances to use force. So
13 there's a difference. There's a difference
14 between permitted and what a statute affirmatively
15 allows you to do as opposed to just you're
16 permitted to do it. I don't know, Commissioner
17 Bartlett, if you want to weigh in on any of that,
18 you're welcome to.

19 MR. BARTLETT: I think I'll stay out of that.
20 Thanks for inviting me, though.

21 SHERIFF GUALTIERI: You're welcome. Glad to
22 bring you to the party.

23 Go ahead, Senator.

24 SENATOR BOOK: I just want to make the point
25 again because I think, again, a lot of the debate

1 centered around some of these issues, and I want
2 to make sure that we're -- that I'm clear. This
3 would be in an event of an active assailant only?

4 SHERIFF GUALTIERI: Right. That's what the
5 guardian program is, right. That's the only thing
6 it allows them to do.

7 MR. SCHACHTER: But if you arm teachers and
8 they feel threatened, like you said, they could be
9 authorized to take a subject out. What if they're
10 in a fight and, you know, somebody -- and a kid
11 goes to take a swing at them and they're in a
12 fight and they feel threatened, are they
13 authorized to shoot the subject -- to shoot the
14 person?

15 SHERIFF GUALTIERI: Well, just because -- you
16 have to be autho- -- you have to be permitted to
17 use deadly force, and it's got to be -- that does
18 get into some of the other areas, you know. But
19 just because -- If somebody just strikes you,
20 you're not authorized to use deadly force,
21 somebody just hits you.

22 SHERIFF JUDD: The guardian program is
23 specifically created to deal with active
24 assailants and active assailants only. And that's
25 why under the proposed recommendation -- when you

1 listen to the concern, which is valid, of Senator
2 Book, if we said further the legislature should
3 expand -- you could say "should consider,"
4 whatever, but, anyway, the guardian program to
5 allow volunteer teachers in addition to those now
6 authorized, okay, if you took out the "who were
7 properly selected, thoroughly screened, and
8 extensively trained to carry concealed firearms,"
9 if you took all that out and say "Further, the
10 legislature should expand the guardian program to
11 allow volunteer teachers who -- volunteer teachers
12 to carry concealed firearms on campuses for --
13 for, you know, protection from active assailants,"
14 because you don't need to go through that properly
15 screened and selected and all of that because
16 that's already in language, that's already in the
17 guardian language, you see. So all we're saying
18 is expand the guardian --

19 SHERIFF GUALTIERI: Yeah. Okay. But the
20 guardian program says that they can only -- it's
21 for active assailant response. So it's inherent
22 that if it's -- this is part of the guardian
23 program.

24 SHERIFF JUDD: Yes. What I'm suggesting is
25 just not regurgitate the properly selected,

1 thoroughly screened, extensively trained, because
2 that's already required to be a guardian. So this
3 sounds like, well, you've got another set of
4 standards. You see? The legis- -- the guardian
5 already says you have to do all that.

6 SHERIFF GUALTIERI: Right. But the thought
7 is -- I'll tell you the thought is because people
8 are going to contort this, you know, is I want to
9 make it clear and reiterate it, that this is not a
10 heave-ho and just give people guns. This is --
11 and it's important to remind people, I believe,
12 that these people would be properly selected, they
13 would be thoroughly screened, they would be
14 extensively trained, we're not creating a new
15 category is, again -- this is all under the
16 existing -- so to put it differently is that all
17 we're doing and suggesting here is under the
18 current law is simply removing the provision that
19 excludes those who are exclusively classroom
20 teachers. That's really all this is doing.

21 Go ahead.

22 SENATOR BOOK: I'm not sure which
23 commissioner has the motion on the table, but --
24 and since it already says it, if we could just add
25 "for active assailant situations only," it may

1 make everyone feel less agita perhaps.

2 SHERIFF GUALTIERI: So -- go ahead, Sheriff.

3 SHERIFF JUDD: Doesn't 7026 already say that?

4 SHERIFF GUALTIERI: It does.

5 SENATOR BOOK: That's why --

6 SHERIFF GUALTIERI: It does. But she's --

7 you're asking to reiterate it?

8 SHERIFF JUDD: Just explain it once --

9 SENATOR BOOK: I think that that will help us

10 --

11 SHERIFF GUALTIERI: So Chief Nelson is the
12 one that has the motion. So if you're -- so
13 "Further, the legislature should expand the
14 guardian program to allow volunteer teachers. In
15 addition -- to carry concealed weapon for
16 self-protection and the protection of staff and
17 students in response to an active assailant
18 incident," something like that, Senator? Is that
19 what you're sug- --

20 SENATOR BOOK: Yes.

21 SHERIFF GUALTIERI: You can ask Chief Nelson.

22 SHERIFF ASHLEY: Is that the only exclusion,
23 Sheriff? The only exclusion currently in statute
24 is a teacher that's actively teaching?

25 SHERIFF GUALTIERI: Correct.

1 SENATOR BOOK: Correct, classroom --

2 SHERIFF GUALTIERI: So what it is is it
3 establishes the guardian program. Anybody --
4 anybody that's an employee of the school district
5 can be a guardian, anybody, unless you are
6 exclusively a classroom teacher.

7 SHERIFF ASHLEY: And all this does is undo
8 that?

9 SHERIFF GUALTIERI: Undo it, that's all it
10 does. That's all it does.

11 And, now, there's a carve-out -- you've got
12 the premise that anybody can be. Then you've got
13 a carve-out for classroom teachers. And then
14 you've got an exception to the carve-out that if
15 you're current or former law enforcement or ROTC.
16 So you've got a general anybody can do it, you've
17 got an exception, and then you got exceptions to
18 the exception that put them back in those that
19 can. So that's the current framework. So the
20 only thing this is doing is saying those that are
21 teachers are not exempted.

22 UNKNOWN SPEAKER: Not excluded.

23 SHERIFF GUALTIERI: Excluded, I'm sorry.

24 Good -- yes.

25 SECRETARY CARROL: This is to Chief Nelson if

1 he's -- it's his motion. First of all, I agree
2 with the senator, and it only has to be the last
3 couple of words. "During active assailant
4 incidents" is all you have to have --

5 SHERIFF GUALTIERI: I'm okay with that if you
6 want to ask Chief Nelson --

7 SECRETARY CARROL: But I want to add one more
8 change, and it's insignificant, it's just a word
9 thing, but I don't like the term "volunteer
10 teachers." I like the term "allow teachers who
11 volunteer."

12 SHERIFF GUALTIERI: That's fine.

13 SENATOR BOOK: I agree.

14 SHERIFF GUALTIERI: That's fine.

15 SENATOR BOOK: Commissioner Nelson.

16 COMMISSIONER NELSON: Mr. Chair, as long as
17 the proposed recommendations by Senator Book and
18 the secretary will still meet the intent of the
19 current law, then I'll amend my motion.

20 SHERIFF GUALTIERI: So is the motion, then --
21 is the motion to recommend these three, but to --
22 in all -- in this section -- go back to the first
23 one, Harold, go back to the first one, make sure
24 how many places we have this here. So we've got
25 it in -- Bullet No. 1 is to reverse the words

1 "volunteer personnel" and change that to
2 "personnel who volunteer," and do that in Bullet 1
3 and in Bullet 3, correct, Chief?

4 COMMISSIONER NELSON: Correct.

5 SHERIFF GUALTIERI: Okay. And then going
6 back to No. 3 is that you would add on there
7 "trained to carry concealed firearms on campuses
8 for self-protection and the protection of other
9 staff and students" --

10 SHERIFF JUDD: During active assailant.

11 SHERIFF GUALTIERI: -- "during or in response
12 to an active assailant incident." Is that what
13 you'd like?

14 COMMISSIONER NELSON: And that meets the
15 current statute?

16 SHERIFF GUALTIERI: Yes.

17 COMMISSIONER NELSON: Then yes, sir.

18 MR. SCHACHTER: Can I ask a question?

19 SHERIFF GUALTIERI: Go ahead.

20 MR. SCHACHTER: Senator Book --

21 SHERIFF GUALTIERI: Hang on one second before
22 you do, make sure we're -- so that's your motion.
23 Who was the second on this?

24 UNKNOWN SPEAKER: Sheriff Judd.

25 SHERIFF GUALTIERI: Sheriff Judd. So as a

1 second, you're okay with that?

2 Okay. So we've got an amended motion and an
3 amended second. So we're back in discussion. Go
4 ahead.

5 MR. SCHACHTER: Senator Book, under the form
6 of the amended motion, how will the legislature
7 view this motion, in your opinion?

8 SENATOR BOOK: There are a lot of us, and I
9 don't ever and would never pretend to speak for
10 the entire legislature, but I -- you know, I think
11 they'll take it just like they will the entire
12 report. We've done a tremendous amount of work,
13 and they will take this report seriously and give
14 it the same consideration as every other
15 recommendation that we put forward.

16 MR. SCHACHTER: I mean, this is a very
17 controversial topic, and I am certainly afraid
18 that if we pass this motion, this will be the only
19 thing anybody talks about, and think, you know, in
20 an effort to try to get more good guys with a gun
21 on campus, or ladies, I mean, I would certainly
22 like to amend teachers to assistant principals or
23 somebody other than teachers, but --

24 SHERIFF GUALTIERI: That already exists, Mr.
25 Schachter. You don't need to amend anything.

1 That's in the current law.

2 MR. SCHACHTER: Right now, is anybody doing
3 that, or it's just guardians that we hire and
4 train?

5 SHERIFF GUALTIERI: There are some that are.

6 MR. SCHACHTER: There are some assistant
7 principals?

8 SHERIFF GUALTIERI: There are some districts
9 that are allowing it, but the point is -- and that
10 gets back to Bullet 1, Harold, go back to Bullet
11 1, if you would, please -- is that there are some,
12 and they're mostly in the rural counties, where
13 the rural districts -- I don't know of any
14 mid-size or large districts. The ones I know
15 about are largely the small and the rural
16 districts that are allowing staff currently
17 employed who are not designated, and that would
18 include principals and assistant principals, plant
19 operators, whatever. That already exists. The
20 point of No. 1 is that it is not being done enough
21 and that that should be expanded and that the
22 districts should use the law to its maximum
23 potential, and they're not now doing that.

24 SHERIFF HARPRING: Chairman, I support the
25 amended motion and the language. The only

1 question I have is are we remiss in leaving out
2 associated with school districts and charter
3 schools, a reference to the sheriff since the
4 sheriff plays an integral role --

5 SHERIFF GUALTIERI: We'll come back to that.
6 That issue with the sheriff, we'll address that
7 separately.

8 Commissioner Bartlett and then Secretary
9 Kapusta.

10 MR. BARTLETT: When I started this, I was
11 adamantly opposed to the idea of arming any
12 teachers and ran through my mind numerous, you
13 know, what-ifs then scenarios, as Mr. Schachter
14 said today, you know, teacher shooting a kid in a
15 fight and a teacher using the restroom and leaves
16 the gun sitting in the bathroom like we've had
17 with some law enforcement officers in the past,
18 but realistically, after going through what we've
19 gone through and watching the videos of the
20 incident and comparing the other school shootings,
21 it's become a reality that unless you have an
22 immediate response, I mean an immediate response,
23 you're not going to effectively reduce the number
24 of potential victims that exist in the case. And
25 that is not -- I mean, right now, it's just not

1 practical and it never will be practical, I don't
2 think, that law enforcement will respond in a
3 sufficient amount of time to stop some of the
4 killing. Therefore, the people that are best
5 placed to do that are our teachers. You know, you
6 can't guarantee that there will be an armed
7 teacher there when it happens, but you certainly
8 increase the odds and the percentages, I think,
9 that you may be able to effectively respond
10 quickly by having them there.

11 The idea that to vet the group down to a more
12 trained, specialized group that you have close,
13 watchful eye on through the sheriff's office
14 supervision ostensibly, that they get training and
15 everything else I think makes my comfort level go
16 up as far as arming that particular teacher.

17 And as the sheriff pointed out earlier, we're
18 losing a lot of students anyway in these things,
19 and they're going to continue to happen. Let's
20 try to do something that's a little bit different
21 than the norm and see if we can't make some
22 headway into the number of lives that are lost in
23 these tragic incidents, and this is a way to try
24 to get there.

25 SHERIFF GUALTIERI: Secretary Kapusta and

1 then Mr. Petty.

2 SECRETARY KAPUSTA: To go on what I believe I
3 heard Sheriff say earlier, which is that there may
4 be no volunteers in any one particular school,
5 maybe it would behoove the commission to consider
6 amending the prior finding of making sure that
7 there are SROs in the middle schools and high
8 schools dependent upon how many guardian
9 volunteers are at either the elementary, middle
10 school, or high school level. That way, no one is
11 left vulnerable without protection.

12 SHERIFF GUALTIERI: Mr. Petty.

13 MR. PETTY: I started in the same spot as
14 Commissioner Bartlett as we worked on this bill,
15 but I agree with everything that you've said.

16 I would add to that I was -- I guess I was a
17 bit surprised by the responses from the teachers
18 at MSD, but I think one of the more compelling
19 things to me is that those teachers were
20 defenseless sitting in those classrooms along with
21 those students at the wrong end of a
22 semi-automatic rifle. And to not give them the
23 opportunity to protect themselves I think is a
24 disservice to the teachers. So I am -- I'm in
25 favor of making the changes.

1 SHERIFF GUALTIERI: Mr. Schachter, go ahead.

2 MR. SCHACHTER: One more comment. You know,
3 all the teachers that I spoke to recommended for
4 me not to support arming teachers. I didn't hear
5 from any teachers that were in favor of it. But
6 what I am probably the most disappointed is that
7 we did not hear testimony from the safest school
8 in America, that's been called that on NBC news,
9 and is a solution to the problem without having to
10 arm teachers, and that was they have smoke
11 cannons. They fill up the hallway with smoke, and
12 the active assailant is not able to see the
13 victims. In a matter of seconds, that happens.
14 The key fob goes on, law enforcement is notified,
15 and then law enforcement activates the smoke to
16 blind the suspect and fill the hallway with smoke
17 so none of the -- nobody can see anything. So
18 that would be a solution. We're not able to hear
19 testimony on that subject, but that would be a
20 solution to arming teachers that I would be in
21 favor of.

22 SHERIFF GUALTIERI: Anybody -- Commissioner
23 Larkin-Skinner and then anybody else that hasn't
24 had an opportunity to weigh in on this, and then
25 we're going to call a vote.

1 MS. LARKIN-SKINNER: What I'm curious about
2 is something that I found very compelling that you
3 said and pointed out about the guardians as
4 opposed to law enforcement is the guardians have
5 one job. And it struck me in talking about school
6 personnel, including those that are already
7 included as people who can become guardians, but
8 then tossing teachers into that as well, is I
9 would like to make sure that they get a special, I
10 don't know, hour of training on just that, that
11 they have another job, and this -- the guardian
12 job is very specifically the assailant and their
13 other job is different, because I think that needs
14 to be talked about regularly with those teachers
15 and school personnel. It needs to be at the
16 forefront so that we can avoid the things that Mr.
17 Schachter is concerned about is we never let it
18 drop that we know you have two roles here, but we
19 trust that you will do both of them. This is the
20 one time you do this. The rest of the time you're
21 doing your teacher, your assistant principal, your
22 whatever.

23 SHERIFF GUALTIERI: Okay. Anybody else that
24 has not had an opportunity to weigh in who wants
25 to?

1 So we're going to call the vote on it, and if
2 we would, for the voting members of the
3 commission, we have a motion on the floor, we have
4 a second on the floor, so for the voting members
5 of the commission, all in favor, raise your hand
6 and signify aye.

7 Want to count those?

8 Thirteen, okay.

9 All not in favor, all opposed, please raise
10 your hand.

11 Mr. Schachter. So that motion passes 13 to
12 1. So those recommendations on the amended motion
13 are adopted by the commission.

14 So we'll -- what I'm going to do with the
15 other issue that you raised, Commissioner
16 Harpring, on the sheriffs, we'll take that up
17 first thing tomorrow morning. I have a proposal
18 on that, don't have it to put up. I'll get it so
19 we can put it up tomorrow morning and y'all can
20 take a look at it and we'll address that.

21 Before we conclude for the day, I would like,
22 if we can, to conclude with Chapter 5. Other than
23 that issue, we only have a couple of, I think,
24 should be quick things left, and one of those is
25 on page 66 and it has to do with -- and this is so

1 hard, and coming up with one of the things that
2 we're required by statute to do, and that is
3 recommended ratio for SROs.

4 So what we have here is a model -- Slide 66
5 is a model for SRO staffing is provided. A point
6 value -- and we're not suggesting what that point
7 value would be because this is hard -- is that
8 this is just a guide for districts to use
9 something or for others to use something. A point
10 value would be used under this model to determine
11 how many SROs and/or guardians should be
12 decided -- should be dedicated to a campus. And
13 these are factors. We're talking about -- we're
14 going over to 67. The number of students and
15 staff on the campus, the school design of the
16 campus, physical barriers, and, again, getting in
17 all the school design, whether there's camera
18 systems, passive/active monitoring, continuous
19 monitoring, proximity to other schools, the school
20 location, whether it's urban or rural, staff to
21 student ratios, law enforcement officers or
22 guardians. Those are just factors, and the
23 suggestion is that you would have to assign a
24 point value to that. And this is just a starting
25 place.

1 None of us collectively, none of us, came up
2 with -- in the recommendations came up with
3 anything better than this. So if anybody's got
4 anything now that you want to put on the table, we
5 can absolutely have that discussion, but this has
6 already been put out to you all. This is not
7 perfect. This is a hard thing, and it's largely a
8 lot of intangibles trying to figure this out.

9 So do y'all want to accept this on Slide 66,
10 67, and 68, or do you want to make any
11 modifications to that? Sheriff Judd, go ahead.

12 SHERIFF JUDD: The other part of this may
13 have already been covered, but this needs to be
14 based upon our findings that one's not enough,
15 that when you look at these ratios, that you don't
16 submit that less than 500, that one person is
17 ideal. It still needs to be plus --

18 SHERIFF GUALTIERI: I think that's a given.

19 SHERIFF JUDD: I think it needs to be plus --
20 you know, the ratio needs to be do you need two or
21 more at least. So -- but other than that, it
22 looks well-thought-out.

23 SHERIFF GUALTIERI: Sheriff.

24 SHERIFF ASHLEY: I would just suggest that
25 maybe we add the whole purpose of this, and the

1 goal is to have an immediate response to an active
2 shooter or any other major incident that may
3 happen on campus. So I guess on 66 I would just
4 add in there the whole purpose for coming up with
5 this model or this ratio is for an immediate
6 response. I mean, that's how we come up with
7 ratios on Priority 1 calls, Priority 2 calls,
8 Priority 3. It's all in response time, and our
9 response time has to be, you know, immediate. So
10 that's why we have to come up with --

11 SHERIFF GUALTIERI: So you want to say
12 something -- and, Heather, just kind of take some
13 notes on this. We can wordsmith it, just get the
14 gist of it. So what your suggestion there is is
15 that we add a bullet, let's say, that says, you
16 know, the purpose of the ratio is for --

17 SHERIFF ASHLEY: Immediate response.

18 SHERIFF GUALTIERI: Okay. Do we want to say,
19 because it's consistent with what we said
20 elsewhere, "immediate response and adequate
21 backup"?

22 SHERIFF ASHLEY: Yes.

23 SHERIFF GUALTIERI: Is that --

24 SHERIFF JUDD: That works.

25 SHERIFF GUALTIERI: Okay. So, Heather, if

1 you would, just include that and then we'll make
2 sure we wordsmith that.

3 Anything else there, or are we good?

4 COMMISSIONER DODD: I've got a question. So
5 what you're saying is that there would be a
6 point -- somebody's going to assign a point value
7 to the -- it's not going to be -- when I read, I
8 was thinking, man, that's going be a lot of work
9 for us to kind of decide this. We're not going to
10 do that?

11 SHERIFF GUALTIERI: We can't do that. This
12 is just providing some guideline and some model,
13 and then the individuals, if they want to use
14 this, then they can decide the point values, they
15 can decide how to implement it. I don't see any
16 way -- and, again, the collective wisdom in 21 of
17 us that have had an opportunity haven't been able
18 to come up with anything that is better, and I
19 think that we have considered this at length, some
20 collectively, some individually or with others,
21 and we have looked and there is no -- in the
22 entire country that we've been able to find, there
23 is nothing better than this that anybody's come up
24 with, you know.

25 And remember when we asked -- and I'm not

1 knocking them -- but we asked for -- NASRO, the
2 National Association of School Resource Officers,
3 had a one to a thousand ratio, and when we asked
4 them what their methodology was, they said they
5 don't have one, they just thought that was a good
6 number.

7 So, you know, this is -- I don't want to say
8 it's impossible, but I think that what we have,
9 we've come up with some structure for it, and I
10 think it's about the best that we're going to get
11 it.

12 SHERIFF ASHLEY: Too many variables.

13 SHERIFF GUALTIERI: Yeah, too many variables,
14 there's just too many. There's no -- this is one
15 of those, it's an art, not a science. There's no
16 way to hard and fast do this.

17 All right. So if nobody has anything else,
18 that will conclude --

19 MS. POWERS: Can I just --

20 SHERIFF GUALTIERI: Go ahead.

21 MS. POWERS: -- one quick thing on this
22 question?

23 SHERIFF GUALTIERI: Yes.

24 MS. POWERS: One of the things I notice that
25 is missing is the accountability and sanctions. I

1 think that that should be similar to what school
2 boards and superintendents are subject to for
3 sheriffs that refuse to follow --

4 SHERIFF GUALTIERI: We're going to cover that
5 tomorrow morning.

6 MS. POWERS: Okay.

7 SHERIFF GUALTIERI: There will be an
8 opportunity for you to bring that up tomorrow
9 morning. We are going to cover that issue
10 tomorrow morning.

11 Secretary Carrol, go ahead.

12 SECRETARY CARROL: This is a little bit in
13 terms of Commissioner Schachter's concerns with
14 the teachers. I really think that we need to
15 develop some talking points around that to educate
16 folks because it is not what you said the headline
17 said, that we're giving guns to teachers. This is
18 voluntary and there's a process.

19 But I also think the expectation from bodies
20 like this can't be of teachers the same as it is
21 of law enforcement or even a full-time guardian
22 who is being paid specifically to protect the kid,
23 and by that I mean law enforcement goes towards
24 the threat, eliminates the threat. It's okay for
25 a teacher to take a defensive posture, and there's

1 not an expectation, even though they're carrying a⁴¹¹
2 concealed weapon, that they seek out to eliminate
3 the threat. Do you know what I mean? So there's
4 a fundamental difference. And I think teachers
5 need to be made aware of that, that if they have
6 an opportunity and they have to protect
7 themselves, that this is what this is intended
8 for. They do not -- and we do not expect them to
9 be acting as if they were law enforcement and with
10 the need to attack the threat and eliminate the
11 threat.

12 SHERIFF GUALTIERI: It will be very important
13 if the legislature goes this path and school
14 districts expand the current scope, that people be
15 properly educated. And the misinformation that is
16 out there about what it is and what the
17 expectations are have to be dealt with, and I
18 think that the -- largely and some -- the false
19 narratives on some of this and the fact that --
20 and some people have raised concerns. They are --
21 and I want to be clear with this. Some of the
22 concerns that people have raised are legitimate
23 concerns, but those concerns can be mitigated,
24 those concerns can be addressed, and there are
25 ways to address those concerns. So like

1 everything, perspective is important.

2 So we do have one more slide before we have
3 two citizen comments and close out for the
4 evening. That last one that's up there has to do
5 with funding, that the legislature should increase
6 the allocation for resource officers or guardians,
7 provide adequate, recurring funding for the
8 guardian program, consider increased funding for
9 individuals who are hired solely to fill that
10 role, and one of the things I know as it goes on
11 in there, I know it's important to you, Sheriff
12 Ashley and to others, the current safe school
13 allocation, the new money, the hundred million in
14 new money, it says in there that it can only be
15 used for new SROs and it disadvantages you and I
16 know Seminole because you already have all SROs.
17 So it's a request that they revisit that and
18 change that language because I think that was just
19 an oversight on their part. They didn't realize
20 to be able to use that second or new allocation --
21 because that allocation is recurring, that they
22 allow it to be used for existing SROs.

23 SHERIFF ASHLEY: We were able to overcome it
24 this year because the ones -- we added additional
25 officers in all the high schools or larger high

1 schools, and so they paid 100 percent of that.

2 SHERIFF GUALTIERI: All right. Any concerns
3 with that slide anybody have?

4 All right. So we're done with Chapter 5
5 except for the issue -- Commissioner, go ahead.

6 COMMISSIONER DODD: I just want to make sure
7 the issue that we're going to talk about tomorrow
8 is the training of the guardians, is that --

9 SHERIFF GUALTIERI: No. The issue -- well,
10 no, the issue tomorrow is that -- the sheriffs who
11 won't authorize the guardian program.

12 COMMISSIONER DODD: Right, okay, that's what
13 I mean.

14 SHERIFF GUALTIERI: Yes.

15 COMMISSIONER DODD: Thank you.

16 SHERIFF GUALTIERI: So we have two comment
17 cards and then we'll be done for the evening.
18 First is Debbie Hixon.

19 MS. HIXON: My name is Debbie Hixon, and I'm
20 the wife of Chris Hixon, a campus monitor killed
21 doing his job at Marjory Stoneman Douglas. Chris
22 was a caring, passionate, adventurous, and
23 responsible man. He was a wonderful son and
24 brother, an incredible father to two his sons, and
25 a devoted husband. He was a sailor in the U.S.

1 Navy, both active duty and reserves, where he
2 served as machinist mate and military police
3 officer for 27 years.

4 He was passionate about sports and became an
5 athletic director in the Broward County public
6 school system in 1994 where he was able to share
7 that passion with his athletes. He was a great
8 leader to his coaches and a true model -- true
9 role model for his athletes. He always put others
10 before himself, and he had a way of making you
11 feel like you're his family.

12 He lived his life helping others and trying
13 to make the world a better and safer place, and he
14 will be forever remembered as a hero because he
15 exemplified the motto "If not me, then who"
16 throughout his actions every day, including
17 February 14th.

18 He ran into Building 12 at Marjory Stoneman
19 Douglas, and when he saw the shooter, he didn't
20 turn around and run away like many others;
21 instead, he ran towards him in an attempt to stop
22 him from harming others without any regard for his
23 own life.

24 He shouldn't have had to do that. This was a
25 completely preventable situation. So many things

1 went wrong that day, and they all need to
2 addressed.

3 I wanted to take a moment to thank Governor
4 Scott for forming this commission, and the
5 commission for your time and effort to investigate
6 how this horrible event was able to happen on that
7 faithful day and all the events that led up to it.

8 We can't change the direction of the future
9 if we don't reflect on what happened in the past
10 and try to improve policies and procedures to
11 ensure this doesn't happen again.

12 I am also an employee of the Broward County
13 public school system. I'm a teacher, and I look
14 forward to the recommendations you lay out for our
15 schools and hope that our district will see the
16 urgency in fixing the problems and implementing
17 the recommendations you offer. But I would like
18 to publicly state that I strongly oppose your
19 recommendation for classroom teachers to carry a
20 weapon under any circumstances. I agree that if
21 Chris had a gun, the situation would be vastly
22 different. Chris was a security monitor, as well
23 as a trained military police officer, and he would
24 have been a perfect person to carry a gun. He was
25 not in a classroom and he didn't have anything

1 else to be concerned about except for the safety
2 and security of the students and staff at that
3 school.

4 Classroom teachers cannot and should not be
5 distracted with the responsibility of being armed
6 inside a classroom even if they think they want
7 to. The probability of something going wrong
8 clearly outweighs that one time that there may be
9 a shooter in the classroom.

10 The recommendations should really focus on
11 keeping people with weapons from ever getting
12 inside the school in the first place. If we can
13 keep the perimeter of the school safe and secure,
14 then teachers can do their job and just focus on
15 making sure our students learn their lessons.
16 Thank you.

17 SHERIFF GUALTIERI: Thank you.

18 Next is Tony Montalto.

19 MR. MONTALTO: Good afternoon.

20 The work you're going through this week to
21 produce this entire report is vital to securing
22 the safety of our state students and staff members
23 while they are at school. This report should not
24 be your final act. Some of the issues you have
25 explored need to be further investigated. Most of

1 the day, I had little to disagree with regarding
2 what was presented; however, I do feel the need to
3 address a couple of subjects.

4 First, I notice that Sheriff Judd had no
5 trouble telling the legislature what they should
6 do, but I heard a lot of equivocating from all the
7 law enforcement officers on the panel when it came
8 time to mandate bullet-resistant vestwear by SROs.
9 I watched with disgust as deputies from the
10 Broward County Sheriff's Office who chose not to
11 wear their vests then took the time to put them on
12 and protect themselves while my daughter and all
13 the students in Building 12 were being shot at.
14 This commission should recommend mandatory SRO
15 vestwear.

16 On another subject, as an airline pilot in
17 the post-911 world, I know what it took to get the
18 pilots armed and add a layer of security to our
19 nation's skies in order to prevent future
20 highjackings. The program was carefully developed
21 and rolled out slowly. Before being allowed to
22 expand, it was evaluated and changes were made.
23 One of the many areas of concern was weapons
24 retention. Today the program is integral part of
25 our nation's strategy to secure the nation's

1 skies.

2 The families who lost loved ones on February
3 14th all supported the Marjory Stoneman Douglas
4 High School Public Safety Act. At the time, we
5 all agreed that teachers should teach, and
6 dedicated security folks should provide the
7 security. The current law allows more people than
8 ever to carry a weapon on the grounds of our state
9 schools. I urge this panel to slow its rush to
10 recommend expanding the guardian program.

11 It is important to remember that the tragedy
12 created -- that the tragedy that created the need
13 for this commission started because a gate was
14 unlocked and unattended. Prevention, keeping the
15 bad guys away from our children and staff at
16 school, is the key.

17 Thank you for your work so far.

18 SHERIFF GUALTIERI: Thank you, Mr. Montalto.

19 One question for you all before we adjourn so
20 we know for tomorrow. I asked you earlier
21 about -- because we didn't go it into closed
22 session. Does anybody, commissioner, have
23 anything in those confidential appendices that
24 needs to be discussed that we need to go into
25 closed session and discuss tomorrow? Does anybody

1 want to ask that we do that? No?

2 Okay. So we'll begin tomorrow morning, we'll
3 finish up with -- we won't go into closed session
4 at all. It will be an open session all day. We
5 will begin with the last issue in Chapter 5, and
6 then we'll get through 6 through 15. As I said, I
7 really think that it will move along pretty
8 quickly as we get into some of those later
9 chapters.

10 So we'll be adjourned until tomorrow morning
11 at 8:30.

12 (Thereupon, the proceedings were concluded at
13 6:15 p.m. on December 12, 2018.)

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CERTIFICATE OF REPORTER

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I, JESSICA RENCHEN, Registered Professional Court Reporter, certify that I was authorized to and did stenographically report the foregoing proceedings and that the transcript is a true and complete record of my stenographic notes.

DATED this 12th day of December, 2018.

JESSICA RENCHEN, Court Reporter

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