



**Marjory Stoneman Douglas High School  
Public Safety Commission  
Commission Meeting December 12-13, 2018  
Tallahassee, FL**

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**December 12, 2018**

1. Call to Order

The Marjory Stoneman Douglas High School Public Safety Commission (MSDPSC) was called to order by Commission Chair Gualtieri on September 5, 2018 at 8:35 AM. A moment of silence was held in honor of the victims.

2. Pledge of Allegiance

3. Approval of minutes from November 2018 meeting

Motion for approval by Commissioner Nelson, seconded by Commissioner Book, motion passed by Commission.

4. Reminder of Sunshine Law rules provided by General Counsel Jason Jones

5. Opening Remarks and General Comments by Chair Gualtieri

Commissioners Blackburn and Stewart were absent, with Commissioner Stewart scheduled to return for the second day of the meeting. Chair Gualtieri reported a letter was sent to the Commission by the Coral Springs Fire Department clarifying items presented in the November meeting as part of the medial response presentation did not reflect the stance of the Coral Springs Fire Department, and were only the opinion of one employee at the time of the incident. The correspondence further stated the findings presented in the medical response presentation contained accurate information. Chair Gualtieri has met with Sheriff Israel and Superintendent Runcie and provided both of them with information to be used as part of the internal investigations both the Broward Sheriff's Office and Broward County Public Schools are conducting. Sheriff Israel and Superintendent Runcie will report back to the Commission with the results of these investigations. Commission members were reminded that the initial report they have been provided is in draft form and that all confidential information has been redacted from the main report and moved to the appendices in order to easily restrict the information that must remain private.

Commissioner Schachter expressed his thanks to Commission staff for their work.

Commissioner Judd inquired whether Sheriff Israel has changed the wording from "may" to "shall" in the BSO Active Shooter Policy. Commissioner Gualtieri reported Sheriff Israel is in the process of revising the policy, but that a survey had been conducted that revealed the use of this verbiage is not uncommon among law enforcement agencies in their policy.

Commissioner Harpring inquired on the status of the lawsuit filed by Scot Peterson against the Commission. Chair Gualtieri reported the General Counsel has been working on a response to the suit but that staff has been focused on compiling the initial report.

Commissioner Schachter suggested that an Office of Inspector General be established to audit Broward County Public Schools.

6. Approval of minutes from September 2018 meeting

Motion for approval by Commissioner Nelson, seconded by Commissioner Harpring, motion passed by Commission.

7. Reminder of Sunshine Law restrictions provided by General Counsel Jason Jones.

8. Discussion of Chapter 4 in the Initial Report – MSDHS Overview, Security and Staff Response to the Shooting

The findings related to Chapter 4.1 of the report were reviewed and discussed by the Commission. It was requested that several items be added or altered in the findings, including:

- The fire alarm was activated in all other buildings and not just building 12
- The failure to consistently lock doors is a security failure
- The alarm panel indicated there was a gas leak
- There was no delay on the fire alarm, causing an immediate evacuation
- The failure to lock doors consistently is a security failure
- The failure to have a policy regarding the securing of gates and doors is a breach of security
- School administrator's decision to lock the first and third floor bathrooms prevented students from entering a place of safety to possibly avoid being shot
- The lack of speakers in the hallway prevented effective use of the intercom and/or PA system
- Removal of the finding that bullets penetrated the drywall

The findings related to Chapter 4.2 of the report were reviewed and discussed by the Commission. It was requested that several items be added or altered in the findings, including:

- The lack of a formal Code Red led to students and staff being shot
- There is a lack of proper training by school personnel on Code Red response
- The District did not and still does not have a formal Code Red policy

The findings related to Chapter 4.3 of the report were reviewed and discussed by the Commission. It was requested that several items be added or altered in the findings, including:

- Staff had the ability to call Code Red but failed to do so

General recommendations related to Chapter 4 of the report were reviewed and discussed by the Commission.

The recommendations related to Chapter 4.1 of the report were reviewed and discussed by the Commission. It was requested that several items be added or altered in the recommendations, including:

- The Florida Legislature should provide sanctions for non-compliance

- All schools should have a written Code Red policy that is known to school personnel, parents and students
- Hard corners should be identified and marked

A motion was made by Commissioner Judd, seconded by Commissioner Book and approved by the Commission to send a letter to all school districts notifying the districts of their responsibilities as outlined in Recommendations A-F in Chapter 4.1

The recommendations related to Chapter 4.2 of the report were reviewed and discussed by the Commission. It was requested that several items be added or altered in the recommendations, including:

- Code Red policies must unambiguously and in an understandable manner clearly establish the roles and responsibilities of those on campus
- Sanctions for failure to have written Code Red policies by a specific date should extend to school board members and Superintendents
- Code Red policies for charter schools shall also be approved by the Department of Education Office of Safe Schools

The recommendations related to Chapter 4.3 of the report were reviewed and discussed by the Commission.

9. Discussion of Appendix B in the Initial Report – Target Hardening

Level 1 Recommendations related to Appendix B of the report were reviewed and discussed by the Commission. It was requested that several items be added or altered in the recommendations, including:

- The single point of entrance on a campus should be equipped with a buzzer to allow staff to provide access to visitors
- When appropriate, visitors should be escorted by staff
- Removal of the recommendation that staff and students be required to wear badges/identification
- Staff members should be trained to challenge (not confront) unauthorized subjects on campus when appropriate
- Ensure that all campus doors and buildings are clearly and legibly marked
- An adequate number of staff should be properly trained on the operation of the video surveillance system
- Classroom doors should be equipped with a mechanism that can readily block line of sight from the exterior without alerting an assailant there are subjects inside the room

Level 2 Recommendations related to Appendix B of the report were reviewed and discussed by the Commission. It was requested that several items be added or altered in the recommendations, including:

- The recommendation that all school radio traffic be recorded should be moved to Other Considerations
- Recommendations for common area locks should be moved to Other Considerations

Level 3 Recommendations related to Appendix B of the report were reviewed and discussed by the Commission. It was requested that several items be added or altered in the recommendations, including:

- All teachers should be provided a key fob to wear so that they can quickly notify law enforcement of an emergency situation
- Remove recommendation to install ballistic resistant glass covering on all first floor classroom exterior windows

Other Considerations related to Appendix B of the report were reviewed and discussed by the Commission. It was requested that several items be added or altered in the recommendations, including:

- Change the title from Level 4 Recommendations to Other Considerations and change each item to a consideration in lieu of a recommendation
- Several considerations were removed, including: having the legislature mandate or pay for ballistic glass on all windows by 2025; adding capital funding for school building construction to allow for the removal of portable classrooms; installation of a sealing device for interior corridors between classrooms; items related to biometrics

10. Discussion of Chapter 5 in the Initial Report – On Campus School Resource Officer Response

The findings related to Chapter 5.1 of the report were reviewed and discussed by the Commission.

The findings related to Chapter 5.2 of the report were reviewed and discussed by the Commission. It was requested that several items be added or altered in the findings, including:

- BSO does not have a unified command and control in the SRO unit

A motion was made by Commissioner Nelson and seconded by Commissioner Judd, and approved by the Commission to adopt the following additional recommendations:

- School districts and charter schools should permit the most expansive use of the Guardian programs under existing law to allow teachers who volunteer and are properly selected, thoroughly screened and extensively trained to carry concealed firearms on campuses for self-protection and the protection of other staff and students in response to an active assailant incident.
- School districts and charter schools should not restrict the existing Guardian programs to only dedicated Guardians and all districts should expand the Guardian eligibility to other school employees now permitted to be Guardians.
- Further the Florida legislature should expand the Guardian program to allow teachers who volunteer, in addition to those now authorized, who are properly selected, thoroughly screened and extensively trained to carry concealed firearms on campuses for self-protection of other staff and students.

The recommendations related to Chapter 5 of the report were reviewed and discussed by the Commission. It was requested that several items be added or altered in the recommendations, including:

- Each allocation of law enforcement officer/Guardians must be staffed sufficiently to provide an immediate backup

- The purpose of the SRO/Guardian ratio is for immediate response and adequate backup

11. Public Comment

Comments were heard from Debbie Hixon and Tony Montalto expressing concern over arming teachers and expanding the Guardian program, and recommending it be mandatory for SRO's to wear a ballistic vest.

12. Meeting adjourned at 6:15 PM.

## **December 13, 2018**

1. Call to Order

Meeting called to order by Chair Gualtieri at 8:40 AM.

2. Letter Sent to Commission by Superintendent Runcie

Chair Gualtieri reported to the Commission Superintendent Runcie provided a letter to the Commission regarding Active Assailant drills in Broward county schools. The letter was posted to the Commission website for members to review.

3. Discussion Regarding Amendment to F.S. 30.15

Commission members discussed the possibility of requesting the Florida Legislature amend statute 30.15 so that the school board may establish the Guardian program if it is the desire of the district to do so, even if the district does not have the support of the county Sheriff.

A motion was made by Commissioner Judd and seconded by Commissioner Ashley, and approved by the Commission to recommend the current statute be changed to read "Upon a majority vote of the school board, the Sheriff shall establish a Guardian program."

4. Discussion of Chapter 6 in the Initial Report – Off Campus Law Enforcement Response

The findings related to Chapter 6.1 of the report were reviewed and discussed by the Commission. It was requested that several items be added or altered in the findings, including:

- The absence of a mandatory vest policy led to the unnecessary delay in response by BSO
- The school's staff lacked adequate training and ability to operate the camera playback system
- The school board's decision to not allow law enforcement live and real time direct access to the school camera system severely affected law enforcement efforts to locate Cruz and it delayed victim rescue efforts
- BSO's training was inconsistent at best and was reflected in their response to this active shooter event
- No amount of training can totally prepare you to face such an event

The findings related to Chapter 6.2 of the report were reviewed and discussed by the Commission. It was requested that several items be added or altered in the findings, including:

- Sgt. Miller refused and failed to accept responsibility for the scene
- The law enforcement and fire command post should have been unified and took an excessive amount of time to establish

The findings related to Chapter 6.3 of the report were reviewed and discussed by the Commission. It was requested that several items be added or altered in the findings, including:

- Sheriff Israel's use of the word "may" in the BSO active assailant policy is inconsistent with current and standard law enforcement best practice. It is insufficient and fails unequivocally to convey the expectation that deputies are expected to immediately enter an active assailant scene.
- Some deputies could not recall what type of active assailant training they received

The recommendations related to Chapter 6 of the report were reviewed and discussed by the Commission. It was requested that several items be added or altered in the recommendations, including:

- The BSO should conduct a comprehensive after action related to this event
- All Florida public schools, including charter schools and specifically the Broward County public schools, should immediately provide law enforcement with live and real time access to all school camera systems. The school systems should provide law enforcement with adequate training on how to access and operate the system.
- The Incident Commander shall follow established ICS protocol
- A staging area outside the command post shall be standard protocol for meeting arriving elected officials
- All Florida law enforcement agencies shall establish a proactive active assailant policy that requires the reporting law enforcement officer to take action to immediately eliminate the threat
- BSO should enhance and increase the frequency of its active assailant training

5. Discussion of Chapter 7 in the Initial Report – Fire Department/EMS Response & Victims' Emergency Medical Treatment

The findings related to Chapter 7.3 of the report were reviewed and discussed by the Commission. It was requested that several items be added or altered in the findings, including:

- The first law enforcement officers who entered building 12 acted appropriately and consistent with their training when they first removed victims who were verbal and/or conscious during the initial 7 to 14 minutes
- The officer at the door should not have allowed Ft. Lauderdale PD medics into building 12 without authorization or notification to personnel already inside the building

The recommendations related to Chapter 7 of the report were reviewed and discussed by the Commission.

6. Discussion of Chapter 8 in the Initial Report – Incident Interoperability: Law Enforcement 911, Radio, & Computer Aided Dispatch (CAD) Systems

The findings related to Chapter 8.2 of the report were reviewed and discussed by the Commission. It was requested that several items be added or altered in the findings, including:

- Specifically, because of the 911 call transfer system, the first 911 call was not received by BSO until 69 seconds after Cruz fired his first shot. Multiple victims had already been shot by this time.
- BSO brought the Parkland 911 call workflow issues to the city of Parkland in 2014 but there has not been a resolution since that time

The findings related to Chapter 8.2 of the report were reviewed and discussed by the Commission. It was requested that several items be added or altered in the findings, including:

- Incorporation of a column into the section showing how many people were shot at different time points to emphasize that seconds matter

The findings related to Chapter 8.3 of the report were reviewed and discussed by the Commission.

The findings related to Chapter 8.4 of the report were reviewed and discussed by the Commission. It was requested that several items be added or altered in the findings, including:

- Because BSO SWAT could not effectively communicate via radio, SWAT had to use cell phones, “runners,” and hand signals to communicate in person due to the radio failures

The recommendations related to Chapter 8 of the report were reviewed and discussed by the Commission. It was requested that several items be added or altered in the recommendations, including:

- If an agency asks another agency for access to their primary dispatch radio channels it should be mandated that the agency honor the request
- Florida law should require that all primary 911 call centers have the ability to directly communicate via radio with the first responder units for which they are receiving 911 calls, without call transfers.
- Remove the recommendation that the City of Parkland should require that Broward County Regional Communications receive all cellular and landline 911 calls originating in the city of Parkland
- Remove the recommendation that all law enforcement agencies in Broward County, and every county in Florida, should operate on a single CAD system

7. Discussion of Chapter 9 in the Initial Report – Summary of Cruz’s Life & Contacts Prior to February 14, 2018

The findings related to Chapter 9 of the report were reviewed and discussed by the Commission. It was requested that several items be added or altered in the findings, including:

- The majority of Cruz’s contacts with BSO before the shooting did not knowingly involve criminal activity

The recommendations related to Chapter 9 of the report were reviewed and discussed by the Commission. It was requested that several items be added or altered in the recommendations, including:

- Schools should be required to notify students of FortifyFL and promote its use by advertising the app on campus and in school publications and on all student issued computer devices
- Policies should require that the disposition of all threats of school violence be reported to law enforcement

It was requested by Commissioner Schachter that adding a two-way chat capability to the FortifyFL app be explored in future Commission meetings.

8. Discussion of Chapter 10 in the Initial Report – Cruz’s Services by Mental Health Providers

The findings related to Chapter 10.1 of the report were reviewed and discussed by the Commission. It was requested that several items be added or altered in the findings, including:

- No one health professional or entity had the entire story regarding Cruz’s mental health and family issues. This was due in part to communications issues and barriers between providers and a lack of disclosure by the family.

The findings related to Chapter 10.2 of the report were reviewed and discussed by the Commission. It was requested that several items be added or altered in the findings, including:



- Removal of statement that Cruz was never evaluated for a Baker Act

The recommendations related to Chapter 10 of the report were reviewed and discussed by the Commission. It was requested that several items be added or altered in the recommendations, including:

- The legislature should amend F.S. 394.4615 and require that mental health providers release pertinent clinical information related to a threat

Commissioner Carroll agreed to update and make changes to the School-Based Services section as appropriate, and send the edits to staff for inclusion in the report.

Commissioner Stewart agreed to update and make changes to the School Mental Health Records and Screening and Referral for Services sections as appropriate, and send the edits to staff for inclusion in the report.

Chair Gualtieri stated that the mental health topic in general was not looked at by the Commission as comprehensively as it should have been due to time constraints and should be evaluated and explored further in future meetings. Commissioner Larkin-Skinner was asked to draft a document to aid future commission work on further evaluating the mental health system.

It was requested by Commissioner Senior that more information on how services are received by Henderson Behavioral Health be added to the report for context.

9. Discussion of Chapter 11 in the Initial Report – Cruz’s School Discipline & Juvenile Diversion

The findings related to Chapter 11 of the report were reviewed and discussed by the Commission.

The recommendations related to Chapter 11 of the report were voted on and approved by the Commission in prior meetings and were not discussed further.

Commissioner Schachter requested to discuss and make recommendations regarding the discipline matrix and the PROMISE program for future reports.

10. Discussion of Chapter 12 in the Initial Report – Cruz’s Behavioral Threat Assessment

The findings related to Chapter 12 of the report were reviewed and discussed by the Commission. It was requested that several items be added or altered in the findings, including:

- The BCPS threat assessment process is decentralized, solely reactive, school-based, and focused around behavioral threat assessment teams at each school, with little to no oversight and accountability at the district level

The recommendations related to Chapter 12 of the report were reviewed and discussed by the Commission. It was requested that several items be added or altered in the recommendations, including:

- The Threat Assessment Teams should have dedicated members
- There should be DOE oversight in reference to Threat Assessment Teams

- If school is not in session, the Threat Assessment Team must refer the matter to law enforcement for evaluation and the team must meet during the first week school is back in session to consider the matter and ensure it is resolved

It was recommended by Commissioners Swearingen and Powers that the number of threat assessments conducted by a school be reported on the FSSAT.

11. Discussion of Chapter 13 in the Initial Report – ESE/IEP

The findings related to Chapter 13 of the report were reviewed and discussed by the Commission.

The recommendations related to Chapter 13 of the report were reviewed and discussed by the Commission.

12. Discussion of Chapter 14 in the Initial Report – Florida Safe School’s Assessment

The findings related to Chapter 14 of the report were reviewed and discussed by the Commission.

The recommendations related to Chapter 14 of the report were reviewed and discussed by the Commission.

13. Discussion of Chapter 15 in the Initial Report – Information Sharing

The findings related to Chapter 15 of the report were reviewed and discussed by the Commission.

The recommendations related to Chapter 15 of the report were reviewed and discussed by the Commission. It was requested that several items be added or altered in the recommendations, including:

- Add 42 CFR to the list of training items provided to all stakeholders
- Add 42 CFR to privacy laws that should be evaluated by the Florida Legislature

14. Discussion of any Relevant Issues Not Included in the Commission’s Initial Report and any Necessary Follow-Up

Commissioner Schachter expressed concern regarding unauthorized individuals obtaining access to teacher’s weapons if they are armed.

Commissioner Petty requested to explore how familial aspects factored into this crime in future meetings.

15. Review of Legislation Establishing Commission and Next Steps Moving Forward

Modifications will be made to the report and sent to the Commission for review based on the changes requested during this meeting. A conference call will be held so that the Commission may formally make and approve a motion to adopt the initial report. The Commission will not hold a meeting in January.

Moving forward the Commission will be less focused on what happened at MSD and more focused on creating solutions. It was decided by the Commission to continue with an examination of MSD specific topics before moving on to evaluating other mass shooting events

in Florida. Commission members were asked to think about ideas for topics to be covered in 2019 to continue important Commission work.

Stakeholders (Broward Sheriff's Office, Coral Springs Police Department, Henderson Behavioral Health, and Broward County Public Schools) were provided a copy of the report pertaining to the facts regarding their entity so that they may review it for accuracy. There were no issues in doing this as the report became public record once shared with the Commission members. These entities have no input on recommendations and are only reviewing for factual accuracy.

16. Public Comment

Public Comment was heard from Gay Valimont. Ms. Valimont expressed concern over arming teachers.

17. A moment of silence was held in honor of all school shooting victims in light of the 6<sup>th</sup> anniversary of the Sandy Hook shooting.

18. Adjournment of meeting at 4:45 PM.