

MARJORY STONEMAN DOUGLAS HIGH SCHOOL
PUBLIC SAFETY COMMISSION MEETING
BROWARD COLLEGE NORTH CAMPUS - BLDG 60
OMNI AUDITORIUM
1000 COCONUT CREEK BOULEVARD
COCONUT CREEK FLORIDA, 33066

April 24, 2018

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1 COMMISSION MEMBERS/ATTENDEES:

2 SHERIFF BOB GUALTIERI - CHAIR

3 JASON JONES - PSC GENERAL COUNSEL

4 CHRIS NELSON - CHIEF OF POLICE, CITY OF AUBURNDALE

5 BRUCE BARTLETT - CHIEF ASSISTANT STATE ATTORNEY,

6 SIXTH JUDICIAL CIRCUIT

7 ANDREW POLLOCK - VICTIM PARENT

8 RICHARD SWEARINGEN - COMMISSIONER FLORIDA DEPARTMENT

9 OF LAW ENFORCEMENT

10 MAX SCHACHTER - VICTIM PARENT

11 LARRY ASHLEY - SHERIFF, OKALOOSA COUNTY

12 MELISSA LARKIN SKINNER - CEO, CENTERSTONE OF FLORIDA

13 PAM STUART - COMMISSIONER OF EDUCATION

14 JUSTIN SENIOR - SECRETARY, AHCA

15 CHRISTI DALY, SECRETARY, DEPT OF JUVENILE JUSTICE

16 MICHAEL CARROLL - SECRETARY, DCF

17 JAMES HARPRING - UNDERSHERIFF/GC, INDIAN RIVER CNTY.

18 DESMOND BLACKBURN - SUPERINTENDENT, BREVARD COUNTY

19 GRADY JUDD - SHERIFF, POLK COUNTY

20 DOUG JUDD - SCHOOL BOARD MEMBER, CITRUS COUNTY

21 LAUREN BOOK - SENATOR, DISTRICT 32

22 RYAN PETTY - VICTIM PARENT

23 MARSHA POWERS - SCHOOL BOARD MEMBER, MARTIN COUNTY

24 KEVIN LYSTAD - PRESIDENT, FLORIDA POLICE CHIEF ASSOC

25 CHRISTINA LINTON - COMMISSION STAFF, FDLE

1 (Thereupon, the meeting is called to order:)

2 CHAIR: Good morning, everybody. I'm Bob
3 Gualtieri. I'm the Pinellas County Sheriffs,
4 and the Chair of the Commission. We call the
5 first meeting of our Commission to order, and I
6 ask everybody to please stand and join me in a
7 moment of silence to remember and honor the
8 seventeen people who lost their lives on
9 February 14th, the seventeen people who were
10 injured, and the countless other victims whose
11 lives will be forever changed.

12 (Thereupon, a moment of silence is held.)

13 CHAIR: Thank you. Please join me in the
14 pledge.

15 (Thereupon, the Pledge of Allegiance is held.)

16 CHAIR: Thank you. Please be seated.
17 There are no words that are sufficient to
18 describe the evil that occurred on February
19 14th at Stoneman Douglas High School. For as
20 much as we want to we can never make sense of
21 the senseless, nor reverse that which is
22 permanent, but we can, and we must do all in
23 our power and control to ensure that nobody
24 else ever has to experience the devastation
25 that these victims and their families have

1 experienced, and in many cases will experience
2 for the rest of their lives.

3 As is the case with many of my colleagues
4 on this Commission, we have seen our fair share
5 of trauma and suffering, but I can tell you
6 that there's nothing in my last thirty six
7 years in this business that motivates me more
8 to protect our vulnerable kids than that which
9 occurred on February 14th at Stoneman Douglas.
10 Nobody else, and especially children, should
11 endure what those kids in that school endured
12 that day.

13 We cannot cease evil from existing in our
14 society, but our Commission can fairly and
15 objectively determine what occurred in this
16 instance, and that determination must be based
17 only on hard facts. As we begin our work I
18 encourage each of you to start anew with what
19 you know and establish a factual blank slate
20 only to be filled with objective facts.

21 I media reports vary, the pundits opine,
22 and yes, there are people with agendas on both
23 sides of many issues who have influenced the
24 things we have heard, seen, and read. There
25 are things reported as fact that are fiction,

1 and there are things unreported that we need to
2 uncover.

3 This is the wrong forum for relying on
4 those opinions and beliefs. Too much is at
5 stake for us to consider anything other than
6 the well- established facts. Our duty is not
7 only to the Governor, the Speaker of the House,
8 and the Senate President who appointed us, but
9 most importantly to the victims and their
10 families, and all involved in this incident.
11 It is necessary to learn the truth, and let the
12 cards fall where they may.

13 If we find things done well, so be it. If
14 we find things done poorly, so be that too.
15 And where we find room for change or
16 improvement it's our obligation to act or make
17 recommendations to those who can. We all want
18 to get to the same place, but our lanes to the
19 finish line may vary, and our opinions on what
20 will work to accomplish our goals will differ.
21 Healthy discourse is productive, but only when
22 it is fact and evidence based, and consistent
23 with the law. This must not be about ideology,
24 or what is popular at the moment.

25 When our work is complete I only want one

1 thing, and I hope you will join me in that
2 desire. I want everyone who comes before us,
3 everyone who may discussed in our reports, and
4 those who may be a subject of our
5 recommendations, and even our criticism, to say
6 one thing about this Commission regardless of
7 whether they agree with us or not, and that is
8 that we were fair, and everything we did was
9 based on established fact. If we come away
10 with that then we have done our jobs well.

11 We have some daunting work ahead of us, as
12 our initial report is due to the Governor and
13 the presiding officers of the Legislature on
14 January 1, which is a mere eight months from
15 now, so it's time to begin the work ahead of
16 us. You have in your materials today an
17 agenda, and the first item on the agenda is for
18 us to get to know each other, and to do
19 Commission introductions, s' I'll begin with my
20 left and ask Jason Jones, who is our general
21 counsel, to begin. 'We'll go around and do
22 introductions. Jason.

23 MR. JONES: Good morning, my name is Jason
24 Jones.' I'm the General Counsel for the Florida
25 Department of Law Enforcement.' I'm also the

1 General Counsel for the Public Safety
2 Commission.

3 CHIEF NELSON: Good morning. My name is
4 Chris Nelson, an' I'm the Chief of Police for
5 the City of Auburndale.

6 MR. BARTLETT: Good morning. My name is
7 Bruce Bartlett.' I'm the Chief Assistant State
8 Attorney in the Sixth Judicial Circuit covering
9 Pinellas and Pascoe Counties, and have been a
10 Prosecutor for approximately thirty-nine years
11 now.

12 MR. POLLACK: Good morning. My name is
13 Andrew Pollack. My daughter Meadow Pollack was
14 murdered February 14th at Stoneman Douglas.

15 MR. SWEARINGEN: Good morning. My name is
16 Rick Swearingen. I'm the Commissioner of the
17 Florida Department of Law Enforcement.

18 MR. SCHACHTER: My name is Max Schachter.
19 My son Alex was one of the victims.

20 MR. ASHLEY: Sheriff Larry Ashley,
21 Okaloosa County.

22 MS. SKINNER: Melissa Larkin Skinner. I'm
23 the Chief Executive Officer of Centerstone of
24 Florida, a behavioral health organization. And
25 I'm a licensed mental health counselor.

1 MS. STUART: Good morning. I'm Pam
2 Stuart. I'm the Commissioner of Education.

3 MR. SENIOR: Good morning. I'm Justin
4 Senior. I'm the Secretary of the Agency for
5 Healthcare Administration.

6 MS. DALY: Good morning. I'm Christi
7 Daly, Secretary from the Department of Juvenile
8 Justice.

9 MR. CARROLL: Good morning. I'm Mike
10 Carroll, Secretary, Department of Children and
11 Families.

12 UNDER SHER. HARPRING: Good morning. My
13 name is James Harpring. I'm the Undersheriff
14 with the Indian River County Sheriff's Office,
15 and also serve as the General Counsel.

16 SUPT. BLACKBURN: Good morning. Desmond
17 Blackburn, Superintendent Brevard Public
18 Schools.

19 SHER. JUDD: Grady Judd, Sheriff Polk
20 County.

21 MR. DODD: Doug Dodd, School Board Member
22 Citrus County, and a former School Resource
23 Officer.

24 SEN. BOOK: Good morning. Lauren Book,
25 Senator Lauren Book from District 32.

1 MR. PETTY: Good morning. Ryan Petty, my
2 daughter Alaina was killed on February 14, 2018
3 at Marjory Stoneman Douglas.

4 MS. POWERS: Good morning. I'm Marsha
5 Powers, Martin County School Board.

6 MR. LYSTAD: Good morning. Kevin Lystad,
7 Miami Shores Police Department, current
8 President of the Florida Police Chiefs
9 Association.

10 MS. LINTON: Christina Linton, Commission
11 Staff with the Florida Department of Law
12 Enforcement.

13 CHAIR: Many thanks. We're also -- I
14 think it's important that the Commissioners
15 know the investigative team, and the Staff that
16 will be assisting us with this, so I'll ask the
17 FDLE people over here on my left to also
18 introduce themselves to us if you can.

19 (Some members introducing themselves that can't be
20 heard)

21 MR. BOYD: Tom Boyd, Assistant
22 Commissioner, FDLE.

23 MR. CAMBRIA: Adam Cambria, Commission
24 Staff FDLE.

25 MS. WHITE: Annie White, Assistant Special

1 Agent in charge, FDLE.

2 CHAIR: And we have also three people from
3 the Pinellas County Sheriff's Office, Homicide
4 Investigators that will be helping with us. If
5 you guys will introduce yourselves as well.

6 (Unintelligible)

7 CHAIR: All right, thank you everybody for
8 those introductions. One of the first
9 administrative matters that we want to talk
10 about here this morning is the Sunshine Law,
11 and we're going to ask Jason Jones here in a
12 second, again who is our General Counsel, and
13 the General Counsel for the Florida Department
14 of Law Enforcement, to discuss those
15 requirements with us, but I want to make a few
16 comments first.

17 Is that generally our meetings are
18 required to be open to the public under the
19 Sunshine Law, and as they should be. However,
20 there is a provision in the statute creating
21 the Commission that allows us to have meetings
22 outside the Sunshine as it relates to
23 confidential or exempt information. We will do
24 that. Part of it will be this afternoon when
25 we go out to the school, and we will do that as

1 needed. And we will reserve that for only
2 those times and those portions where we think
3 that is necessary.

4 When we do close those meetings everything
5 that is said, everything that's discussed
6 during those closed meetings has to remain
7 confidential. So, the short version of it is,
8 is that when it is in a closed meeting is, is
9 that what's said in the meeting stays in the
10 meeting, and what's private stays private.

11 In addition to that backdrop before Jason
12 begins is, is that if you don't know you should
13 know that as it relates to public records, and
14 to the Sunshine Law, is the Commission has the
15 authority to obtain any documents or records
16 from any other entity, and no entity can claim
17 a public records exemption or confidentiality
18 and withhold those documents from the
19 Commission.

20 The Commission also has subpoena
21 authority, and I imagine we will use that
22 subpoena authority. From what I know now, it's
23 going to be necessary to use. And we also have
24 the authority to place witnesses under oath and
25 take sworn testimony here before the

1 Commission, and we have the authority to
2 delegate that to investigators, to place people
3 under oath as they conduct their investigative
4 work.

5 So, with that said, that's a backdrop.
6 The next important part to talk about is the
7 obligation that we have as a Sunshine body
8 about not communicating outside of noticed
9 meetings, so I'll turn it over to Jason at this
10 point, and he'll give us a briefing on that.

11 MR. JONES: So, if you guys remember the
12 first e-mail that I sent out had to do with
13 Sunshine Law, because it is a very important
14 part of what we do in the State of Florida, and
15 what we do as a Commission. There are three
16 basic Sunshine requirements, and that's that
17 any meeting of a Board or Commission happens in
18 the public, and that those meetings are
19 publicly noticed, and that minutes are taken.
20 Those are the top three tenants of the Sunshine
21 Law.

22 So, out of that comes a lot of questions
23 as to what counts as a meeting, what counts as
24 communication? And the answer is that any
25 meeting between two or more Commission Members

1 where they discuss any items that may come
2 before the Commission are covered under the
3 Sunshine Law. So, if two Commissioners want to
4 go out to dinner and discuss the weather, or
5 baseball, or football season coming up, that's
6 fine. But when the conversation starts to
7 steer towards something that may come before
8 the Commission, that is where a potential
9 Sunshine Law violation could occur, and the
10 conversation needs to cease.

11 Several of you have reached out to me
12 privately and asked different questions, and
13 different variations, and I welcome that. And
14 please continue as questions arise to reach out
15 to me and ask, but the most important thing to
16 remember is to not have conversations with each
17 other about topics that could come before this
18 Commission.

19 The second aspect that the Sheriff touched
20 on is our ability to close meetings, and to
21 read and hear confidential and exempt
22 information. That information must remain
23 confidential and exempt, because once someone
24 on the Commission waives that exemption by
25 giving it to a third party then it waives the

1 exemption, and that will violate that statute
2 which says that we will hold anything that we
3 receive as part of this Commission confidential
4 and exempt. So, please just keep that in mind,
5 that you cannot disseminate this information
6 beyond this group, because this group has a
7 statutory authority to receive that information
8 while others do not.

9 To cover that, and to make sure everyone
10 understands, I believe everyone was provided
11 with a Sunshine Law acknowledgement that goes
12 through saying that you have heard me give a
13 brief on the Sunshine Law and that you
14 understand it, and you also acknowledge that
15 you will not disseminate any of the information
16 that we receive as part of the confidential
17 briefings outside of this Commission.

18 There is also a second subject that we
19 just wanted to bring up and make everyone aware
20 of, and that has to do with financial
21 disclosures. Most of the members of this
22 Commission already have to fill out a financial
23 disclosure because of their position, but there
24 are going to be a few members, especially the
25 parents, that this is going to be new to you

1 guys, and we don't have a definite answer of
2 whether you are going to be required to fill
3 out a financial disclosure, but per statute
4 you're supposed to fill one out within thirty
5 days of being appointed to the Commission.

6 I have asked the Commission on Ethics
7 whether you would be responsible for submitting
8 a financial disclosure, and they're going to
9 put that in front of the entire Commission for
10 an actual formal opinion, but we're not going
11 to get that opinion until June. So, that will
12 put you outside of the thirty day window. They
13 have told me that they think that it would be
14 okay if you waited until the formal opinion to
15 do it, but they leave it up to you, and did not
16 give me a hard and fast answer of, yes, it's
17 going to be okay. So on the safe side I would
18 suggest go ahead in filling out the form, that
19 way you're covered in case something ever came
20 up, and someone challenged whether you needed
21 to or not, and then we get that formal opinion.

22 If it comes back that you do not need to
23 fill out the form then it will stay in for this
24 year, but you will not have to renew it next
25 year, is what they've told me. So, I have

1 those forms with me, and in one of the breaks I
2 can kind of reach out to you guys and talk to
3 you about it and give you a little bit of
4 formal of what I know how to fill it out, and
5 then kind of point you in the right direction
6 if you have any questions.

7 And now I'm going to open it up for any
8 questions that you might have of either the
9 Sunshine Law or the financial disclosures, and
10 if you don't have any questions I'll turn it
11 back over to the Sheriff.

12 SUPT. BLACKBURN: I had one question.
13 We're all dealing with a safety and security
14 issue in our various communities, for example
15 Chief Marvondale (phonetic) and I are actively
16 working on security measures. Obviously,
17 that's going to come up as a topic of
18 discussion here. We know how to bifurcate what
19 we deal with, and what we hear here, but, you
20 know, when you said anything that can come up
21 here, that's absolutely impossible because we
22 can't quit talking about how to protect our
23 schools.

24 We cannot use, or not discuss any topics
25 here, but explain for those of us who are in

1 that position, and Mr. Pollack is also working
2 with me on a security plan for our county.
3 Obviously, those topics are going to come
4 before this Commission.

5 MR. JONES: First let me say that I don't
6 think they anticipated a situation like this
7 when they wrote the Sunshine Law. We're kind
8 of breaking new ground here, so there are going
9 to be interpretations and things that we're
10 going to have to try and work out as we go
11 along. Obviously, two law enforcement officers
12 in the same jurisdiction who are trying to
13 figure out a security plan for a particular
14 school, we can't say that those two people
15 cannot have a conversation.

16 But when the conversation would steer more
17 towards the we need to make recommendations
18 statewide, which is something that this
19 Commission is asked to do, I think that would
20 be where, or if you're using some of the
21 information, as you said, that you received in
22 this before the final report is done, that's
23 where the area starts to get grey, and I think
24 we'd run into some issues.

25 SUPT. BLACKBURN: Clearly. I think we're

1 comfortable with knowing how to avoid that, but
2 I just want to put on the record that to have
3 no conversation is absolutely impossible
4 because we've got a duty to keep our community
5 safe, but we'll bifurcate it. It won't be
6 anything that deals with direct Commission
7 business, or a result of the Commission
8 discussion.

9 MR. JONES: And I think that's -- in this
10 situation that's probably the best that we can,
11 we can do. I also had a question that was
12 asked over the weekend about being on another
13 Commission that would possibly address the same
14 subject matter, and I was able to find an
15 Attorney General opinion saying that two
16 Commissioners from one Commission that are also
17 on a separate Commission can potentially
18 discuss the same topics, is fine as long as
19 both of those Commissions are in the Sunshine.

20 If one of them was not required to meet in
21 the Sunshine, and then the Commissioners were
22 able to have shade conversations about things
23 that would then be heard in front of the other
24 Commission, then it would be a Sunshine Law
25 violation. So if that -- I know that that has

1 come up from different folks, and so if that
2 did happen, that would be okay.

3 CHAIR: Sheriff Ashley.

4 SHER. ASHLEY: I'm just curious how we
5 would share documentation or the like with the
6 Commission, do we go through Staff, or, I mean
7 literally we, we get all sorts of
8 documentation, and I'm sure all of us as
9 Commission members will be in the future as
10 well. How do we share that with the entire
11 Commission via e-mail and the like, do we give
12 it to Staff and let them disseminate it?

13 MR. JONES: Yes. You will have a Staff
14 person. We will have a contact person at FDLE,
15 that if you receive items that you want the
16 entire Commission to be able to look at, that
17 would be on the next agenda, or just
18 information that you receive from someone in
19 the community that says I have information
20 regarding this incident, you would be able to
21 pass that on to Staff. And you can, of course,
22 contact myself or Staff at any time with any
23 questions that you have, you're just not
24 allowed to have contact with one another.

25 You've seen a lot of e-mails that we send

1 out that say please don't hit reply all, and
2 some of that is done in the extreme of caution.
3 If you have a conversation about, hey, what
4 time are you coming to the meeting in the
5 morning, that's fine. But we a lot of times
6 say don't have any conversations about the
7 meeting, just because that's a bright line rule
8 that we can give; it's for people that aren't
9 really sure where to draw the line.

10 So, if there's an e-mail that goes out
11 that's purely administrative in nature about
12 when the meeting is, and when it's going to
13 occur, or where it's going to occur, that would
14 be fine, but we just say don't reply all in
15 case somebody adds that extra sentence into the
16 e-mail where they want to say, hey, make sure
17 we talk about such and such. So, that's kind
18 of where --

19 SHER. ASHLEY: I'm sorry, I hope I'm not
20 belaboring the point, but like for instance,
21 Broward County is going to be going through,
22 you know, a process to make their schools safe,
23 and obviously, if, you know, if I want to talk
24 to Sheriff Judd about what he's doing that
25 would -- we're going to obviously be doing some

1 of that as well, and recommendations, that's
2 okay? How do I --

3 MR. JONES: That's getting closer to the
4 line of not okay I think, where you're, now
5 you're making recommendations, because that is
6 something that we are going to be doing as a
7 Commission, is making a recommendation to all,
8 or to the State about how to handle all
9 schools' safety. So, the actual day to day
10 operational things that Sheriff Judd is talking
11 about is different than I think the broader
12 discussion of school safety and, -- because
13 that is exactly what this Commission is
14 supposed to be doing.

15 So, I don't know if it's going to come to
16 a point where there's so many organizations
17 that are trying to do the same thing that we
18 have to kind of narrow it down to say let's
19 wait and let one State appointed body make this
20 decision and then push that out for everyone
21 else, because I know that right now everyone's
22 just trying to do what's best for their
23 regions, and for their school districts, and so
24 we have a lot of people that are doing the
25 exact same thing.

1 So, we're just going to have to monitor as
2 it goes, and don't be afraid to pick up the
3 phone and ask me. I'm not going to know the
4 answer right away. It's going to be a
5 situation where we're just going to have to
6 kind of make it up, and research, and figure it
7 out as we go along.

8 CHAIR: So, a lot of it is grey, and a lot
9 of it is fact based depending on the
10 circumstances. As Mr. Jones, said a lot of it
11 is shorthanded by saying don't do it. As you
12 all know you have received e-mails from me, and
13 you're going to continue to receive some
14 e-mails from me. I'm going to try to avoid
15 that because you can have, even under the
16 nuances of the Sunshine Law you can have one
17 directional communication. I can send
18 something to you, you just can't reply to it.

19 So, there's a lot of nuances with it, and
20 the short hand way is just don't do it. But
21 that's way back here, the line is way up here,
22 there's room in between, and it's a matter of
23 staying within the spirit of it. And staying
24 within the spirit of it is is that if it's
25 going to come before this Commission for

1 decisions, recommendations, action, then you're
2 probably crossing the line.

3 If it's -- as you said if it's
4 administerial, procedural, things along that
5 nature, they're probably okay, but as soon as
6 you get into things that we have on the agenda,
7 or items that we're discussing here, then it's
8 getting up to it and it may cross over it. But
9 there's a lot of nuances to it, that's why
10 there's manuals like this thick that address
11 the Sunshine Law, and you have people who are
12 experts in it. But, at the end of the day it's
13 something that we all want to respect. It is
14 the law in Florida, and there's a reason for
15 it, and it's important that everybody have an
16 opportunity to know what we're doing and what's
17 being discussed, and that's the spirit and
18 intent behind it, and I think we're all
19 prepared to honor that, and at the same time
20 realize that there are other things that need
21 to go on, and there's business that needs to be
22 conducted, so it's a matter of trying to walk a
23 fine line.

24 Does anybody have any other questions,
25 comments, anything on the Sunshine Law or the

1 ethics filing requirements?

2 SHER. JUDD: The only other addition I
3 could give is, for example, if we had a
4 protocol and we wanted to talk about it, mine
5 is in writing. I could produce that and give
6 it to the Commission representative, and they
7 could make it part of the public record, and
8 you'd get the data. Or legally, there's
9 another piece of public record that says you
10 can ask for my public record and give it
11 directly outside of the scope of this.

12 And I think it's like the Sheriff said, as
13 long as we are not talking about issues and
14 items, and saying, well the Commission is going
15 this way, so let's us go this way, that's when
16 you're in trouble. But if it's -- if it's a
17 policy or practice that's in writing already in
18 public record, I don't think you can get in
19 trouble with that.

20 CHAIR: So, you have -- in front of you
21 you have two packets. One is a three ring
22 binder, and it has copies of the Power Point
23 presentations in it that we're going to go
24 through, and some other material. You also
25 have a folder. In that folder, is a Sunshine

1 Law and Confidentiality Acknowledgement Form.
2 If you would take a look at that, this is what
3 Mr. Jones is referencing. We're asking
4 everybody to take a look at it, read it, and
5 sign it, and perhaps at the break if you would
6 give those to Christina Linton, who is here on
7 my right, and she'll collect those. And if
8 anybody has any questions about the form itself
9 you get with Mr. Jones on it and he'll help you
10 through it.

11 So, we'll move on -- if there's nothing
12 else on that topic we'll move on, which to the
13 next topic that's on the agenda is Commission
14 governance. Unless anybody has any objection,
15 because it's not in the statute as to how we
16 conduct the meetings, my suggestion is we use
17 Robert's Rules of Order. Most people are
18 familiar with those. Most Boards and
19 Commissions are run under those. There's a
20 link in your agenda to those. So, unless I
21 hear any objection, we'll consider that adopted
22 by the Commission, that we will operate under
23 Robert's Rules of Orders. Anybody have any
24 concerns about that? Okay.

25 So, in order to set the stage for our

1 work, I think it's important that we understand
2 what the requirements are. And I think I said
3 this to you in one of the e-mails that I sent
4 out, but the statutory requirements of our work
5 are the floor, and not the ceiling. We have
6 broad authority, and broad scope, but there are
7 certain things that we have to do, and so we're
8 going to begin, and the Power Point
9 presentation is going up now. And in your
10 books, it should be under the first Power Point
11 tab that you have in your books, so you have
12 that in front of you.

13 And we're going to go through what's in
14 the -- and make sure I can do this right --
15 this one. So, if you look at anybody who's
16 familiar with the Bill, and the Senate Bill, as
17 everybody calls it Senate Bill 7026, which is
18 the Bill that comprehensively addressed this
19 issue and established the Commission. And it
20 begins on Line 1481 of Senate Bill 7026, and if
21 any of you have that, but I've taken the
22 statutory requirements, and they're under 943,
23 and broken this out now into different topics
24 that we have to address. O we're going to go
25 through those, so we set the stage and set the

1 framework for what we need to do.

2 So, the first thing that is required by
3 the statute, and I've identified this as Number
4 1, is to investigate active shooter and mass
5 violence events and system failures as it
6 related to what happened at Stoneman Douglas,
7 consider the information and the evidence, and
8 develop recommendations for system
9 improvements.

10 So, when you look at the statute this is
11 in different places in there, but what I've
12 done is taken the sections and put this into
13 the number one thing that we have to look at.

14 Now, this will be relevant to further
15 discussion, because as we suggest investigative
16 topics to you, I'm going to relate these
17 statutory requirements to the areas I'm going
18 to propose that we investigate as our priority,
19 so that's why we're laying out this way. We
20 have to prepare an incident timeline, and that
21 goes to all prior relevant events.

22 One of the things that has most definitely
23 come up, and we most definitely have to look
24 at, is all of what happened in Cruz's life
25 before February 14th, and it's a very important

1 part of what we need to do. And his contact
2 with entities, local, state, federal,
3 contracted, everybody that knew anything about
4 this guy is an important part of what we need
5 to do, so I have that identified under the
6 incident timeline in Number 2 in our work.

7 Another important consideration is the law
8 enforcement response, and as the statute says
9 we have to investigate any failures in response
10 by local law enforcement, and specifically
11 school resource officers.

12 What type of policies and procedures were
13 in place; that will be Number 4. One of the
14 things that we are going to need to do as we
15 look at the policies and procedures is to have
16 a benchmark to compare them against. And so,
17 we need to look at what was in place with the
18 entities that were responsible for school
19 safety, school security, law enforcement
20 response, so we will have to find out what the
21 best practices are, what the standards are, and
22 benchmark it, and then compare what was
23 existing to those benchmarks.

24 Again Number 5 kind of consistent with
25 that, evaluation of current and best practices,

1 make specific recommendations, which will be an
2 important part of what we're doing. Number 6
3 gets into the specific area of school resource
4 officers. Determine the appropriate ratio of
5 school resource officers per school and type.
6 Again, there was a lot of discussion about
7 staffing, what has been done in Florida, what
8 has not been done, what the staffing situation
9 was out there at Stoneman Douglas that day.

10 Those of you that are not familiar with
11 that day, and we'll get into this, but on that
12 day -- Stoneman Douglas High School has about
13 3,200 students. The middle school next to it,
14 Westglades Middle School, from my understanding
15 has about 1,000 students. The SRO who was
16 assigned to Westglades Middle wasn't there that
17 day because he was in training, because how we
18 have operated in Florida up to this point in
19 most districts, in most places, not all but
20 most, is that when the SRO assigned to a school
21 is not there, there's no replacement, and
22 there's no relief factor.

23 So, you had situation on that day where
24 you had roughly 4,300 kids and one law
25 enforcement officer on that entire sprawling

1 campus. So, that's one of the things that
2 definitely is going to come up, and something
3 we've got to look at and give consideration to
4 as we move forward. The methodology for
5 determining appropriate ratios is something
6 that we are required to consider.

7 Item 7 has to do with perpetrator actions
8 in these past shootings, so again -- and what's
9 in the statute tells us that we have to
10 investigate not just what happened at Stoneman
11 Douglas, but all past active assailant
12 situations in Florida, and that would include
13 the actions and the interactions between the
14 perpetrators of those events and other
15 agencies. So, as we get into this we'll have
16 discussion today about the scope, and you'll
17 hear again later, I'm going to suggest to you
18 that our primary focus should be, and our
19 immediate focus should be, is Stoneman Douglas,
20 and then later on we can get into the rest of
21 it, but immediately that we should focus on
22 Stoneman Douglas.

23 But as we're going through this right now
24 everything we're talking about now is what
25 needs to be done according to the law on all of

1 these active assailant situations, not just
2 limited to Stoneman Douglas. So, again failure
3 of adequately to communicate or coordinate, I
4 think some people have referred to that,
5 shorthanded it, we've heard people talk about
6 that as connecting the dots, risk indicators,
7 possible threats. That goes on into failures
8 to prevent deaths and injuries, and then again,
9 making specific recommendations for improving
10 communication and coordination, sharing
11 knowledge and information, and those other
12 things that are important to collective
13 knowledge.

14 Number 8 is along the same lines of
15 enhancing communication and coordination, how
16 do we best do that? So that would be a spinoff
17 of 7 and going into recommendations. And as we
18 said, and we know that our initial report is
19 due by January 1st to the Governor and the
20 presiding Officers of the Legislature.

21 So, to manage the work, we're going to
22 have to set priorities. And after we have a
23 presentation by the Broward County Sheriff's
24 Office, we're going to come back, and I'm going
25 to suggest to you some investigative priorities

1 that tie to these statutory requirements.

2 So, as an example, our mandate includes
3 that we look at all prior mass assailant
4 incidents in Florida, and again I'm going to
5 suggest that we focus on Stoneman Douglas for
6 the January report. And if there's agreement
7 by the members we will adopt the suggested
8 investigative priorities that we're going to
9 lay out for you.

10 So, with that, we're running a little bit
11 here ahead of schedule as far as what we, where
12 we plan to be, but does anybody have any
13 questions, any comments, any thoughts? Is this
14 so far helpful for you to see what the
15 requirements are? Does anybody have any
16 thoughts or considerations on it? Yes, Mr.
17 Schachter?

18 MR. SCHACHTER: Mr. Chairman, you know, I
19 understand the statute says we should --

20 CHAIR: Microphone.

21 MR. SCHACHTER: So, I understand the
22 statute says we should only look at past
23 incidents in Florida, but I think it would be
24 remiss of us to, you know, not take into
25 account all the other horrible mass killing

1 incidents around the country. Is there any way
2 that we can take those into account in our
3 study and recommendations?

4 CHAIR: And your point is well taken, and
5 I agree with you, and as you'll see we're
6 already working on that, and when we get into
7 that section after the Broward presentation,
8 that will be part of the recommendations. I
9 agree with you on that, is that it's important
10 to look at everything that happened. And one
11 of the things, and I'll jump ahead, is that one
12 of the things I think we need to look at is --
13 and we've got some hard questions that need to
14 be answered, and, you know, nobody, nobody here
15 thinks this is going to be easy.

16 We need to ask some difficult questions,
17 and sometimes we need to ask some unpleasant
18 questions, and one of them is, is that of the
19 prior incidents that happened in the country,
20 and recommendations that came out of those
21 prior incidents, were any of them adopted in
22 Florida. And if they weren't, why not. There
23 might have been barriers. There might be
24 reasons why they weren't. And is there
25 anything that came out of those prior incidents

1 where they're, our recommendations, they're
2 still valid recommendations that should be part
3 of what we still need to do moving forward.
4 And I think that that has to be addressed,
5 because there's been a lot of work done with
6 some prior incidents, so we'll get into all of
7 that.

8 Yes, Mr. Pollack?

9 MR. POLLACK: Yes, Sheriff. I'd like to
10 know with this Committee if we're going to be
11 looking into the behavioral intervention
12 program, which I think had to do, play a big
13 part in what led up to February 14th.

14 CHAIR: Yes, sir. A behavioral prevention
15 program as far as?

16 MR. POLLACK: The matrix -- the matrix of,
17 I don't want to say promise, it's the matrix
18 of, not the promise, it's the matrix of how
19 they reported crimes --

20 CHAIR: Yeah, we need to get into all of
21 that, and we need to consider it. First of
22 all, and this goes back to I think what I said
23 a second ago, is that there's a lot of things
24 that you all want to look at, and we can look
25 at anything that any member of this Commission

1 wants to look at, and we will, but we need to
2 understand what the background is, what the
3 backdrop is.

4 And kind of getting ahead here, but one of
5 the things that I think will be important is,
6 is that we identify people, and we can call
7 them whatever we want, subject matter experts,
8 MSEs, people with knowledge, whatever it may
9 be, is that I think we're going to have to have
10 some people come in. So, as an example is, is
11 that there are a variety of effective diversion
12 programs that operate in the State of Florida.
13 They go by different names. They go by civil
14 citation. They go by juvenile arbitration
15 programs. They go by pre arrest diversion
16 programs. They go by the Promise Program.
17 They go by all these variety of things, and
18 there are a lot of different methodologies in
19 the different ways that they're applied in the
20 different places. We need to have a complete,
21 so you all have a complete understanding of
22 what they are, how they work, and then how
23 they're applied, then we can look at what was
24 done specifically here in Broward, and more
25 specifically at Stoneman Douglas, and then even

1 further more specifically how all that may have
2 been applied to Cruz. And then -- but we have
3 to have an understanding of that. So, is that
4 along the lines of what you're talking about?

5 MR. POLLACK: Yes. I think the procedures
6 that were followed prior to February 14th with
7 the School Board and their policies and
8 behavior led up to February 14th.

9 CHAIR: And that's certainly something we
10 need to find out, and we need to look at. And
11 as we look at it, though, we need to find out,
12 again, what is being done, and if there were
13 things done that were consistent with policy
14 but were maybe not good practice then that is
15 different, I'll suggest to you, than something
16 that was done improperly, not consistent with
17 the policy, so it's two different paths.

18 But before we can even get close to that
19 -- and I think that's something that has to be
20 done with all of these different topics, or all
21 of these different buckets of information, is
22 that we have a lot of people on this Commission
23 with very diverse backgrounds, I think that's
24 one of the reasons why all of us were appointed
25 to the Commission, because of what we bring to

1 the table, and so some people have a lot of
2 knowledge about some areas, and some people
3 have little knowledge about other areas.

4 We all need to educate each other. We all
5 need to get educated as we go down this path to
6 be able to make decisions we have to have an
7 understanding of it. So on that topic itself
8 there's a lot of work to be done to background
9 it, and then take it all the way down to how it
10 was applied to Cruz in this particular
11 situation. And we will get there.

12 MR. POLLACK: Thank you.

13 CHAIR: Sheriff Ashley.

14 SHER. ASHLEY: Mr. Chair, I'm -- more
15 administrative. The evidence, the compilation
16 of documents and data, and studies, and the
17 like that this Commission does, how will we --
18 will it all be in hard copy records? How will
19 this -- how will Commissioners be able to study
20 that, and research that? It will be a
21 searchable website, or it's all going to be
22 online that we can access, or what thoughts do
23 we have on that?

24 CHAIR: So, we'll have to make that
25 decision. I do anticipate -- and so what's

1 been going on up to this point is, is that
2 since we were appointed is I've had a lot of
3 discussion with FDLE. We've worked diligently
4 to put all of this material together, and to
5 frame this up to this point. I've spent time
6 down here with the Broward Sheriff's Office and
7 gone through a lot of the investigative
8 material with them. I've been out to the
9 school. And we had -- one of the things I
10 realized is, is that to say that there is a lot
11 of information, and that it's voluminous, is an
12 extreme understatement.

13 There is a lot that's been acquired, and
14 we'll go through some of it, and there is a lot
15 yet to be acquired. Remember that this
16 unfortunate incident is two months old.
17 There's a criminal case. There's an active
18 criminal investigation, and Broward is in the
19 process of obtaining, still obtaining a lot of
20 records and documents, and quite honestly not
21 everybody is cooperating. And this is a
22 situation where this Commission I believe is
23 going to have to use its subpoena authority.
24 We wanted to do things the easy way, not the
25 hard way, but as you are, I am, I'm prepared to

1 do it the hard way. And if we have to do it
2 the hard way we'll do it the hard way. We're
3 going to get to the bottom of it, and people
4 are going to cooperate with us, and we're going
5 to get what we need, and we're going to share
6 it with you. Now, how mechanically we do that
7 will be something we discuss this afternoon as
8 we discuss the path forward, but I do envision
9 providing the Commission Members with read
10 ahead material, giving you as much as we can.
11 Whether we do that electronically or whether we
12 send out the material that's something we're
13 going to have to determine, so we can make the
14 meetings as efficient as possible and give you
15 all the opportunity to be able to ask questions
16 of people who appear before us, and that you
17 come prepared so that you're not learning it
18 all here. So, we will get the information out
19 to you, and how we do that -- again, I'm going
20 to jump ahead here since you're raising it.

21 I think the next step will be after today
22 I'll probably sit down with FDLE in Tallahassee
23 sometime next week and start dividing out among
24 the investigative team different buckets,
25 different components of what needs to be looked

1 at. And some of this is going to be, is that
2 we still need more information, and we're still
3 learning what it is that we need in some areas.
4 So, I think that it will be all of the above,
5 but we will make sure that every Commission
6 Member gets as much as they want, the form that
7 they want it in, and that you have as much
8 knowledge on particular topics, and if you're
9 not getting it ask us and we'll get it for you.

10 CHAIR: Yes, Commissioner.

11 MR. SWEARINGEN: I know you used the term
12 mass shootings. I think in the statute it
13 talks about mass violence, but just for
14 clarification, we had an incident at Forest
15 High School in Ocala, a single fired shot, I
16 mean, you know, this Commission obviously can
17 look at all of these instances. If we look at
18 a case where a child may have attempted suicide
19 at a school, I mean, I think those are things
20 we should look at, and I just want to make sure
21 that that is the direction that we can go.

22 And then the second thing is, I think it
23 would be wise of us to look at the things that
24 were done right in instances that may have
25 prevented a shooting, and my have been things

1 that we can look at of how the system worked
2 properly, and we can glean information from
3 that.

4 CHAIR: I agree with you, and you'll see
5 that here in a second. We'll cover part of
6 that in the next section after we hear the
7 presentation from Broward, because the point is
8 well taken. Does anybody have anything else?
9 Mr. Schachter?

10 MR. SCHACHTER: Yes. Sheriff, the report
11 on January 1st, what do you anticipate will be
12 in that report? Obviously, there is so much
13 ground to cover, or are you thinking it will
14 just be the investigation, and then the
15 recommendations for future will come after,
16 number one? And number two, when it comes to
17 making specific recommendations for sharing
18 knowledge of possible threats of mass violence
19 are you going -- are we going to -- is the
20 Commission going to be able to take into
21 account what other states are doing to, you
22 know, accomplish that, and how are we going - -
23 how is the Commission going to be able to get
24 that information to look at all the different
25 things that are out there as far as the

1 prevention aspect goes, and sift through those,
2 and try to come up with recommendations?

3 CHAIR: Yeah, so bear with me a little
4 bit. I think we'll get to answer some of your
5 questions here as we go through the next
6 sections that are on the agenda. But, we've
7 got a significant commitment from FDLE, and
8 I've committed three of our homicide
9 investigators to this as well. There is a lot
10 that needs to be acquired.

11 And the last part of your question I'll
12 address now, and I think the rest of it will
13 get addressed, and if not bring it up later as
14 we go through things, is, is that the
15 investigative team and the Staff will be the
16 ones that will acquire as much of this as we
17 want them to, put it together in, kind of in
18 response to Sheriff Ashley's question, in some
19 type of a briefing type format, and then
20 probably one of them will appear here and brief
21 us on it where we can ask questions, and if we
22 need more information we'll send them back to
23 get more.

24 This is not the kind of thing where
25 individual Commissioners will be going out and

1 doing their own work. This is stuff that we'll
2 use the investigative team and staff for, and
3 some of these things are already in the works
4 in looking at what happened across the country,
5 and we'll talk about it here again later. So,
6 we will use the people that are at our
7 disposal, resources.

8 And again, we have -- I can't tell you
9 strongly enough -- the unequivocal commitment
10 from the Florida Department of Law Enforcement
11 as far as giving us whatever we need to
12 accomplish this, and to get it done in the time
13 frame for the initial report. I will
14 specifically address here, after the Broward
15 presentation, I'll specifically address what I
16 suggest to you, and those are just my
17 suggestions, this is your work, not mine, it's
18 yours, what I suggest to you would be the
19 topics for the initial report.

20 If the Commission agrees, we modify it as
21 we go here today, but we're going to come away
22 from today with at least the initial topics
23 agreed upon that will be the subject of the
24 first report, so we can get the work going.

25 Does anybody have any other -- yes,

1 Sheriff Judd?

2 SHER. JUDD: I just have a general
3 comment. When you look at the talent that's on
4 this Commission my end game is for this to be
5 the premier piece of work for this nation to
6 model how to do preventative interventions, and
7 if all of the other layers fail, to stop the
8 active shooter or assailant. And there is no
9 doubt with the team that we have amassed here,
10 and the backup that FDLE and the experts, and
11 our ability to bring in experts from around the
12 country, we need to get the best brains
13 together so that this is the model at the end
14 of our work. And there's no doubt under the
15 leadership of Sheriff Gualtieri and this team,
16 and Commission, we can do that.

17 CHAIR: Does anybody else have any other
18 thoughts, questions, comments at this point?
19 Yes?

20 MR. DODD: Yes, Mr. Chair, I have one
21 other question. Do you foresee us breaking
22 into committees in this group, or will this
23 pretty much be a total body?

24 CHAIR: I don't see that at this point.
25 We can certainly have that discussion. I think

1 it's, we're suggested to try the model of
2 letting the investigative team do the work,
3 letting the Staff do the work and collect
4 information, bringing it to us, so that we all
5 have the benefit, because we only have eight
6 months. And in your package, you have a
7 proposed timeline, and this is going to fly by,
8 and we have to have a report that is submitted
9 by January 1, which means we need to have a
10 report by I'm suggesting to you no later than
11 December 1, which means as they say it's going
12 to be a long hot summer, and we got some work
13 to do.

14 And I think if we divide into committees
15 that it's going to bog it down, and because
16 then everybody is going to have to come back
17 and report. I think we should all collectively
18 get the information at the same time, be
19 briefed on it, and then, as a body, we are able
20 to make decisions on it and move forward. So,
21 I -- you know, down the road perhaps as we get
22 into this with some other areas, and maybe some
23 other shootings, but for the initial phase of
24 it I think we do it all together.

25 And one of things, is especially for,

1 well, for everybody really, but especially for
2 family members that are, that are here, is that
3 please stop us if we go down the path of using
4 shorthand and acronyms. Believe me, I can sit
5 here and probably have a conversation with the
6 Chief, or with Sheriff Judd, or with a whole
7 bunch of people, and talk in acronyms that
8 sound like a foreign language. I don't --
9 people don't do it intentionally, they just get
10 used to doing it. And so, if we are talking
11 about something that you are not familiar with
12 because it's just second nature, we're not
13 being disrespectful. We're not trying to --
14 it's just because people are doing it
15 unintentionally, so please stop us with that.
16 And it goes to a lot of the people who will
17 appear before us, too. So if you don't
18 understand something, ask.

19 And again, we got a lot of people with
20 diverse backgrounds. As an example, the
21 education Commissioner doesn't have a law
22 enforcement background, I don't have an
23 education background, so we all need to be
24 cognizant of that as we are talking, and as
25 people are presenting to us. And some of

1 those, along those lines, go to, is that the
2 makeup a lot of us are used to on Boards,
3 Commissions, as an example, of having people
4 who are doing the work and reporting as opposed
5 to individual Commissioners actually doing the
6 research themselves, so it kind of goes along
7 those lines. We'll try and make sure that
8 we're explaining that methodology as we move
9 forward.

10 All right, anybody have anything else up
11 to this point they want to bring up, discuss,
12 put on the table?

13 SHER. JUDD: Sheriff, my last statement is
14 if there's any way we can calendar now our
15 meetings out, because I'm already booked until
16 like Spring of next year, so I've got to push
17 stuff around.

18 CHAIR: So, jumping ahead, but we'll talk
19 about it. We'll talk about it more this
20 afternoon. And it actually is a good time to
21 talk about it because I want you to think about
22 this, is, is that I'll tell you that my plan
23 out of respect for this community is to hold
24 all these meetings down here. I think these
25 meetings should be held down here. I think

1 this is where this incident happened, this is
2 where the family members are. This is where
3 friends are. This is the community that is
4 affected by this, and I think we should hold
5 these meetings here.

6 So, first and foremost that's my
7 intention, is to hold these meetings here.
8 Second, is I'm going to ask you all this
9 afternoon for input and feedback as we begin
10 down this path. And a couple ways, one, would
11 you prefer, as an example, more frequent one
12 day meetings, or would you prefer the meetings
13 be multi-day, two day as an example, and less
14 frequent? I'm going to look for feedback on
15 that.

16 And I think that the investigative team is
17 going to need some time to do their work before
18 they can report back to us. But in the interim
19 I think that we can line up people who can come
20 in and provide background information and do
21 presentations to us on some of the things that
22 will provide the foundation, so that we've got
23 the foundation, and we can probably start doing
24 some of that I hope during the month of May.

25 So, to give you some general parameters,

1 general guidelines as to what I'm thinking, but
2 it's on the agenda for us to come back this
3 afternoon and get feedback from all of you on
4 that. So, if you'd give that some thought,
5 because I want to hear what you want to do.
6 And so, let's think about that, and then we'll
7 talk about it this afternoon. I don't know
8 that today we'll be actually, to be able to get
9 dates on, and dates set, but we'll get close to
10 figuring it out.

11 Now, the other thing is, and you all know
12 this, is, is that as much as you try there is
13 no way for me to go around with twenty
14 calendars and try and clear dates to set this
15 meeting. This was not a convenient meeting for
16 some of you, and I apologize for that, but you
17 know there is no way that we're going to clear
18 twenty calendars. So, we're just going to have
19 to set dates, try and do it as much as we can
20 in advance, give everybody as much notice as
21 possible, and be as considerate about it as we
22 can, but we're just going to have to set them
23 because there's no way that these twenty
24 calendars are going to match up. It's not
25 gonna happen, so. But again, we have some

1 latitude into how we do it, and whether we meet
2 more frequently or less frequently, and how we
3 proceed along those lines.

4 Anything else? Okay, so why don't we do
5 this, which is a good thing. We're a little
6 bit ahead of schedule, so why don't we take a
7 break, then we come back, and we're going to
8 have a presentation from the Broward Sheriff's
9 Office on a timeline, or a chronology. And
10 give them a chance to get things set up, so
11 let's take about fifteen minutes and we'll come
12 back with the Broward Sheriff's Office
13 presentation.

14 (Thereupon, a recess is had.)

15 CHAIR: Okay, we'll go ahead, and we'll
16 get started. Before we move into the next item
17 on the agenda, if you would please just join me
18 in a moment of silence for the two Gilchrest
19 County Deputies who were killed last week. The
20 funeral service is occurring right now, as we
21 speak, in Gilchrest County, so please join me
22 in a moment of silence to remember them, and
23 their families, and their service, and their
24 sacrifice.

25 (Thereupon, a moment of silence is held.)

1 CHAIR: Thank you. So, the next item on
2 the agenda is a briefing by the Broward County
3 Sheriff's Office, and I've asked Colonel Jack
4 Dale and Detective Zach Scott, who is one of
5 the case agents for the investigation, to
6 provide us with a high level overview. I would
7 describe this as more of a --

8 SUPT. BLACKBURN: I'm sorry, Sheriff, but
9 are there any restrictions on note taking,
10 and/or retention of notes that we take?

11 CHAIR: Mr. Jones, do you want to address
12 the question there as far as note taking and
13 retention of notes? Commissioner Blackburn has
14 a question on that.

15 MR. JONES: So, this portion of the
16 meeting is open so you're free to take as many
17 notes that you would like to take. Any notes
18 that you would take during the closed session,
19 you just need to make sure that those stay
20 confidential, and then they would just stick to
21 the normal retention schedule of investigations
22 for something like this. I believe it would be
23 -- I'd have to look since it's the actual
24 Commission and not the criminal investigation,
25 but I can definitely find that out and send it

1 out to the group. But feel free to take notes.

2 CHAIR: And maybe to save, Commissioner,
3 on your note taking is, is that the Power Point
4 that Colonel Dale is going to use, is that I
5 have a copy of it coming around to you, so that
6 may help a little bit with the note taking.

7 All right, any other questions before we
8 move on? Okay, so as I said, this presentation
9 by Colonel Dale and Detective Scott is more of
10 what I would describe to you as a chronology,
11 and it is certainly a very high level overview.

12 I want to mention this at this juncture.
13 Sheriff Scott Israel, I talked to him last
14 week, and he was going to be here himself
15 today. He wanted to be here, but I asked him
16 not to come, because I believe that the
17 Commission will want to hear from Sheriff
18 Israel later, and I felt it was important at
19 this juncture that we establish a solid
20 foundation for the Commission's work before
21 hearing testimony from key witnesses. And so
22 please know that the only reason why Sheriff
23 Israel isn't here today is because I asked him
24 not to be here.

25 Colonel Dale's presentation, as I said, is

1 intended to set the stage and provide the
2 Commission members with foundational
3 information for the decisions that you're going
4 to need to make today regarding the initial
5 scope of our inquiry, and initial scope of the
6 investigation, and what will drive the initial
7 report. It's not intended to be a thorough
8 investigative briefing. We will have plenty of
9 opportunity for thorough investigative
10 briefings at a later time once our
11 investigators have conducted our work, their
12 work.

13 I believe that our work has to be
14 independent, and while we can rely on some of
15 what has been acquired by others is that this
16 Commission needs to make its own
17 determinations. So, to that end, if at the end
18 Commissioners have questions for Colonel Dale
19 or Detective Scott, I'm going to ask that you
20 limit your questions to factual matters that
21 they have covered, keeping in mind the spirit
22 of this very preliminary, very high level
23 chronology. And you'll have ample opportunity
24 to ask more probative and clarifying questions
25 later.

1 Now, as Colonel Dale gets into his
2 presentation, it does not contain video, but it
3 does contain a map of the exterior of Marjory
4 Stoneman Douglas High School, and it does
5 contain an animation showing how the shootings
6 occurred within Building 12. There is video of
7 the shooting, and I've seen it. We'll decide
8 at a later time if the Commission wants to view
9 it in a closed meeting, but that will be for a
10 later date. In this animation, there are no
11 names used in the animation that Colonel Dale
12 is going to use today, and it will simply
13 provide you with the shooter's path and where
14 the victims were shot within the school.

15 Now, I don't believe, having seen and
16 worked with Colonel Dale on the animation, that
17 this will be of concern to anyone, but in an
18 abundance of caution before Colonel Dale begins
19 I want to make everyone aware that there is an
20 animation, it does the shooter's path and
21 course on all three floors of Building 12, and
22 if anybody is not comfortable with that, know
23 that it is coming, and if you want to excuse
24 yourselves you are welcome to do so.

25 So, we'll now hear from Colonel Dale. You

1 have a copy of the Power Point presentation,
2 and we'll ask him to begin. Colonel.

3 COL. DALE: Hello, my name is Colonel Jack
4 Dale. I'm with the Broward Sheriff's Office.
5 I'm in charge of both Professional Standards
6 and the Department of Investigations. As our
7 agency has continued to investigate this, we
8 have a strong desire to learn from the tragedy,
9 and we welcome all the input of the eventual
10 report. And in doing so, you know, our
11 intention is to operate in complete
12 transparency, and give you everything that we
13 possibly can to help you make an informed
14 decision.

15 We still have an ongoing criminal
16 investigative effort. A number of statements
17 still have to be taken. So, these will be the
18 best facts as we know them now. They may,
19 could be subject to change. We do have times
20 that are listed. Those times are based on the
21 clock that is part of the source of
22 information, so not necessarily one clock will
23 be synced with another clock, so they could be
24 off by seconds in each of these different
25 sources.

1 The investigative effort, as the Sheriff
2 alluded to earlier, has been massive.
3 Following the events of February 14th, in the
4 following days we had to process a three story
5 building and interview, and make contact with
6 literally thousands of witnesses, meaning
7 virtually every student in the school to
8 determine who the witnesses were. We received
9 a high level of cooperation from the FBI, Coral
10 Springs Police Department, and surrounding
11 agencies that responded to the event.

12 The -- as we continue in the criminal
13 investigation there's also an ongoing effort
14 for us to try and analyze and see what we can
15 learn immediately, and that's how we compile
16 some of the information that we're sharing
17 today. In addition to the house committee, we
18 also have a Governor's investigation with FDLE,
19 which we are cooperating with. The County has
20 contracted a consultant, so I'm a part of that
21 task force.

22 We've also enlisted the Police Executive
23 Forum to do a lesson learned that will occur
24 after these two reviews. The FBI Behavioral
25 Science Unit has reached out to us in event to

1 also analyze the event. And we certainly,
2 after we compile all the findings will be
3 giving presentations to other law enforcement
4 agencies, so they too can learn from this
5 incident.

6 I'd like to start by, for those not
7 familiar with Stoneman Douglas is, is to kind
8 of give some area facts and set the stage here.

9 It's located in the City of Parkland. The
10 population is approximately 37,000. Staffing
11 for Parkland on a typical day is a Sergeant and
12 four Deputies, plus the, any Detectives or a
13 supervisor on scene, or other school resource
14 officers throughout the town. It's attended by
15 approximately 3,200 students, 200 Staff. It's
16 an acre campus with 13 buildings. There is one
17 full time school resource deputy, and district
18 deputies typically assist with traffic details
19 at both the opening of school in the morning
20 and during dismissal. The school has several
21 unarmed security specialists on campus, and the
22 video system within the school covers seventy
23 different camera angles. A vast majority of
24 the camera angles are of exterior views that
25 points internal to the classroom areas. Nearly

1 all the classrooms are accessed from an outside
2 door, with the exception of Building 12.
3 Building 12 is where the shooting happened.
4 You'll hear it referred to as the 1200
5 Building, and the Freshman Building. It's a
6 three story building with stairwells on the
7 East and West.

8 The suspect, nineteen years of age, was
9 charged with seventeen counts of homicide, and
10 seventeen counts of attempted homicide. He is
11 a former MSD student. He has been medically
12 evaluated several times by the school and
13 Henderson Behavioral Health personnel, and in
14 each of those situations the criteria for an
15 involuntary psychological evaluation, meaning
16 in Florida a Baker Act was, was not met, and he
17 received no involuntary incarceration, detained
18 and evaluation.

19 He has no prior arrests. He received
20 counseling from the school. The school
21 counseling was discontinued once he reached the
22 age of eighteen. Apparently, once you become
23 an adult you are able to decline those
24 services. He has no juvenile civil citations
25 that were issued through any law enforcement,

1 any that we found. The school board reports
2 that there was no Promise Program
3 participation. We have documents that we will
4 be sharing, but to our knowledge at this point,
5 we do not know of any Promise Program
6 participation.

7 All of his weapons were purchased legally.
8 He was armed with an AR-15, and more than three
9 hundred rounds of ammunition.

10 His prior law enforcement contact: There
11 were forty nine BSO calls for service either
12 involving Nicholas Cruz or his address. When
13 we look at those calls for service closer, we
14 find that eighteen of them directly involve
15 Nicholas Cruz. A large number of the other
16 cases involved maybe his brother or another
17 issue that the mother has called for law
18 enforcement services. Of the eighteen, they
19 range for a variety of instances, some as
20 benign as Cruz being stopped for riding his
21 bicycle at night without a light on it, to
22 family disturbances where the mother has
23 called, she's having difficulty parenting her
24 child. In one case, she took away his X-box,
25 and he wasn't listening and locked himself in a

1 room.

2 There are no prior calls that would
3 constitute a prosecutable criminal offense.
4 There were no situations where a deputy would
5 have had the ability or probable cause to make
6 an arrest. Two of the prior calls are being
7 investigated internally, so there's an internal
8 affairs investigation, and to the public, those
9 facts are not able to be disclosed. They deal
10 primarily with the efforts to document two of
11 those prior calls, and to determine whether the
12 deputies in those instances documented what
13 they, or what was reported to them properly.
14 There were also BSO tips, or FBI tips, and Palm
15 Beach County Sheriff's Office calls for
16 service, that we're receiving those, the
17 information from those as well.

18 In Parkland, the police and fire services
19 are split. Parkland contracts the Broward
20 Sheriff's Office to provide its law enforcement
21 services, and Coral Springs Fire Department is
22 contracted for its fire and EMS services. BSO
23 has approximately 5,600 employees, and the
24 Department of Law Enforcement, we refer to as
25 DLE, there are approximately 1,500 over sixteen

1 districts, to include the airport, seaport, and
2 courthouse. In Department of Detention, we
3 have approximately 1,300 deputies, three
4 facilities. And in fire 700
5 firefighter/paramedics.

6 We have a regional communications 450
7 personnel, it's countywide of the past four
8 years, and with two municipal agencies that
9 have opted out and continue to run their own
10 communication centers, and that would be Coral
11 Springs and Plantation. We also have Children
12 Protective Investigative Services contracted to
13 us by the state of 150 personnel, and we run
14 the counties' crime lab, service all the county
15 agencies for all its laboratory services.

16 We're having a little slide problem here.
17 In a typical 911 routing, what's missing from
18 the photo, is the typical call comes in by
19 either a land line or a cellular phone. It
20 goes to 911, the center of the slide. They are
21 met by a call taker. The call taker interviews
22 the caller, passes the information on to a
23 dispatcher, who either puts it out to the law
24 enforcement side of the house or the fire side
25 of the house, or both if it calls for both.

1 In Parkland, it's a little different. We
2 have a very unique situation where the law
3 enforcement -- well -- well, it's not unique to
4 have separate agencies providing law
5 enforcement and fire services. What is unique
6 is that there are two different communication
7 centers used. And the way that it's split up
8 for Parkland, a decision made some time ago, to
9 have land line 911 calls go to the regional
10 communications center, which would be BSO, and
11 all cellular communications go to the Coral
12 Springs communication center. So,
13 approximately eighty percent of the calls that
14 a 911 center receives today come in by cellular
15 callers.

16 So, in this case what happens is if it
17 comes in by land line, if you look at the top
18 of the flow chart, it comes in to 911, the call
19 taker filters the call. If it's fire/EMS, on
20 the BSO side, so if it comes in land line it
21 goes to the call taker, if it's a fire/EMS call
22 it gets transferred over to Coral Springs. If
23 Coral Springs takes a cellular call that should
24 be a police call it gets transferred over to
25 BSO. So, that way -- it's an extra step, but

1 it will occur in order to make sure that the
2 proper entity receives that call and can
3 respond.

4 So, during the event from 2:22 p.m. - 3:35
5 p.m., we'll just use those times surrounding
6 the event, the 911 land line calls are routed
7 to BSO. BSO receives approximately seventy-one
8 incoming calls during this time. No calls were
9 abandoned, that meaning that they were all
10 answered. Every call that came in was picked
11 up by an operator, and there was contact made.
12 It could mean that the person -- if a call was
13 abandoned it could mean the person, either the
14 call was dropped, it rang for a certain amount
15 of time and they hung up.

16 We have a large number of trunks, being a
17 regional system, and there no calls that
18 received a busy signal. There was only one
19 inbound call that was received from the school.
20 All the other calls were either second or third
21 hand callers, meaning that maybe a parent had
22 received a text of the shooting at the school
23 and they were calling because they were
24 concerned about what was happening at Stoneman
25 Douglas, but they had little if any direct

1 information regarding what was happening at the
2 school. That would be considered real time.
3 The remaining seventy calls, like I said all
4 second and third hand, the one that was inbound
5 was a voice over internet. It was a male
6 whispering, and then he disconnected.

7 On the Coral Springs side, they received
8 the cell phones. They are routed to their
9 system. They received approximately eighty-six
10 calls. This is an estimate from the data they
11 provided to us. Callers abandoned twenty-one
12 of these calls, meaning that they simply, they
13 rang or were disconnected before they could be
14 answered, and a busy signal was received
15 according to AT&T by one of these calls at 2:27
16 p.m., meaning that their trunks had filled, and
17 they had reached the capacity of the system.

18 The three calls of the eighty-six were
19 transferred or relayed from Coral Springs to
20 BSO. In the initial calls the actual caller
21 themselves was not transferred, it was simply
22 what information was learned by the call taker,
23 and it was shared with the Broward call taker.
24 And the information can best be summarized in
25 the four bullet points. First was the initial

1 call of shots fired at Stoneman Douglas, that
2 they could hear, actually hear shots fired over
3 the callers. Someone was shot in the 1200
4 Building, then a shooter in the north student
5 parking lot. And later on, much later into the
6 event, third hand information that the shooter
7 was wearing a vest. That was the -- what was
8 gleaned essentially from the calls that came
9 into Coral Springs.

10 The campus map is displayed here. You can
11 see outlined is the Stoneman Douglas campus,
12 and to the west, Westglades Middle School. The
13 football fields will come up, as well as
14 Building 12, which is highlighted in red.
15 We're going to go to the animation.

16 DET. SCOTT: Good morning. My name is
17 Detective Zach Scott. I'm with the Broward
18 Sheriff's Office Homicide Unit, and I'm one of
19 the lead investigators on this case. We're
20 going to go through the events that occurred in
21 the 1200 Building utilizing a computer animated
22 visual, as far as movement of the suspect.
23 There's going to be some information that
24 obviously we're unable to share at this point
25 due to the fact that we do have an ongoing

1 criminal investigation.

2 There's going to be some information that
3 we're not going to be able to share because we
4 also don't want to inspire others.
5 Unfortunately, we do know in these cases a lot
6 of times they do research previous events. But
7 I do think this will at least give you an idea
8 of what occurred.

9 On February 14th our suspect approached
10 the 1200 Building from the east side, which is
11 the direction of Pine Island Road. This is
12 your schematic for the first floor of the 1200
13 Building. East would be to my right. If we
14 could pause here for a second. Just to give
15 you an idea as far as the color coding in this
16 visual the green dots represent students; blue
17 dots will represent teachers. As -- as people
18 who were part of this incident are injured the
19 dots will change to yellow. Fatalities will be
20 a purple color. The suspect in this case will
21 be a black dot with a line through it.

22 Okay, if we can pause here. As you can
23 see we have three students that enter through
24 the east side door followed by the suspect. We
25 also have other students that are in the

1 hallway as well. This is at -- that time you
2 see at the bottom is the time code based on the
3 information we have from inside the 1200
4 building. The shooter enters the stairwell
5 immediately to the right. He is carrying a
6 rifle case at that point. A witness enters the
7 stairwell, if we could pause here, as the
8 suspect is taking the weapon out and preparing
9 it. He makes a statement to the witness, who
10 immediately flees and seeks help. Okay. And
11 if we can pause here. The suspect enters the
12 hallway. He begins moving west, and he
13 immediately opens fire. As you can see we have
14 several victims there on the south side in
15 front of the doorway to 1215. They immediately
16 come under fire and are injured, and these
17 injuries eventually become fatal. Further west
18 you see another victim. She, excuse me, that
19 victim is also injured, and takes shelter, but
20 is able to get to a position of cover and
21 survives the injuries.

22 At this point, if we could pause here, the
23 suspect goes to classroom 1216 and fires from
24 outside of the classroom into the classroom.
25 He strikes four students inside this room, one

1 of which is instantly fatal. Three other
2 victims are injured at this point inside that
3 classroom. Now, at this point during the first
4 series of gunshots, that triggers the fire
5 alarm system on campus, not just in the 1200
6 Building but also elsewhere. Now, also during
7 this video there are times where the
8 information is somewhat obscured, and we don't
9 know necessarily exact movements, so when
10 you're watching the visual you may see that the
11 suspect dot stays stationary. At this point
12 after firing into that classroom, he does pause
13 momentarily, appears to be taking things out of
14 a backpack, that he does not take with him
15 before continuing.

16 And again, there's going to be times where
17 the time code is accurate, it's just that
18 visually we are unable to determine his exact
19 path. Continuing west as he passes the
20 previously injured victims, he does fire
21 additional rounds. He then begins to fire into
22 classroom 1214, again from the outside in. If
23 we could pause there. We have two victims that
24 are struck fatally in this room, and four
25 additional victims who are injured. The

1 suspect then, we continue, continues back to
2 the north side of the hallway, and then returns
3 back to the door of room 1216, where he fires
4 additional rounds into that classroom. We have
5 two more victims who are struck fatally, and
6 another victim who is injured.

7 If we could pause here. Now, on the far,
8 my left, which is the west side of the hallway,
9 you'll see that another victim has entered the
10 1200 Building. The suspect immediately sights
11 in on this victim and fires several rounds,
12 striking the victim, who is injured, that
13 victim then is able to take cover.

14 Okay, we can continue. And if we can
15 pause here.

16 The suspect at that point goes to the
17 outside of classroom 1213 and again fires into
18 the classroom from the outside. We have one
19 victim who was struck fatally, and several
20 others who were injured.

21 We can continue. The suspect continues
22 west. As he passes the previously injured
23 victim, he fires additional rounds, and those
24 wounds are fatal.

25 If we could pause here. As the suspect

1 enters the stairwell to proceed up to the
2 second floor another victim, as you can see
3 from the graphic, is entering on that west side
4 stairwell door. As the suspect enters the
5 stairwell, the victim is opening that door and
6 is immediately shot fatally by the suspect.
7 And continue. Now the suspect proceeds to the
8 second floor. There are no one, no victims in
9 this hallway.

10 If we could pause here. As the suspect
11 continues in an eastward direction down this
12 hallway, he does fire into two classrooms on
13 the second floor, however no victims are struck
14 by gunfire. He fired several rounds through,
15 into a north side classroom 1231. These rounds
16 actually travelled through the classroom and
17 out the exterior windows. He is then going to
18 move on to room 1234, where he fires several
19 more rounds that also travel through and out
20 the exterior windows.

21 And you can continue. The suspect then
22 continues to the east side stairwell, where
23 he's going to advance to the third floor.

24 And if we could pause here. On the third
25 floor, we have a response to the earlier fire

1 alarm that is still going off at this point, so
2 you do have several victims and witnesses that
3 are outside of classrooms. As the suspect
4 comes onto the third floor, there is a victim
5 in front of the door of 1256. He immediately
6 shoots that victim and begins to shoot westward
7 down the hallway at the other victims and
8 witnesses who were in the hallway.

9 Continue. And pause here. As you can see
10 in 1255, we do have another witness who was
11 struck by fragments and does survive their
12 injuries. Further down the hallway you can see
13 three, actually a total of four yellow dots.
14 These are all victims who were initially
15 injured by the gunfire.

16 Continue. And pause here. At this point,
17 the suspect turns his back to the rest of the
18 hallway, we believe at that point to reload his
19 weapon. When he does so, several of the
20 students and faculty that are trapped in that
21 hallway are going to try to run for the
22 stairwell on the west end.

23 Continue. And pause here. As that group
24 of students and faculty make their run for that
25 stairwell, the suspect does realize that he's

1 got more victims moving in the hallway and
2 opens fire. We have two victims that are
3 struck with fatal injuries, and another who is
4 injured.

5 Continue. And pause here. As the suspect
6 continues west down the hallway, as he passes
7 victims he has earlier injured, he fires
8 additional rounds at these victims injuring
9 them fatally. He passes one victim, who is in
10 the middle of the hallway there, who does
11 survive his injuries.

12 Continue, please. And if we could pause
13 here.

14 Now, room 1240 is a teacher's lounge on
15 the third floor. It's on the west corner of
16 this building. This is an unoccupied teacher's
17 lounge. At this point, the suspect shoots the
18 glass to this door to gain access and enters
19 this teacher's lounge. The lounge has windows
20 that run its entire west and south side. It
21 gives a clear visual of the rest of the
22 Stoneman Douglas campus in those directions.
23 Understanding that the rest of the campus is
24 responding to a fire alarm, most of the
25 students are out of their classrooms and

1 outside the school.

2 Continue, please. From inside this lounge
3 area. The suspect over a period of
4 approximately two and a half to three minutes,
5 and again we have some visual issues here, so
6 we don't know the sequence exactly, but at some
7 point, he fires five rounds in a west direction
8 from inside the 1200 Building out towards the
9 students that are outside. He does the same
10 thing in a south direction, again towards the
11 students who have evacuated the buildings in
12 response to the fire drill. Due to the
13 construction of those windows, as far as the
14 materials that they're made out of, exterior
15 windows of the building, the rounds fragment
16 and splinter immediately, and they do not find
17 targets.

18 Now, during the same time period the
19 suspect conducts at least a reload.

20 The suspect then leaves the teacher's
21 lounge and goes into the stairwell on the third
22 floor landing.

23 And if we could pause here. On this third
24 floor landing, the suspect leaves his rifle, as
25 well as other equipment that he had brought

1 with him during this incident. He then flees
2 down the stairs and out of the building.

3 You can continue, please. At that point,
4 we track his movement. He flees the campus in a
5 southwest direction, eventually getting in with
6 groups of students that are leaving the campus
7 in response to the alarms.

8 I will now walk you through an incident
9 timeline to put some of that in perspective
10 with the things that are happening outside the
11 building. You will see there are two columns.
12 The column on the left is the information that
13 is provided to deputies that are out on the
14 scene, and through their transmissions. The
15 items on the right, if they're from another
16 source they're in white, to give you some time
17 reference. If they're in blue they're on a
18 separate channel for Coral Springs Police.

19 In the case of the two communications
20 systems, the Coral Springs radio channels are
21 inaccessible to Broward Sheriff's Office, and
22 we're advised that they were unable to dial
23 into our channel, which is, you'll refer to it
24 as 8- Alpha. Normally, in a regional system we
25 would just simply patch the two channels so

1 that everyone would come together, and they
2 would be sharing common information. However,
3 for the duration of the incident, the response
4 from Coral Springs and BSO must operate on two
5 different channels and attempts to patch are
6 unsuccessful. There is a request for Coral
7 Springs to come onto a joint channel so that
8 joint channel can be patched, but for whatever
9 reason it never happened, it was not
10 successful. So what we do is we separate the
11 two timelines, so you can see what the
12 information is of the first responders in
13 Parkland.

14 So, at 2:19 is the time at which the Uber
15 drops off the suspect at the school, and at
16 2:21 is when he enters the Building 12 through
17 the east entrance and makes his weapon ready.
18 It's then at 2:21 that the School Resource
19 Officer Peterson receives a call of possible
20 firecrackers at Building 12. Also, at 2:21 the
21 suspect begins shooting on the first floor. At
22 2:22 is when the 911 calls begin to come into
23 Coral Springs via cell phones at the school,
24 and the fire alarm is then activated. And of
25 course, during the fire alarm the students,

1 it's the second fire alarm of the day, there
2 was another one at around 10:00, but the
3 students begin to exit the classrooms.

4 The suspect proceeds to the -- at this
5 point the first floor shooting has already
6 occurred. He proceeds to the second floor, and
7 we have the School Resource Officer coming onto
8 scene, and he is located on the east side of
9 the building. He reports shots fired, and
10 those shots fired appear to be timed with the
11 last shots fired on the first floor when you
12 see one of the victims opens the exterior door,
13 and -- in the stairwell. So we believe that
14 those, the opening of the door allowed those
15 rounds to project outward and make it clearly
16 audible to those outside the building.

17 Peterson arrives, and at the same time
18 that he begins to transmit there is the alert
19 tone coming over the radio to let the units
20 know of the active shooter based on the
21 information received from Coral Springs.
22 Peterson hears the alert tone and then
23 immediately comes over and announces that there
24 are possible firecrackers, possible shots fired
25 at the 1200 Building at MSD. He says, you

1 know, quote, we're looking at the 1200
2 Building, at 2:25.

3 The suspect is on the second floor, and
4 then proceeds very rapidly through the second
5 floor. There are no victims there. We believe
6 that of all the students that are there they
7 are sheltered in placed. It appears that they
8 can possibly hear the rounds on the floor
9 below. The third floor, it seems that there's
10 enough of a buffer that they're responding to
11 the fire drill. The suspect proceeds to the
12 third floor at 2:24, and at 2:25 a Coral
13 Springs officer comes on their channel, on a
14 talk around channel, and asks if there's a
15 possible active shooter at Stoneman Douglas.
16 It appears that he's run across a fire crew,
17 and the fire crew is responding, they've
18 exchanged this information, and the Coral
19 Springs officers first learn from this sort of
20 random exchange that it's occurring. The
21 dispatcher confirms it. He then repeats it on
22 the main, their main channel, and that's when
23 the response from Coral Springs begins.

24 At 2:25 a deputy reports I hear shots
25 fired, shots fired by the football field.

1 Peterson says, okay, we're also looking at the
2 1200 Building. And there are deputies to the
3 west that believe that the shots are coming
4 from the football field area.

5 At 2:26 on the Coral Springs channel they
6 are told of the shooting there on their main
7 channel, and that they can hear shots being
8 fired through the phone, and that they think
9 they're land lining with a teacher. At 2:26
10 they advise of the active shooter, and that the
11 lines, their lines are, quote/unquote, blowing
12 up. At 2:26 on the BSO side they hear shots
13 fired, shots fired, unable to determine a place
14 of origin. At 2:27 deputies report more shots
15 fired by the football field, and at 2:27 the
16 suspect has now discarded the weapon and flees
17 from the building. Also, at 2:27 Peterson
18 comes on the air and says make sure no one
19 comes in front of the school.

20 On the Coral Springs side, the first Coral
21 Springs officer arrives on the scene. It's
22 Officer Burton. He is armed with a rifle. He
23 comes onto the south side of the campus and
24 proceeds, walks from the south toward the 1200
25 Building. He is met by a security personnel

1 and receives a description of the suspect that
2 he puts out on the radio. That description
3 goes out at 2:28 on their channel only.

4 At 2:27 Peterson says make sure no one
5 comes close to the front of the school. At
6 2:28 he tells units to stay 500 feet from the
7 1200 Building. Also, at 2:28 a deputy advises
8 that he has a gunshot victim located on the
9 west end of the football field. Also, at 2:28
10 there is a gunshot victim near the entrance of
11 Westglade. On the BSO side, at this point, the
12 only victims that are known are at the football
13 field, and we have shots fired at the football
14 field and the area of the 1200 Building. So
15 the information at this point is there are no
16 indications to deputies that there are victims
17 that are within the 1200 Building.

18 At 2:29 deputies advise they do not know
19 where the shooter is, and they attempt entry
20 into Building 13. Also, at 2:29 over the Coral
21 Springs channel they advise of three victims
22 down in room 1216. This is the first
23 transmission over a channel to law enforcement
24 where there's actually a pinpointed location
25 within 1200. When you -- there are further CAD

1 records that show additional calls that are
2 also coming in on the Coral Springs side
3 related to victims in the 1200 Building.

4 At 2:30 Coral Springs officers move in
5 with two BSO deputies, advise that they see a
6 victim down outside the 1200 Building. They do
7 not know where the suspect location is at that
8 point. At 2:30 the captain asks if a perimeter
9 has been set, if the kids are being cleared out
10 of the school. Coral Springs requests on their
11 channel traffic to be blocked. School lets out
12 at 2:40. There is a large number of parents
13 coming into the area at the same time, and
14 there are students leaving the campus from the
15 fire alarm activity.

16 At 2:31 the first arriving Coral Springs
17 officer is on the east side of the 1200
18 Building, and he comes in contact with
19 Peterson. At 2:32 BSO and the group make entry
20 into Building 12 through the west entrance, and
21 they begin to extricate victims. Also, at 2:32
22 dispatch again advises there are gunshot
23 victims in room 1216. On the Coral Springs
24 side, they have also reports gunshots going in
25 or out of a third floor window, and there are

1 bullet holes in that west side window.

2 At 2:33 a BSO team advises they make entry
3 into Building 9. At 2:34 the captain
4 establishes a command post. At 2:35 the first
5 victim is taken by golf cart out to EMS by
6 Coral Springs and BSO, and at 2:35 on the Coral
7 Springs channel they advise there are plenty of
8 officers in the 1200 Building starting to move
9 up floors; we do not have an active scene is
10 what they report.

11 Meanwhile, there are attempts by deputies
12 and officers to pair up with security
13 personnel, and to start -- they're basically
14 standing together with their radios out trying
15 to relay information to one another, and
16 shortly thereafter we start to see the first
17 effects of radio failure, what we call
18 throttling, or fail safe mode. At 2:36
19 additional Coral Springs and BSO personnel
20 enter 12, Building 12. At 2:40 K-9 is on scene
21 as part of an apprehension effort. At 2:40
22 officers begin clearing the second floor of
23 Building 12.

24 At 2:41 deputies report having radio
25 transmission problems. When we term

1 throttling, or fail safe, these happen when a
2 certain number of users basically overload the
3 system, meaning that so many people turn it on
4 that the system starts to have a failure. We
5 experienced the same thing in the Fort
6 Lauderdale Airport shooting, and the radio
7 system, the current radio system is end of
8 life, and the County we're told has, they
9 maintain the infrastructure, and that they plan
10 to replace the system in 2019.

11 The results are that people are attempting
12 to transmit and they can't gain the channel,
13 and they can't put information over. And it's
14 witnessed by body camera footage where we see
15 deputies paired up with officers and security
16 personnel attempting to relay information over
17 their independent channels, and they're
18 attempting to key up, and it's taking them four
19 or five attempts at transmission before they
20 can get across a single piece of information.

21 At 2:44 the first BOLO comes out over a
22 BSO channel for the suspect with his
23 description. At 2:44 Coral Springs advises
24 that they have a patch, but it's unsuccessful.
25 At 2:44 the Coral Springs request the

1 perimeter, as they have, they're being flooded
2 by parents. At 2:47 the patch is abandoned,
3 and the throttling becomes more pronounced on
4 the radio, again as more people dial into the
5 channel it exceeds the capabilities of the
6 system.

7 At 2:50 the suspect enters the Walmart.
8 At 2:52 he leaves the Walmart, and at 2:51 BSO
9 SWAT enters Building 12. They were in training
10 at Markham Park, in Weston, and responded
11 directly up from Weston to the scene. At 3:02
12 officers and deputies being clearing the third
13 floor, at the same time the suspect leaves the
14 McDonalds. At 3:02 dispatch advises of the
15 suspect leaving westbound from the school. It
16 is later determined that this is an
17 approximately twenty minute delay. It seems
18 that security personnel attempting to identify
19 who they believe the shooter is have rewound
20 the footage. They can't see him on live
21 footage, so they've gone back in time, and
22 they're putting out a description of him, but
23 unbeknownst to the officers and deputies that
24 this is actually a delayed image that they're
25 looking at.

1 At 3:05 Coral Springs advised on their
2 channel that the suspect ran west and south
3 from the school. At 3:09 the identity is
4 learned on the BSO side and they put out his
5 name. At 3:13, you see four minutes later the
6 Coral Springs channel puts out the identity of
7 the suspect. At 3:16 the colonel assumes
8 command of the incident, and he reports also
9 the difficult transmitting due to radio
10 problems.

11 There are several times where the prior on
12 scene commander, Captain Jordan is actually
13 attempting to transmit on her radio, it's not
14 working, she tries using someone else's radio,
15 it's not working. She tried a car radio and
16 that wasn't working, so there are times in the
17 tape where they're calling her and she's
18 attempting to transmit, can't reply.

19 At 3:25 BSO detective relays a possible
20 address for the suspect. We have detectives
21 attempting to locate his home. We're speaking
22 with the Cruz family and we learn that he's at,
23 possibly in the area of the McDonalds. By 3:33
24 officers and deputies continue to evacuate
25 students and teachers in the other buildings.

1 At 3:39 the suspect is detained, and at 3:40 he
2 is confirmed to be in custody.

3 That's all the information that I have.

4 CHAIR: Okay. I just want to put a few
5 things on the table for clarification, and just
6 to kind of help you to understand why we
7 included some of the things we did in the
8 presentation, and then I'll open it up for any
9 question anybody has of the Colonel or
10 Detective Scott.

11 The animation that you saw is based upon
12 witness statements and video. As I told you,
13 there is extensive video on the interior of the
14 building, so it's based upon the video, and
15 based upon witness statements, and that's why
16 we're able to in the animation to pinpoint with
17 accuracy what were able to convey to you.

18 Another issue that is going to come up,
19 and I think this is one of those areas that
20 we're going to need to have somebody come in
21 because there are varying degrees of knowledge
22 and familiarity, and that has to do with the
23 911 system here in Broward County, and how the
24 911 system played in the response.

25 There is a consolidated 911 system except

1 for two cities, and one of them being Coral
2 Springs, the other one being Plantation, and it
3 played into this because as the Colonel pointed
4 out, and I just want to make sure it's
5 understandable to everybody, is that Parkland
6 has fire service with Coral Springs, and
7 because Parkland has fire service with Coral
8 Springs that's an interesting, probably an
9 anomaly down here in that if you are on a cell
10 phone and you're in Parkland and you call 911
11 it goes to the Coral Springs fire 911 answering
12 point, but if you're calling from a hard line
13 it goes to the Broward Sheriff's Office
14 communications center.

15 So, you had a whole bunch of people that
16 were calling in from the school calling in from
17 cellular that was going to Coral Springs Fire.
18 The law enforcement first responder is the
19 Broward Sheriff's Office, so the Broward
20 Sheriff's Office wasn't getting information in
21 their communications center about a significant
22 law enforcement event, and information was
23 having to be transferred and past. And that,
24 no question, played into this. So, that's
25 something we'll get more into, but that's the

1 reason for those slides. In a very high level,
2 it lays out for you how the system worked, and
3 I'm just putting that issue on the table
4 because that is something that is absolutely
5 going to have to be addressed as we do our
6 work.

7 Another issue that is significant and will
8 come into play is the lack of law enforcement
9 radio interoperability. There's been a lot
10 done over the years with the ability of
11 interoperability, which in the simplest form
12 means that we can, the cops can talk to each
13 other. This was a situation where the Coral
14 Springs Police Department and the Broward
15 County Sheriff's Office were not on the same
16 radio channel. That's why in the Colonel's
17 presentation you see things that are in green
18 or in blue, because you had different things
19 happening and they weren't talking, they
20 couldn't talk, and that, in my view from what I
21 know at this point, absolutely affected the
22 operation, affected the response.

23 And because of their lack of ability to
24 communicate is, is that it adversely affected
25 their ability to coordinate the response,

1 because the Broward Sheriff's Office closest
2 contract cities outside of Parkland are ten
3 plus miles away, so the next closest law
4 enforcement response was Coral Springs, but the
5 next closest law enforcement response, they
6 couldn't talk to each other. So, that is
7 another issue that is going to be on the table,
8 and that we are going to have to flush out.

9 And then on top of it, the Colonel
10 mentioned, and this is significant, this will
11 come into play, and there's been much made of
12 what command Staff did or didn't do as far as
13 coordinating the event, and we'll flush this
14 out, but from what I know and can share with
15 you is, is that one of the reasons why some of
16 that, at least some of it occurred, is they
17 couldn't get on the radio because of the
18 throttling, as it's called. So, on these
19 radios, and this is an inside baseball thing,
20 and those of you who carry these things know if
21 you push the button and you get this squawk
22 back, you're not transmitting.

23 And that was what was happening because
24 they went into fail safe mode, and the radios
25 were throttling, where they couldn't transmit.

1 And so, you had commanders that were going from
2 radio to radio, to radio, going to car to car,
3 to car, trying to get on the radio and do
4 something, and they couldn't do it because the
5 radio system doesn't work. So, these are all
6 things that are going to have to get flushed
7 out here as well.

8 Another thing that we talk about here, and
9 especially in the animation, is, and this is
10 something that has come up, is infrastructure,
11 school design, the physical layout. This guy
12 got out of an Uber, he walked across the
13 parking lot, and he walked in the door. Those
14 doors are unlocked. There's a reason why he
15 picked Building 12 in my view, from seeing it
16 now and hearing this many times, is because it
17 was a fish bowl. When you go to the campus
18 this afternoon you'll see that all the
19 buildings out there except for Building 12 have
20 outdoor corridor access. These were all
21 interior classrooms, or hallways.

22 All those kids were in a fishbowl, they
23 were contained in there, and any other building
24 on that campus would have been, and picture
25 this as an outdoor motel where the doors open

1 on the outside, it's that type of a setup, so
2 this was a unique building. He was
3 unchallenged, unfettered, on anything, he
4 walked in. He walked into the door, the one
5 kid walked in behind him. He walked into the
6 stairwell, took the gun out of the bag, loaded
7 it, and was ready to go.

8 Unlocked doors. Classroom doors, some
9 were locked, some were not. Classroom set up is
10 going to be an issue. Some of those classroom
11 doors -- it is what it is, you know, like I
12 told you earlier, and you all know this, this
13 is hard. And the reality of it is is that
14 there's going to be some criticism. But one of
15 the things that occurred in that school is to
16 lock the classroom doors, the only way you can
17 lock the classroom doors is from the outside.
18 You couldn't lock the classroom doors from the
19 inside. So in order for a teacher who was
20 hunkered down in a classroom to make a decision
21 to lock the door once it went into a code red
22 the teacher had to go out into the hallway, and
23 take a key, and try and lock the door. That's
24 messed up no matter how you slice it.

25 These are all the things that we're going

1 to have to look at and address. The setup of
2 the classrooms; he never went into any one
3 classroom. He never went into one classroom.
4 He fired through the doors because of the
5 window in the door, and the fatalities were
6 largely the kids that were in the sight picture
7 as you looked through the door. Some of it --
8 there's a large -- there's a question about how
9 those classrooms were set up. They should have
10 been set up in a way where the teacher's desk,
11 et cetera, was straight ahead, not in the blind
12 spot to the right, not in the safe place where
13 the kids can get into an area where you can
14 lock the door and not be seen. Not all the
15 classrooms were set up that way.

16 So, these are all things that there's a
17 reason why we're talking about it here, and
18 we're setting up the issues that are going to
19 have to be discussed further in great detail,
20 and we're going to have to get briefed about.

21 Another thing is, and just so you know, on
22 the third floor, when he went into the
23 teacher's lounge on the third floor there was
24 no question that that man was in there to act
25 as a sniper, and he was going to kill as many

1 kids as he possibly could that were outside
2 that school. He had a bipod for that AR-15,
3 and he was trying to set it up, and the only
4 reason why he didn't is that thankfully he
5 couldn't shoot through those windows, and the
6 bullets fragmented because of the double paned
7 glass. He tried to open the windows, but he
8 couldn't get them open. But he tried.

9 The last thing, and then I'll open it up
10 to questions. There was a big difference in
11 the outcome between the second floor and the
12 first and the third floors. As you notice in
13 the animation all the fatalities were on the
14 first floor and third floor. No fatalities on
15 the second floor. And I'll suggest to you is,
16 is that as this plays out what you'll hear is,
17 is that the first floor everything happened so
18 fast, and when the fire suppression system went
19 off, the fire alarm when off, the second floor,
20 the second floor though was able to hear the
21 gunshots. The second floor people treated it
22 as a code red.

23 The third floor treated it as a fire
24 alarm. And the difference between treating it
25 as a fire alarm to code red contributed to the

1 different outcome of having several casualties
2 on the third floor and no casualties on the
3 second floor, because when it was treated
4 properly as a code red, then, that floor had no
5 casualties.

6 So, again there's a lot here, we will get
7 into the details, and as you can hear from what
8 I'm talking about now there are a lot of
9 details to get into. Some of these will be in
10 open session. Some of these things we're going
11 to need to do in closed session. But we need
12 to get briefed on all of this in greater
13 detail, and today was just designed to set the
14 stage, and hopefully give you enough
15 information as we move into the next session
16 that's on the agenda after this and make
17 decisions about moving forward that gives you
18 the information you need to help guide that
19 decision making process and the agenda.

20 Secretary.

21 MR. SENIOR: Do we know why the --

22 CHAIR: Get your microphone.

23 MR. SENIOR: Do we know why the fire alarm
24 went off?

25 CHAIR: The fire alarm went off, best we

1 know, because of the gunfire. From what we
2 know, the best we can know, the best I know
3 from talking to the investigators, talking to
4 everybody there, he did not pull the fire
5 alarm, it went off because of the gunfire.

6 MR. SENIOR: Would somebody have to pull
7 it, or would it -- I'm trying to understand
8 why.

9 CHAIR: Automatically went off. There was
10 a lot of smoke in there, and everything, and
11 you can see from the video that it went off
12 because of the gunfire.

13 MR. SENIOR: Will this Commission make
14 recommendations to fix the inoperability of the
15 radios and the communication between Coral
16 Springs and BSO.

17 CHAIR: I hope so. I absolutely think we
18 should. And from, you know, the time I've
19 spend with this, and what I know, and given
20 experience, I think there's a lot of
21 opportunity for improvement, and I think we
22 absolutely have to get into all of that.

23 There isn't any one thing that we have to
24 address, there are many different things we
25 have to address, and within those different

1 areas there are a lot of subsets, and all of
2 that is on the table.

3 So, -- yes?

4 COMM. STEWART: Can someone just tell us
5 what the Promise Program is?

6 CHAIR: Sure. I'll give you the best, the
7 best as I know it. It is a program that is run
8 by the Broward School Board, and the short
9 version of it is it's a diversion type program
10 where kids as opposed to being charged with
11 criminal offenses are diverted. We will get a
12 briefing on it. It is a program, as I
13 understand it it is run by the Broward School
14 Board. It is not run by the Broward Sheriff's
15 Office, as has been reported. It is a school
16 board program. The police departments, the
17 Sheriff's Office have participated in it, but
18 it is a school board program.

19 But the succinct version of it,
20 description of it, is it's diversion. It's for
21 kids who commit minor offenses, that would keep
22 them from being charged with criminal offenses,
23 and it provides alternative sanctions. But we
24 the material on it already, Staff does, and we
25 will share it, and we will -- for sure, because

1 it has come up so many times we will for sure
2 include that in briefing material, and make
3 sure that the Commission is briefed on the, on
4 the Promise Program.

5 And probably, and rightfully so as
6 Secretary Daly knows in the other diversion
7 programs, and one of the big misconceptions
8 with diversion programs is who they apply to
9 and who they don't. The line gets blurred a
10 lot between the kids over here that it is
11 absolutely appropriate for diversion, the kids
12 that commit very minor offenses, first time
13 offenders, second time offenders, and mixing it
14 up over with prolific offenders, and often
15 times people think that these diversion
16 programs are applied to the prolific offenders,
17 and they're absolutely not.

18 It's designed over here where most of us
19 would agree that it is appropriate, so it's a
20 very minor incident, somebody, you know, steals
21 a soda from somebody, or it's a very minor
22 incident, is that the kid's never been in
23 trouble before. It's to provide him
24 alternatives to criminal sanctions, but in very
25 limited circumstances. But we'll get more into

1 that because we've heard a lot about it.

2 Yes, sir.

3 SHER. ASHLEY: Sheriff, as part of the
4 highlights that we're going to dig deeper into,
5 I didn't hear the SRD's response as one of
6 those highlights.

7 CHAIR: Yeah, one of the things -- and I'm
8 sorry, because the way the speakers are it's
9 hard to hear, and maybe at the break we can
10 adjust those speakers a little bit, because
11 when they're going that way we have, maybe we
12 can turn them, but I think you're question had
13 to do with the SRDs, the SROs, and the
14 response. That is something we are absolutely
15 going to get into, and you will get a lot more
16 information on that. We're not going to get
17 into it in great detail today, but we have a
18 lot of information to share with you about
19 that, about what it was and about what it was
20 not.

21 As we go out to the school today, and we
22 will be going into -- we can't take you into
23 the interior of the school itself because it's
24 still an active crime scene, but we will go
25 inside to the crime scene, inside the gates

1 themselves, and you'll be able to see and be
2 briefed on -- Detective Scott is going to lead
3 a tour of it this afternoon, and you will be
4 able to see personally first hand where Deputy
5 Peterson was standing. You'll be able to see
6 where gunfire went into windows in proximity to
7 where he was standing, and you'll be able to
8 get a real feel for that this afternoon as
9 you're briefed on it, and then we'll get more
10 into the details of exactly what he did and
11 didn't do in relationship to the video and the
12 events as we progress in the work.

13 Senator?

14 SEN. BOOK: Thank you, Mr. Chair. As it
15 relates to the Henderson Behavioral Health, it
16 said that the shooter had been seen several
17 times and was not deemed a threat to himself or
18 others. Can we gain access to some of those
19 records, and some of what that was?

20 CHAIR: So, we do have right now I believe
21 about 800 pages of records from Henderson, and
22 we have not had the time to really begin going
23 through them. We do have them. We will go
24 through them. And that -- that will be another
25 aspect of certainly what we need to look at,

1 and again making sure that all members of the
2 Commission have familiarity with it, with the
3 Baker Act system, the mental health system in
4 general, what was done, not done in these
5 individual encounters that Cruz had with
6 Henderson. People who are not familiar,
7 Henderson is the mental health provider here in
8 Broward County. And we will get into all of
9 that, but we do have the records.

10 SEN. BOOK: Thank you, Mr. Chair. A
11 follow up. One of the other things that had
12 been reported was that he was in an alternative
13 school, so is it possible that we could also
14 get some of the district records back and
15 forth?

16 CHAIR: So, we do have, we need to get
17 more, we do have some records from the Broward
18 County Schools, and again that is something
19 that we have some of. We need to get
20 additional, and we will get into that. We'll
21 make sure that you have access to anything and
22 everything you want on those. So, what I'm
23 thinking is, along those lines, and talk about
24 it, and talk about how we're going to proceed,
25 my thought it, is that -- again, we have like

1 800 pages of records from Henderson, we have
2 all the school records, is, and we'll talk
3 about this more with FDLE next week.

4 My thought is, and intention is, is to
5 assign members of the investigative team
6 certain areas of responsibility so that they
7 will take those records, they'll go through
8 them, they'll pour through, they'll analyze
9 them, dissect them, and come up with a summary.
10 We'll probably push that information out as
11 read ahead material, and then at the next
12 meeting is that we'll schedule briefings on all
13 of these different areas and give you enough so
14 that you have enough read ahead as they do
15 their presentation, and then you can ask your
16 questions, and then if your questions aren't
17 answered and you want more we can send them
18 back to get more. So, that's kind of how I see
19 it going.

20 Yes, Commissioner?

21 COMM. STUART: I have one question on the
22 prior law enforcement contact slide. It does
23 say PBSO. Had he lived there, so we'll have
24 those records potentially as well?

25 CHAIR: Yes, and -- yes, because there's

1 records -- there's law enforcement records from
2 the Palm Beach County Sheriff's Office. He was
3 living for a period of time up in Lantana.
4 There was -- so that comes up because in what
5 -- the same person who reported the information
6 to the FBI, reported the information to
7 Broward, but at the time that Broward received
8 that information he was living up in Palm Beach
9 County, and there was some -- so we need
10 information from Palm Beach, and from the
11 Lantana Police Department, and all of that is
12 in the works, as far as inquiry. We have some
13 of it, but we still need more of it, so, yes,
14 there is additional law enforcement information
15 that we need.

16 MR. PETTY: So, along the lines of the
17 Senator's question, will we have discipline
18 records from the school district also?

19 CHAIR: We have some, and we're going to
20 get everything one way or another. And we
21 still need to work them on getting some of what
22 we don't have, but that's crucial. We have to
23 -- and you'll see when we get more into it here
24 a little bit is, is that a significant aspect
25 of this is going to be everything that happened

1 prior to the 14th, and it's a big deal. And in
2 order to understand it, we need absolutely
3 everything. And, as I said earlier, there's
4 two ways to do it, there's the easy way and the
5 hard way.

6 We want to do it the easy way, but if we
7 have to do it the hard way we will, but we're
8 going to get it, and we're going to figure this
9 out. And the chips are going to fall where
10 they fall, and as I said in my opening remarks
11 the only thing that I want, which I'm sure is
12 what you want is, is that it be based on
13 objective fact. We do it in a fair way, but if
14 it's good it's good, if it's bad it's bad, and
15 if we call it out we call it out, but we're
16 going to get everything.

17 MR. PETTY: I mean along the lines of the
18 incompatibility of the radio systems between
19 BSO and Coral Springs Police Department, I'd
20 like to understand the interplay between the
21 BSO and the school district.

22 CHAIR: Right. And as far as
23 communications are concerned?

24 MR. PETTY: Communications, discussions
25 about discipline issues, all of those things.

1 CHAIR: Okay. Sure. Like one of the
2 things, just an example, just getting out of
3 the communication issue is, is that the SRO
4 Deputy Peterson, he had a BSO radio. He didn't
5 have a Coral Springs radio, but he had a school
6 board radio, it's really walkie-talkies, and
7 those are not recorded. So there was a lot of
8 information that was going back and forth that
9 we don't have access to because there was
10 communication over an unrecorded system, so on
11 that aspect of it.

12 But as far as any interactions -- the
13 second part of your question had to do more of
14 the long term communications, and as things
15 were unfolding with Cruz, and what was known to
16 who, when, et cetera, is that what were the
17 interactions between various entities
18 concerning what they knew and was anything
19 actionable. I think the core of it is, the
20 crux of it is was anything actionable that --
21 where something should have been done and
22 wasn't.

23 MR. PETTY: I think that would be the core
24 of it. But also, to understand the
25 communication back and forth between the

1 various entities. I think we -- we have to
2 understand that.

3 CHAIR: Yes, agree.

4 MR. PETTY: What happened, and what didn't
5 happen.

6 CHAIR: Right, we will get there.
7 Senator?

8 SEN. BOOK: Thank you so much, Mr. Chair.
9 And to Commissioner Petty's point, also the
10 incompatibility, or lack of communication
11 between different entities, so the Department
12 of Children and Families or the school, the
13 schools, or you mentioned Lantana, PBSO and
14 BSO, the ability for those different agencies
15 to have communication in one place and
16 communicate with one another.

17 CHAIR: Yeah, you know what, and I agree
18 that that's something we have to consider.
19 What I'll suggest to you is at the core, the
20 crux, is whether first is, is that was what was
21 known to people at the time actionable? And,
22 was it actionable under existing laws, rules,
23 regulations, policies and protocols? If it was
24 then that's one lane. If it wasn't, but it
25 should have been then that's another lane,

1 because then an individual didn't necessarily
2 drop the ball, it's a system problem.

3 And then -- but the first question is, a
4 threshold question is, is was it actionable,
5 and I'm going to sit here and tell you, and I
6 think Chief Nelson will tell you, Sheriff
7 Ashley will tell you, Chief Lystad will tell
8 you, Sheriff Judd, everybody in law enforcement
9 will tell you, and I'm sure that some of you
10 have this within your organizations, you can go
11 into our record management system and you can
12 find people that we've had contact with thirty,
13 forty, fifty times.

14 Just because we've had contact with them
15 many times doesn't inherently mean that
16 something wasn't done that should have been; it
17 depends upon what the event was, what the
18 nature of it was, and we got to dissect every
19 single one of those. That's my intention, is
20 we assign tasks, it to dissect every single one
21 of those; get every single document, every
22 single report, every single record, find out
23 who the witnesses are to it, and look at it and
24 make a determination.

25 So, some of these, as an example, and I

1 don't know, Broward says it had forty contacts
2 at that address. Okay, well, how many -- were
3 some of them barking dog calls? Were some of
4 them domestics where there are clear
5 indicators? That's what we've got to flush
6 out, and that's what we're going to do to get
7 to the bottom of it. Yes?

8 MR. SCHACHTER: Will you reveal to this
9 Committee, or Commission, which entities are
10 refusing to cooperate with our Commission
11 currently?

12 CHAIR: Absolutely. And again, we need to
13 work with some people now, and try to get the
14 full cooperation we need, but if people aren't
15 cooperating we'll make you aware of it.

16 MR. SCHACHTER: Please -- please let the
17 Commission know that, you know, when you're
18 ready, so that we can put pressure on those
19 entities to cooperate with us, because we need
20 to get to the bottom of this.

21 Can you tell us -- I see here the number
22 of calls for service on BSO are 49. Do we know
23 the number of calls for service of Palm Beach
24 County?

25 CHAIR: I don't know that yet.

1 MR. SCHACHTER: But we'll find out?

2 CHAIR: We'll find out.

3 MR. SCHACHTER: Great, thank you. And
4 then the conversations between, on Peterson's
5 walkie-talkies, were those conversations
6 recorded, and can we get a copy of those?

7 CHAIR: No. And I say it's unfortunate, I
8 do think it's unfortunately, but it's also
9 common practice as far as I know, and, you
10 know, Commission Stuart or the Superintendent
11 can shed any light on it for us otherwise if
12 they know any differently, but my understanding
13 is, is it's common practice across the state of
14 Florida in every district that those
15 intra-school communications on the
16 walkie-talkies, that there's no recording of
17 those whatsoever. I can tell you that it's, at
18 Stoneman Douglas they were not recorded, and
19 all the communication that Peterson had with
20 others that day on campus, none of it's
21 recorded, so we don't have access to it, it
22 doesn't resist.

23 MR. SCHACHTER: And then lastly, we're
24 also going to be looking at Palm Beach's
25 interactions, and see if their actions were

1 actionable as well, right?

2 CHAIR: Absolutely.

3 MR. SCHACHTER: Thank you.

4 CHAIR: Absolutely. Yes?

5 MS. SKINNER: Will we receive information
6 about the role of the unarmed security
7 specialist at the school?

8 CHAIR: With the what now, the?

9 MS. SKINNER: The one slide says the
10 school has several unarmed security
11 specialists.

12 CHAIR: Yes, right. So, that's very
13 common in the schools, and you have school
14 resource officers in -- primarily there are
15 some, I know, you know, Sheriff Ashley up in
16 Okaloosa, and I think Seminole has school
17 resource officers in elementary schools, but
18 that's rare around Florida prior to this
19 incident. The majority of them are in middle
20 schools and elementary schools. In the
21 majority of them it's one or two, very few,
22 some have two, so they supplement that with --
23 and everybody uses a different name for it.
24 Some call them campus monitors, or hall
25 monitors, et cetera, but they are people who

1 are school personnel that perform a safety
2 function, a security function, but they're not
3 law enforcement officers, they're not armed.

4 They are there to -- so as an example, as
5 an example of this, on the third floor, is that
6 one of the campus hall monitors was there, if
7 you will, guarding the bathrooms, because they
8 were having problems with kids going into the
9 bathrooms and vaping, so they would do that,
10 they would do that kind of thing. They would
11 -- if kids were wondering around campus, you
12 know, in between periods, they would make sure
13 the kids got where they should be. So, that's
14 the type of personnel, but all the schools have
15 some variation of that by a different name.

16 SHER. ASHLEY: Thank you for that
17 presentation. Mr. Chair, I had so many
18 questions. I literally have written over forty
19 questions just from that presentation alone,
20 that it reminded me of a video game, and it is
21 sad but the presentation reminded me of a video
22 game of how many kills can I get.

23 My question on interoperability of radios,
24 can you tell us whether it was inoperability,
25 or it was just the volume of traffic? I mean

1 we have e-channels, and tack-channels, and
2 channels that we share with our contracting --
3 municipalities that we contract for, so I'm not
4 sure inoperability is the word here.

5 CHAIR: Well, it is because it's actually
6 both, and they tried to patch, and the patch
7 was unsuccessful because they don't have -- you
8 know, true interoperability is, so if you take
9 a county, and let's say you have let's say a
10 Sheriff's Office, and you've got, to use a
11 number, fifteen police departments, is that all
12 the police departments have every other police
13 department and the Sheriff's office radio
14 frequencies in their channels, so you just use
15 a selector switch, you can go up or down, it's
16 all vice-versa.

17 That's true interoperability. Those of
18 you familiar with P-25 and the digital
19 compatibility, and we've been working towards
20 that for years. Some where you don't have full
21 interoperability do have the ability to patch,
22 so that even though the officers and the
23 deputies, and all the law enforcement personnel
24 in that county, can't just go up and down in
25 the radio stack, and in the selector switch, is

1 that they could take this channel and this
2 channel, and they can patch it together so that
3 you can have communication.

4 That was tried here, and it failed, but
5 even if it had been successful then the
6 throttling would have even been worse, and it
7 would have prevented communication. So, you
8 had two things at play. One is, is that the
9 Coral Springs cops and the Broward Sheriff's
10 deputies didn't have the same radio channels
11 where they can just go to one channel. They
12 tried to patch it together, the patch failed.
13 And probably in some backhanded way it probably
14 worked out better that way because the
15 throttling would have been even worse if they
16 had all been on one channel. So, you got a
17 number of things that were in play here.

18 SHER. ASHLEY: I just want to be clear
19 though. As we sit here today Broward County
20 does not have an emergency radio channel that
21 all fire, police, and EMS services can go to in
22 an event?

23 CHAIR: Well, we have a bunch of them.
24 And the answer is that we're looking at that,
25 and we're getting some mixed information on

1 that. But, I can tell you that on this day,
2 that didn't happen.

3 SHER. ASHLEY: Okay.

4 CHAIR: Okay. And the effort was, is to,
5 and perhaps what we'll find out is that, yes,
6 it existed, but people didn't know about it,
7 which is a whole other issue. So, all that
8 needs to get flushed out.

9 SHER. ASHLEY: And the follow up -- and I
10 won't monopolize the Commissions time, because
11 there are so many questions. But the big one,
12 are we going to have access to the school
13 video, body cameras from officers that day?
14 Are we as a Commission going to be able to view
15 that, or are we going to have Staff view that
16 and come back and report to us?

17 CHAIR: That's a decision the Commission
18 is going to have to make, and, you know, out of
19 respect for some of the Commission members.
20 So, there is -- there is body camera video,
21 there's some. There is no dash-cam video.
22 There is video from within the school, and the
23 video within the school, I've seen it, it's
24 hard to watch. The Commissioners will have to
25 make a decision whether you want to see it, and

1 if we do that it will be in a closed session.
2 And we'll give you the opportunity, if you want
3 to see it you can be here, and if you don't
4 want to see it then don't.

5 But if you want to see it -- and there's
6 also the other video that does exist, is there
7 is cell phone video from the kids as they were
8 hunkered down in those classrooms, and they
9 were also taking video. So, there is a lot of
10 video from a variety of sources. Yes.

11 MR. SCHACHTER: I would like to inform the
12 Commission that the families of the seventeen
13 victims are trying to prevent the release of
14 that video. So I would, I would like that
15 video not to be released to the public, and not
16 shown in this forum. If we'd like to look at
17 that in a private setting I would, I would
18 prefer that tremendously.

19 CHAIR: Well, absolutely it is not public.
20 It is part of the investigation. I understand
21 that there is litigation over that, and there
22 is nothing that we will do that jeopardizes the
23 confidential nature of that video. I assure
24 you of that. And as I said, if the
25 Commission's desire is to see that video it

1 will be in a closed session, it will be in
2 private, and any Commissioner will have the
3 opportunity to participate or not. And -- but
4 that will be a decision for down the road, so.

5 But there is -- Sheriff Ashley, to your
6 question, there's a lot of video. Yes, Sheriff
7 Judd.

8 SHER. JUDD: Let me get this straight.
9 With this communication system the mere
10 presence that you turned onto the channel would
11 bog the channel down. We're not talking about
12 people talking over each other, or just too
13 much traffic on the channel? Did -- when I
14 heard this --

15 CHAIR: Throttle?

16 SHER. JUDD: The throttling, does it occur
17 from people just turning onto and monitoring
18 that frequency?

19 COL. DALE: It's my understanding that,
20 going to the airport shooting where we had a
21 large number of people turn onto the channel,
22 just simply being on, and it connected to that,
23 that local tower, I'm not a radio expert, but I
24 was told in that incident, that the fact that
25 the school bus drivers turned onto a similar,

1 not the same frequency but the same system at
2 the close of school day, that that even had an
3 impact on the capabilities of the overall
4 system.

5 We don't manage the -- BSO does not manage
6 the infrastructure, that's done by the County.
7 When it come to regional communications we're
8 basically contracted to put the
9 telecommunicators and the call takers in the
10 seats.

11 SHER. JUDD: That is a new phenomenon to
12 me, and that's why I asked the question. I've
13 never heard that you just tune to the channel
14 to listen would bog the channel. If it does,
15 it does. But I would like that as a definitive
16 answer, because it calls --

17 CHAIR: We're going -- we're going to
18 bring in somebody from the County, from Broward
19 County to explain the system; you can ask all
20 those questions and figure out the why behind
21 it. So, that is another one of those areas
22 that we need a briefing on from people that
23 have the very specific knowledge of it. But
24 what happened out there that day, from
25 widespread accounts that have not been widely

1 reported on, is the huge frustration between
2 Coral Springs police officers and Broward
3 County Sheriff's deputies and their inability
4 to communicate.

5 You can see on the video, and again having
6 watched this, you can see on the video, even
7 going inside, Sheriff, and you can appreciate
8 this with your SWAT Team members, when they're
9 going inside is, is that, and they're trying to
10 clear, is they can't even communicate when
11 they're trying to clear. They're having to use
12 hand signals with each other because the radios
13 are jamming up. So, when you push the button
14 on the radio and all you can hear is a loud
15 buzz, there's nothing you can do.

16 You had commanders that were going from
17 car to car, to car, from radio to radio, to
18 radio, trying to get on it, and all they, and
19 they met with nothing. And so, -- I guess talk
20 about communication not working. Anyway, so
21 it's -- it was a big problem, and not only as
22 far as the command and control, but with all of
23 the officers and deputies even going in and
24 clearing the school, they couldn't communicate.

25 SHER. ASHLEY: Under -- for those who are

1 not familiar under the best of circumstances
2 the first hour of an emergency, the
3 communications is an emergency when everything
4 works right. But I mean if that -- if the mere
5 fact that they monitored the channel bogged the
6 channel down, that's an emergency that doesn't
7 need to wait for the outcome of this
8 Commission, because I mean that means if
9 there's an emergency this afternoon --

10 CHAIR: Well, and some of it -- some of it
11 is, and as Colonel Dale mentioned, it's my
12 understanding from talking to the Colonel, and
13 talking to the Sheriff and others, that Broward
14 County is in the process of addressing it, but
15 it's not until 2019 that it is going to be
16 addressed. So you have that issue. But you
17 also have the issue of you've got a couple of
18 cities that are not part of the regional 911
19 system, and you've got a situation where
20 somebody -- so I mean, you know, think about
21 this. And we've run into it in our county, and
22 others have this. This is not good in my view
23 any place, whether it's our county or others.

24 If somebody picks up the phone and you're
25 in the City of Parkland and you need the

1 police, and you call 911 from a cell phone, and
2 it's answered by somebody in a fire
3 communications center that says what's your
4 emergency, fire, EMS, fire, medical, or police,
5 and you say police, and they say, you know,
6 generally what's wrong, you tell your story,
7 then what happens is is that because they don't
8 have communication -- in that communication
9 center they cannot talk to cops. They can't
10 talk to the cops. They transfer you to the
11 Broward Sheriff's Office, and now you tell your
12 story again a second time to a call taker who
13 then can dispatch the cops.

14 I mean that's not uncommon around Florida,
15 and, you know, we've had it in our county. We
16 still have it in our county with some police
17 departments. And that's the situation here.

18 Who in the world thinks that when you call
19 911 that you're going to get transferred and
20 you got to tell your story twice, but -- that's
21 not a good thing in my view, but it happens,
22 and it happens here. Those are things that
23 need to be put out on the table.

24 MR. DODD: I had two questions. One of
25 them, on the third page in describing the

1 suspect it says he was medically evaluated
2 several times by school and Henderson
3 Behavioral Health personnel. I was just,
4 wanted to know about the medical evaluation
5 done by the school. I'm not clear on that.

6 CHAIR: We're going to get into all that.
7 Like I said we have about 800 pages of records
8 from Henderson, and we've got a bunch of school
9 records, and I really can't specifically answer
10 those questions for you at this point, and
11 nobody here can. We need to get into the
12 records, but once we do that then we'll be able
13 to -- and you'll know.

14 MR. DODD: Okay. Scott, the second
15 question dealt with the classrooms. I
16 understand that he did not enter any
17 classrooms.

18 CHAIR: Correct.

19 MR. DODD: The shots went through -- did
20 all the shots go through a door, or were some
21 doors open at any time?

22 CHAIR: None of the doors were open, but
23 he did fire into the wall a couple places. But
24 the doors were, most of it was through the
25 windows of the door. I don't know, Colonel,

1 unless you know, or Zach, do you know, were
2 there any, any of the doors that he actually
3 opened, or were they all through the glass?
4 Can you step up there?

5 DET. SCOTT: They were primarily through
6 the glass. In some cases, it was through the
7 structure of the door itself.

8 CHAIR: Right, he didn't open any door.

9 MR. DODD: And what size was the glass?

10 CHAIR: So, in other words, it was all
11 either through the door, he didn't open any
12 doors, he didn't go in, so none of the doors
13 were breached. So, they weren't open, like the
14 door was propped open or anything for him to
15 shoot in, the answer to that is no.

16 MR. DODD: And what size of glass pane are
17 we talking about? I know the glasses we have
18 in our --

19 CHAIR: So, like this. Like a -- I would
20 say it's like a rectangle, a very narrow
21 rectangle that's kind of long, that's in the
22 middle of door. So, the majority of the door
23 is wood, and it's got a small piece of glass in
24 the middle of it.

25 MR. DODD: And with that in mind, the

1 shots were fired in just a totally random
2 fashion then.

3 CHAIR: Right.

4 MR. DODD: As far as we know.

5 DET. SCOTT: As far as we don't believe he
6 was targeting specific victims, but he, in our
7 opinion was shooting who he saw.

8 CHAIR: So, and the victims -- and
9 Detective Scott can, you know, elaborate on
10 this if you want, is the victims were, that I
11 know, you know much better than I do, but were
12 all line of sight through the glass, is that it
13 appeared that as he was shooting through, is
14 that he was just shooting through the glass,
15 and who happened to unfortunately be in that
16 sight picture through the glass are the ones
17 that got hit; is that correct?

18 DET. SCOTT: Yes, sir.

19 MR. BARTLETT: Mr. Chairman, as a point of
20 clarification --

21 CHAIR: Can you hit the mic?

22 MR. BARTLETT: Sorry. For point of
23 clarification, was he able to exit the Uber,
24 and did he have to go through a central
25 entrance to get into the school, or could he

1 just go right onto the school grounds?

2 CHAIR: He exited the Uber. He was
3 carrying the AR-15 in a bag, and just walked
4 across the parking lot and right into the
5 school on the east side ground floor. So he
6 just go out of the car, walked through the
7 parking lot, walked right in the door.

8 MR. BARTLETT: So, no restrictions
9 whatsoever.

10 CHAIR: No restrictions.

11 MR. BARTLETT: No fences, or anything like
12 that?

13 CHAIR: Nothing, he was totally
14 unfettered, just walked right into the unlocked
15 door. Commissioner.

16 COMM. SWEARINGEN: Thank you, Mr. Chair.
17 This is frustrating to listen to. It's very
18 similar to after 911 when we realized all of
19 the silos that had to be broken down. A lot of
20 that exists here, whether it's communication or
21 whether it's organization, whether it's
22 jurisdiction or whatever, a lot of this is
23 because of silos that exist between agencies
24 and entities.

25 As far as the, you know, as far as the

1 state radio system, we pay vendors a lot of
2 money for that system, and if we find out there
3 are issues here with that system we need to
4 make sure that our legislature holds those
5 vendors accountable, and that we fix those
6 issues with that radio system. As far as --
7 I'm a big proponent of what, what one of the
8 requirements under 7026 now, is these threat
9 assessment teams in our schools.

10 Again, this Commission may have to require
11 changes. We've discussed -- there may be
12 things that were done that were done because
13 that's the way current law, current policies
14 and procedures require them to be done. Those
15 threat assessment teams that are required to
16 have teachers, administrators, law enforcement,
17 mental health counselors, it should be required
18 that those people be able to communicate
19 everything they know. A mental health expert
20 should be able to tell the law enforcement
21 folks on that team everything they know, and if
22 there's a law that prevents that then we need
23 to change that law. We need to make sure that
24 everyone knows what everyone else knows.
25 That's the only way you're going to stop this.

1 If I can't talk to the school officials and
2 tell them what I know about someone's arrest,
3 and the mental health folks can't tell me what
4 they know about the kids' mental health issues,
5 we're not going to solve this issue.

6 So, we have to, just like 911, I think a
7 big piece of this Committee's work is going to
8 be to find out where these silos exist and to
9 tear them down, whatever that requires; changes
10 in policies and procedures, changes in law,
11 whatever that is. Thank you, Mr. Chairman.

12 CHAIR: And the threat assessment teams
13 are required as part of Senate Bill 7026. I
14 agree with you, I think they're going to be a
15 very important component, and that they have
16 been lacking. And they're required to be in
17 every school, so that means every elementary,
18 every middle, every high, every charter, and,
19 you know, that's something we'll definitely get
20 into, and look at where we were before the
21 structure of them.

22 And one of the things that I know that the
23 legislature is looking for from us, and that's
24 one of the reasons why we're required to have
25 an initial report by January -- and the

1 legislature did Yeomen's work, did fantastic
2 work in a three week period. But remember this
3 bill was put together in three weeks, and I
4 don't think anybody, Senator, is under any
5 misconception that it's not perfect, but it is
6 tremendously better than where we were, and
7 they're looking for input to see if there's any
8 tweaks that need to be done, or any changes
9 that need to be made.

10 So, they're looking for school year to
11 start, get things implemented, let us do the
12 work, give them information by January so that
13 any adjustments that are necessary can be
14 considered when the session starts in March.
15 Because, they did a tremendous job, and a
16 fantastic job between the governor and the
17 legislature to get this done, as we know, but
18 it was done in three weeks, so it's not
19 perfect.

20 MR. PETTY: Mr. Chair, I guess with
21 regards to the threat assessment teams -- I had
22 a conversation with Staff earlier. I think it
23 would be interesting to discuss that with the
24 Secret Service, the National Threat Assessment
25 Center. They've done some great work with

1 regard to threat assessment teams and best
2 practices there, so we ought to talk to them.

3 CHAIR: Okay, sounds good. Yes, Sheriff?

4 SHER. ASHLEY: Will this Commission have
5 access to the deputies' training records,
6 frequency of the school training drills? And
7 then lastly, on the sharing of information, I
8 know that the statute is certainly going to
9 require that we have better interoperability,
10 and the last thing about communications that
11 they, I think we need to distinguish, whether
12 it was interoperability, or any scene you go
13 to, emergency scene where there's walkovers, so
14 many people trying to get on the same channel
15 at the same time, you know, bleed over, walk
16 on, we call it walking on each other, and it
17 sounds like that that may have been the issue
18 rather than interoperability.

19 CHAIR: Yeah, we'll flush all that out.
20 As far as the training file goes, we do have a
21 lot of information already, general orders,
22 standard operating procedures, the training
23 protocols that the Broward County Sheriff's
24 Office used in its active assailant training.
25 We do have Deputy Peterson's training file.

1 We're waiting on his personnel file. We're in
2 the process of gathering all of that.

3 As far as training that was done, we're
4 going to need to flush some of that out. My
5 understanding is that there was training done
6 at Stoneman Douglas High School by the school
7 board on active assailants for school personnel
8 in January, the month before. We're waiting on
9 the lesson plan for that, and for discussions
10 to be had with the people that did the
11 training, so all of that's in the works. All
12 that has -- all that has to be flushed out.

13 I'll tell you that there were some things
14 -- there's inconsistency in the school. When
15 you walk into some of the classrooms, is that
16 some of the, let's call it safe harbor space,
17 some teachers had taped it off on the floor,
18 others hadn't. So, you know, I think that what
19 was happening there, based on my experience, is
20 the same thing that's happened in, in so many
21 other places in Florida; it's very
22 inconsistent. And there was some training,
23 some did it, some didn't, and it was just very
24 inconsistent.

25 Sheriff.

1 SHER. JUDD: Mr. Chair, you know the work
2 for this Commission is overwhelming in a short
3 period of time. It appears to me as creating a
4 system and a process we need investigative
5 teams assigned to the each topics.

6 CHAIR: Right.

7 SHER. JUDD: And we need to feed all of
8 the questions we can think of independently to
9 that investigative team and then have those
10 different investigative teams come back and
11 report to us at our Commission meeting. If we
12 try to investigate them here we'll never get it
13 done. I would recommend that we topic it out
14 and say which order do we want to hear it in,
15 and then have an investigative team from
16 whatever support we have that, and we flood the
17 questions to our contact to that team so when
18 they come here and report to us that it's, it's
19 clear, it's concise, it's thorough, and there
20 won't, shouldn't be another question we can
21 think of.

22 Otherwise if we try to ask all of those
23 questions here we'll be sitting here a decade
24 from now.

25 CHAIR: And that's right. And if I

1 haven't been clear, exactly what you just said
2 I think is what I have been trying to convey
3 several times this morning, is that that's the
4 intention. And it's a good segue way, and if
5 anybody has any other questions we'll sit here
6 until, and we answer all of your questions.
7 But it would be a good segue way into the next
8 agenda item, which is, is to have a discussion
9 about the initial topics, and to create these
10 areas, these buckets for the initial
11 investigation.

12 And as I mentioned, my intention is, based
13 on the Commission direction, is next week is to
14 sit down with FDLE and the investigative Staff,
15 and to assign investigative teams to the
16 different areas that we decide on here today
17 and have them become, if you will, the SME's,
18 and the investigative SME's into those areas,
19 and then have them come back and report to us
20 in the fashion you're describing.

21 I think that given the very aggressive
22 timetable that we have to be under because of
23 the report being due in January it's the only
24 way to do it, and there's no way that
25 individual Commissioners can, or I think should

1 be doing that, because we'll never get there.
2 And so, a lot of it is going to be, is using
3 all of the resources at our disposal. And I
4 said earlier I know in the last few weeks,
5 especially in dealing extensively with FDLE, we
6 have a thousand percent commitment and support
7 from them, is they'll put whatever is necessary
8 on it.

9 You know, as I said I committed three
10 homicide investigators to it, and we'll make
11 sure we got the Staff to get it done, and that
12 we get this flushed out. But we're going to
13 have to rely heavily on them because there is
14 so much.

15 Does anybody have anything else at this
16 point you want to talk about, ask about before
17 we move into the next agenda item, anything for
18 Colonel Dale or Detective Scott? Secretary.

19 SECT. SENIOR: Just quickly. My
20 understanding is there were a lot of cameras on
21 the facility. Did -- who inside -- we're going
22 to have to get information on who inside the
23 facility, who inside the school knew or could
24 see those cameras in real time?

25 CHAIR: Nobody. They're not monitored.

1 They're recorded, but they're not monitored.
2 That's another issue, is that if somebody was
3 monitoring them -- they had to -- and I think
4 you saw it in -- I know you saw it in Colonel
5 Dale's presentation, is that once it unfolded
6 somebody went back to a recording room and
7 started looking at them, so nobody was
8 monitoring them. They're not -- they're not
9 live real time monitored.

10 In fact, all the cameras in the school are
11 motion activated, so when you look at all of
12 the -- and there's a lot of cameras inside. I
13 believe there about seventy, something like
14 that, but anyway. There's a lot of cameras
15 inside, and when you look at them because
16 they're motion activated, like in example when
17 Cruz is inside the third floor teacher's lounge
18 because there's no activity up there in the
19 hallway they shut off, so there's actually gaps
20 in camera coverage.

21 Yes, Mr. Pollack?

22 MR. POLLACK: Yeah, this is a question for
23 Detective Scott. Do you have all the
24 discipline, disciplinary records for 181958?

25 DET. SCOTT: Do I have all the

1 disciplinary records, I'm sorry, for what?

2 MR. POLLACK: For 181958. I can't call
3 him by name. That's his prison ID number.

4 DET. SCOTT: Yes, sir. I do believe
5 that's some of the items that we are seeking to
6 get from the school board. We have received
7 some, but I do not believe we've received
8 everything yet. I will say that there is a
9 tremendous amount of reports that we are still
10 currently reviewing.

11 MR. POLLACK: Is that -- is that normal
12 two months after an investigation, not to have
13 all his disciplinary records?

14 DET. SCOTT: I don't know if anything
15 about this is normal. We're working with what
16 we have, and what we're being given, and I
17 can't tell you that we have a complete set of
18 records until we're done reviewing them.

19 MR. POLLACK: Is everyone cooperating with
20 you with getting those records?

21 DET. SCOTT: I would any some are probably
22 being more cooperative than others, as the
23 Sheriff mentioned, and as this continues,
24 especially with the help of this Commission, I
25 think that that assistance will come.

1 MR. POLLACK: Thank you.

2 DET. SCOTT: Yes, sir.

3 CHAIR: Mr. Pollack, my intention is, and,
4 well, what I'm going to do here soon, as soon
5 as we have our meeting here today, and in the
6 next week, is that with a number of the
7 decision makers for a number of entities, is
8 that I'm going to make an appointment and come
9 down here, sit down and talk to them, and ask
10 them to make sure that their organizations are
11 fully cooperating with us. And somebody asked
12 earlier, I think Mr. Schachter asked the
13 question, will you know those that are not, and
14 the answer is yes, but I think we owe it to
15 them for me to have a discussion with them and
16 ask for their full cooperation. And there may
17 be a difference, and I'm hoping there's a
18 difference in their level of cooperation with
19 us given the statutory mandate we have, the
20 statutory authority for subpoenas, et cetera,
21 and maybe what they're doing with others for
22 other reasons.

23 So, let's give them the benefit of the
24 doubt, and let's have this Commissions'
25 relationship with these entities be one that is

1 different than the ones they have with others
2 for other reasons. If then we are not getting
3 what we need then we'll deal with it, and
4 you'll know about it. So, I'd say let's just
5 give them a fair shake dealing with us, because
6 this is a different investigation with a
7 different mandate than perhaps what others are
8 doing.

9 MR. POLLACK: Can you tell us for certain
10 whether or not the camera system was on a
11 twenty minute delay or not, because I've heard
12 different things from different entities.

13 CHAIR: Yeah, I don't know, there was some
14 - - there was some discussion about that. And
15 this is something -- Zach, do you want to talk
16 about that? You can talk about that.

17 DET. SCOTT: Yes. Mr. Chair, I can tell
18 you from witness interviews, and from body cam
19 footage, and from listening to the
20 communications that occurred that day, that
21 there was indeed information being relayed that
22 was initially believed to be real time as far
23 as the suspect's location. As the information
24 is being relayed, and again as I think the
25 communications issue has been brought up

1 frequently here, it became apparent once the
2 information gets passed from person to person
3 that the important information that this was
4 actually rewind footage did not get relayed to
5 all the people it should have immediately.

6 So, there was indeed a delay, it just took
7 a while before everybody realized it. So,
8 there was actions being taken believing that
9 the information was real time.

10 MR. POLLACK: But the camera system is
11 real time, it's just they rewind it, and that
12 information was not communicated.

13 DET. SCOTT: Yes, sir.

14 MR. POLLACK: Okay.

15 CHAIR: Right, it's not -- it's not a time
16 lapsed system. It is real time, but what also
17 gets confusing with it is is that it's motion
18 activated, so it is real time, it's not time
19 lapsed, but you do have gaps in it because once
20 it shuts down it doesn't start up again until
21 there's motion again, correct?

22 DET. SCOTT: Correct.

23 CHAIR: Okay, any other -- yes?

24 MS. SKINNER: To Commissioner Swearingen's
25 point about communication, I think one of the

1 things we may need is a breakdown of the laws
2 that present barriers to communication,
3 particularly as it relates to education and
4 behavioral health.

5 CHAIR: Yes, we'll do that. That's a good
6 point, thank you. All right. Okay, thank you,
7 Colonel, appreciate it.

8 And so, we have -- before we break for
9 lunch, and for Commission Members and Staff
10 we're going to provide lunch because it's going
11 to be a working lunch. We're going to ask you
12 to take -- we'll take a quick break, so you
13 have a chance to eat, and then we're going to
14 get right back to it, because we want to try
15 and stay on schedule here today as best we can.

16 But I'd like to try and get through this
17 next agenda item, and the next agenda item is
18 the Commission's discussion on these initial
19 investigative topics, and what we want to
20 include in the January report. So, I mentioned
21 this morning when we went through the statutory
22 requirements that we were going to try and
23 match up what I'm going to suggest to you,
24 suggest to you, and let's go to that first page
25 there, so match up what is in the statute and

1 what these proposed topics are, and I think
2 that these proposed topics are consistent with
3 what you all are talking about this morning.

4 So, Topic No. 1 that I'm going to propose
5 to you -- and if you would as we go through
6 these if there is agreement on the topic,
7 great, and if you have anything that you see in
8 that topic that you feel needs to be added or
9 deleted raise it, because when I go through all
10 these topics what I'm going to ask for is a
11 motion that these topics, or any other topics
12 that we decide on as we wrap this up, that
13 these be the components of the initial
14 investigation, and the components of the
15 initial report.

16 Now, that doesn't mean that we can't tweak
17 it, that we can't modify it as we go, but we
18 need to give direction to the investigative
19 team so that they can hit the ground running
20 and begin their work. So, keep that in mind,
21 as I'm going to ask for a motion to approve
22 these as the initial topics when we get
23 finished going through this.

24 So, the first topic that I'm going to
25 suggest to you, and we had some discussion

1 about this, is the history of K-12 active
2 assailant events in the entire United States.
3 And I believe it would be a good idea to
4 include an analysis of any known thwarted
5 events; so not just those that resulted in mass
6 casualties, but any events that occurred where
7 there was a thwarting of it by law enforcement,
8 or by anybody else, because if there was a
9 thwarting of it maybe they were doing it right,
10 maybe they had some good protocols in place,
11 policies, et cetera, that resulted in it
12 getting thwarted, how did that work, and so we
13 should look at that.

14 We want to also look at everything to do
15 with the event, from the type of the weapon
16 used, a profile of the assailant, and lessons
17 learned. AS I say there in the last bullet, is
18 that as a result of these prior incidents,
19 whether Florida formally implemented any
20 remedial steps recommended; if so what steps
21 were taken, and if not are there steps that
22 should be any, any barriers to implementation.
23 So, we want to do a top to bottom of all these
24 prior Florida and across the United States K-12
25 events.

1 Now, my suggestions is, is just so it is
2 manageable, and that's what we're primarily
3 dealing with, there are certainly other events
4 that are not K-12 events, and we can get into
5 those, and we will get into those at the right
6 time, but remember we got a lot of work to do,
7 and as Sheriff Judd pointed out, it's a huge
8 undertaking, and so to keep it manageable I
9 suggest we limit it to that, so we don't get
10 into things like the college shootings, or we
11 don't get into Pulse, or we don't get into the
12 airport, we limit it to the K-12, but we do it
13 comprehensively, and look for any lessons
14 learned, or what those reports generated.

15 Does anybody have any thoughts or
16 suggestions on that topic, anything you want to
17 add to it? Or if you don't think it's a good
18 topic anything you want added to it, deleted
19 from it? Yes.

20 MR. SCHACHTER: I mean as far as lessons
21 learned, I think that should be co-mingled with
22 best practices, and what we can do, you know --

23 CHAIR: We'll get there. We'll get there.

24 MR. SCHACHTER: No, but I'm saying that,
25 you know, that should be along with that topic,

1 you know, as we're all talking about best
2 practices and what we can do to fix this, and
3 -- you know what I'm saying?

4 CHAIR: Right. And so, I think that last
5 bullet, I think, says that whether formal -- so
6 inherently with that is that those reports will
7 have recommendations in them, and that whether
8 Florida formally implemented any of the
9 remedial steps recommended. So, we'll look at
10 all of those and see what steps were
11 recommended, whether any of them were
12 applicable to Florida, whether Florida acted on
13 it, whether we didn't act on it, whether there
14 were reasons why we didn't act on it, and
15 whether there's anything in there that is still
16 relevant that we should still consider for
17 implementation.

18 Anything else on Topic 1 does anybody
19 have? Okay.

20 Let's go to Topic 2, which is something
21 that we've talked about quite a bit.

22 MR. PETTY: Mr. Chair. Mr. Chair.

23 CHAIR: Yes, I'm sorry.

24 MR. PETTY: Just one thought on this one.
25 I think it stands that implementation probably

1 is a standalone bullet item, because I think
2 without proper implementation of, you know,
3 lessons learned, or good practices, you know,
4 as we find lots of schools with open gates, you
5 know, they've got fences and gates, but they
6 leave them open, so as we think about this I
7 think implementation, and how these are
8 implemented, and the ease of which they're
9 implemented, is important on its own.

10 CHAIR: Okay. Okay, we got that. And
11 with all the things that we're discussing here,
12 and your recommendations, is, that's why
13 Christina is sitting next to me, she's taking
14 notes, so we are taking notes on everything.
15 And of course, everything is being recorded, we
16 have a court reporter, but we will also produce
17 minutes for you. But we are taking notes on
18 all of your suggestions, so we can incorporate
19 these as we move forward.

20 The next topic is Topic No. 2, which has
21 to do with Cruz's background. And this -- and
22 so let me just kind of back up for a second as
23 to Topic 1. Is, is that to make sure that
24 we're getting this as it relates to what the
25 mandate is in the statute, is Topic 1 relates

1 to from the Power Point this morning on the
2 statutory requirements, Topic 1 relates to
3 statutory requirements 1, 4, 7 and 8, which
4 tell us that we have to address system failures
5 and make recommendation for system improvement.
6 So, again Topic 1 ties to what's in the
7 statute.

8 Topic 2, which gets to Cruz, that relates
9 to statutory requirements in those slides from
10 this morning of 2, 7 and 8, so we're required
11 to review all of Cruz's prior contacts with
12 federal, state, local, and contract entities,
13 and determine if there was a failure to
14 communicate or coordinate. So, we talked about
15 this quite a bit, and this is going to be a
16 very significant component of what we're doing
17 and will be an area no doubt that we'll have a
18 fair amount of investigative Staff immediately
19 assigned to, because this is at the core and
20 the crux of a lot of the discussion we need to
21 have. So, we will comprehensively go through
22 everything.

23 My intention is, is to go through
24 everything we can from the time the guy was
25 born until February 14th and know everything we

1 can about him, and talk to as many people, and
2 flush every single contact that any entity had
3 with him, flush it out, and be able to report
4 on it. Yes.

5 SUPT. BLACKBURN: Would that include
6 access and activity with firearms?

7 CHAIR: As far as what with the firearms?

8 SUPT. BLACKBURN: Would that include
9 Cruz's access and activity with firearms?

10 CHAIR: Sure. You know and -- you know,
11 all of it -- as we said, you know, he purchased
12 the firearms legally. But I can tell you that
13 what we know is, is that he showed up there
14 that day, he had the AR-15, but there were
15 search warrants executed at the house that he
16 was staying at and there were numerous firearms
17 that were seized there from the house. So,
18 we're going to lay it all out.

19 SEN. BOOK: Mr. Chair?

20 CHAIR: Yes, Senator.

21 SEN. BOOK: Thank you, Mr. Chair. Also,
22 not necessarily pertaining to the assailant's
23 life, however potential barriers to
24 accessibility for later, I know we addressed
25 kind of things going forward, but mental

1 health, you know, if there's an issue with a
2 minor going into counseling because he doesn't
3 have parental consent, some of those issues
4 that may not pertain to the assailant here, but
5 going forward to prevent other crimes from
6 occurring, I don't know that that will get
7 there, but within this kind of -- I didn't want
8 it to --

9 CHAIR: Okay, yes, we'll add that. This
10 goes under the next slide as well on this
11 topic. Can you advance that? There we go.

12 So, we want to also, as part of this
13 topic, as part of Topic 2, if indicators were
14 present, what action, if any, was taken.
15 Identify whether there were missed actionable
16 indicators for intervention under then existing
17 laws, policies and protocols, and gaps in those
18 laws and protocols, and were changes necessary
19 to avoid missed intervention opportunities.
20 So, I think this is consistent with what you
21 all have discussed.

22 Anybody have anything else on this topic?
23 I've got Senator Book's comments. Anybody else
24 on Topic 2?

25 Topic 3 is the structure of Stoneman

1 Douglas High School, review the campus
2 structure, and that relates to statutory
3 requirement 1 for system improvements, and
4 number 3 for law enforcement response, and
5 number 5 regarding best practices. I touched
6 -- I touched on this a little bit as we were
7 engaging in dialog after Colonel Dale's
8 presentation, but there's a lot to consider
9 regarding the lay out of the campus, the campus
10 structure, and the short version of it is, is
11 school harmony, how that school was laid out,
12 how other schools in Broward are laid out,
13 schools around the state are laid out, and what
14 are things that need to be done to improve
15 that.

16 It is -- it's frustrating for me, and I
17 know it is, I'm sure it is for all of you, I
18 just -- because the -- I don't understand how
19 this guy got out of an Uber, walked across the
20 parking lot and walked into an unlocked door.
21 I mean that -- you know that's just -- you
22 know, I mean that's the simplest thing. And
23 then when you go in there and you see classroom
24 doors where they can't be locked from the
25 inside, and to lock them the lock is on the

1 outside.

2 I mean those are the things that have to
3 be addressed with this, and just, you know,
4 overall physical layout. I talked to you about
5 the classrooms. When I walk into some of those
6 classrooms and I see that the safe harbor
7 places, the blind spots, the places of refuge
8 are cluttered with teachers' desks, and
9 bookshelves, and stuff that the kids couldn't
10 get into, and you saw kids that were packed
11 into a classroom, that they couldn't fit there,
12 and so they were in the line of sight. That's
13 the stuff that needs to be addressed in this
14 topic. So, we need to get into all of that,
15 and again comprehensively, but that's what the
16 intention is of this topic. Yes.

17 SUPT. BLACKBURN: I agree with everything
18 you said, Sheriff. I would suggest that school
19 staffing is a close parallel to school
20 structure.

21 CHAIR: Okay, school staffing in there.
22 And when you're talking about school staffing
23 are you talking about --

24 SUPT. BLACKBURN: Specific to security
25 staffing.

1 CHAIR: Specific -- yeah, specifically --
2 not -- not teachers, you're talking about --

3 SUPT. BLACKBURN: Yeah.

4 CHAIR: Okay, we'll add that in there as a
5 specific component. Does anybody have anything
6 else on that topic? Yes, Senator.

7 SEN. BOOK: Thank you, Mr. Chair. Is it
8 not policy that doors remain locked at all
9 times during instruction? Is that a state --
10 is that a standard or not, up to the school, up
11 to the district?

12 CHAIR: The way I understand it is, and
13 perhaps the Commissioner can -- my
14 understanding is, is that it's inconsistent,
15 and there's variables. And my understanding
16 is, is that in the school is, is that some were
17 locked, some were not locked. I mean when I
18 walked through there there's some signs posted
19 on some of the doors telling kids don't come in
20 for various reasons, others were unlocked.
21 It's inconsistent. Commissioner, can you shed
22 any light on that?

23 COMM. STUART: I would say there's no
24 statewide policy, and every district does
25 things differently. And as you described with

1 the tape on the floor in one classroom but not
2 in all even within a school you're going to
3 find different layers of implementation.

4 CHAIR: And I think -- and again the
5 superintendent can add to this, or the
6 Commissioner can, or a school board member can,
7 is that the way I've seen it done, and I'll
8 just say based on my experience is, is that the
9 superintendents have traditionally with this
10 empowered the principles a lot, and the reason
11 why you see inconsistency is, is because the
12 principals are empowered but they have
13 different views and they implement it
14 differently. And so, not only do you see it
15 different in different districts but within
16 districts and within schools you see it across
17 the board. And then when it gets down to an
18 individual level you have teachers that are
19 doing it differently. So, it seems like to me
20 that there's a tremendous amount of room for,
21 and a tremendous opportunity there to give
22 guidance, and to implement consistency that is
23 consistent with best practices, because what we
24 see here is, is that we see a lot of
25 inconsistency, and not along the lines of best

1 practices, so.

2 Yes, Mr. Pollack?

3 MR. POLLACK: Yeah, what I'd like to say
4 to all the Commissioners, and anyone that's
5 listening, is that what we shouldn't wait until
6 the end of this commission is that what we
7 figured out that doesn't work with the code red
8 and fire alarms is if there is an active
9 shooter in a school it's going to set the smoke
10 alarms and fire alarms off, and school boards
11 and teachers should realize that if the fire
12 alarm is going off it doesn't mean that you
13 should just let your kids out into the
14 hallways, and that's something that should be
15 addressed by every community practically in the
16 country right now, if there's going to be an
17 active shooter in the building the smoke
18 detectors are going to go off, and that led up
19 to my daughter getting murdered also on that
20 third floor, which we -- I don't need to wait
21 another year to tell people that.

22 CHAIR: Okay, anything else on Topic 3?
23 Yes.

24 MR. SCHACHTER: Can -- can we -- or how
25 would we go about changing the fact that

1 schools are practicing fire drills once a
2 month, and they really need to be practicing
3 active shooter drills? Hopefully that will
4 come out of this commission, and I'd certainly
5 like --

6 CHAIR: It's actually part of the law. In
7 Senate Bill 7026, it requires that every school
8 have an active assailant drill as often as they
9 do fire drills, which are once a month, and it
10 has to be conducted by law enforcement. So, I
11 believe that the work that's being done now in
12 each district is between law enforcement and
13 the school boards to come up with the protocols
14 for these active assailant drills.

15 I can tell you we're doing it in our
16 county, because they have to be done
17 differently in the elementary schools. The
18 kindergarteners and first graders, you're going
19 to handle that differently than you are the
20 high schools, et cetera, and they have to be
21 done by law enforcement. So, the goal as I
22 understand it is, is to have these active
23 assailant drills in place so that they are done
24 monthly by the time school starts again in
25 August. And it's actively being worked on. It

1 is part of the law. It is a requirement, as it
2 should be.

3 Topic 4 is going to statutory requirement
4 5 regarding the active assailant response. So,
5 this is getting into the Broward schools, and
6 specifically Stoneman Douglas active assailant
7 protocols. We need to look at and review the
8 school safety plan that was in effect at
9 Stoneman Douglas, whether there was a sight
10 assessment performed before the shooting, and
11 when, and again analyze the school board's
12 policies, and the specific training that was
13 done at Stoneman Douglas.

14 Going onto the next page, whether the
15 policies and training played a role in the
16 outcome, assess whether different code red and
17 fire alarm response by students and Staff
18 affected the outcome, school based active
19 assailant practices, and if there's a benchmark
20 was it followed by the Broward schools in
21 Stoneman Douglas. So, that would be the
22 suggestion for Topic 4. And again, that's
23 focusing on the school, school training, school
24 policies, how the school addressed it. A lot
25 of the things we've already discussed would be

1 encompassed in Topic 4. Does anybody have
2 anything else on Topic 4?

3 Okay. Moving over to Topic 5. This gets
4 into the Broward Sheriff's Office on campus
5 response and active assailant protocols.
6 Again, this gets into the statutory topics of
7 3, 5 and 6 from this morning. So, here in
8 Topic 4 we're focusing on the school, and the
9 school board. Topic 5 is specifically focusing
10 on the SRO, and the SRO response. So, we want
11 to evaluate the on campus response, their
12 active assailant policies by the Broward
13 Sheriff's Office, response protocols and
14 training specifically as it relates to School
15 Resource Officers.

16 Identify the staffing at the school and
17 Westglades. I already told you this morning
18 is, is that there's a gap there. The
19 Westglades assigned School Resource Officer
20 wasn't there, he was in training that day, so
21 you had a sprawling campus with 4,500 people on
22 it and one SRO. What I understand is, is that
23 the national best practices tell us that there
24 should be one SRO for every 1,000 students, but
25 you also have to take into consideration the

1 size of the campus, and other structural
2 aspects of it.

3 So, these are all things that we need to
4 look at and again determine best practices,
5 determine what was done that day. And also
6 keep in mind the current legislative change,
7 and then how that's being implemented, and then
8 of course make any recommendations we need to
9 get back to the legislature on to consider for
10 next session.

11 One of the other things that I think we
12 have to look at and should consider is, is that
13 how, in this case Broward schools, we can look
14 at others, how the district allocated its State
15 Safe School Funding. That's something that we
16 should look at and consider as part of this
17 topic.

18 Some of you know, some may not, is the
19 state had allocated -- prior to Senate Bill
20 7026 the State had allocated about \$64 million
21 in safe school money. That safe school money
22 did not all have to be used for school resource
23 officers. The district had discretion as to
24 how it would use that money.

25 Now, the new money, which is about 97

1 million, has to be used for school resource
2 officers. So, the -- some were using it, we
3 talked about this earlier, somebody asked the
4 question about the non-sworn personnel, the
5 hall monitors, the campus monitors, that some
6 used it for that. Some are using it to fund
7 their own security forces and police
8 departments. It's being used for a whole bunch
9 of different stuff, and I think that should get
10 flushed out.

11 I'm not saying that there's a problem with
12 it. I don't know whether there is nor not, and
13 I don't know what the Commission's view of it
14 would be, but I think that's something that
15 should be on the table, and we should know how
16 the Broward schools took that money, and how
17 they allocated it, and who's paying for what,
18 and how things were being done. Yes.

19 MS. SKINNER: This may fit in a different
20 topic, but I'm also wondering if we should
21 consider the size of any given school.

22 CHAIR: Yes, absolutely.

23 MS. SKINNER: Like how many students
24 really should be in a school.

25 CHAIR: Okay, I see what you're saying, as

1 far as whether the schools are too big, in
2 other words whether 3,200 students is too big,
3 or 5,000 students is too big on a school --

4 MS. SKINNER: Right, because if you're a
5 Staff person -- I mean when I was in school, it
6 was a long time ago, the teachers and coaches
7 and administrative Staff, they knew everybody,
8 they knew all of us, and I don't know how you
9 can do that in a school with 3,200 kids.

10 CHAIR: Yeah, I don't know. That's -- you
11 know, that's a tough question, and with some --
12 my understanding is, is that again Stoneman
13 Douglas had 3,200. I think there's one down
14 here that's got close to 5,000. I think it's
15 Coconut Creek, but I'm not sure. So, there's
16 -- but there's some big schools out there, but
17 --

18 SHER. JUDD: Sheriff.

19 CHAIR: Yes.

20 SHER. JUDD: Also, under identifying and
21 evaluate Broward Sheriff's Office active
22 assailant policies, procedures, response
23 protocols, training generally and specifically
24 for SROs, I think that has to be their entire
25 agency response, no matter where the deputy is,

1 because at the moment of an active assailant
2 they're all SROs.

3 CHAIR: Right. And so next, the next is
4 Topic 6 -- and what I wanted to do was, is to
5 try and compartmentalize this to Stoneman
6 Douglas and what happened there that day in
7 Topic 5, and then Topic 6, is you'll see it's a
8 good segue way into it, gets more into the
9 general law enforcement response. What you're
10 talking about could blend between 5 or 6. I
11 think we'll get there, but point well taken
12 and, and valid.

13 So, Topic 6 gets into the law enforcement
14 response, particularly by Broward and Coral
15 Springs, and the off campus response to
16 Stoneman Douglas and their active assailant
17 protocols. And this would include all law
18 enforcement that responded, supervisory and
19 command response, were proper command and
20 control protocols followed, again getting into
21 radio communications, interoperability, did the
22 structure of the County 911 system affect the
23 response, how effective was the multi-agency
24 response, so I think between those two, Sheriff
25 Judd, I think between those two topics I think

1 we'll get where, where you're talking about.

2 Sheriff Ashley.

3 SHER. ASHLEY: Mr. Chairman, I would say
4 that 5 and 6 should be also added in comparison
5 to state and national best practices, so that
6 even though they may be doing what is required
7 is it what is best according to accreditation
8 standards, maybe.

9 CHAIR: Okay. Okay, thanks for that,
10 those comments. Does anybody have anything
11 else on Topics 5 or 6? Anything else --

12 MR. PETTY: Mr. Chair.

13 CHAIR: Yes.

14 MR. PETTY: Maybe it's implied in one of
15 these other topics, but I don't see the
16 relationship between the various agencies that
17 had interaction with Cruz, so school district,
18 mental health, DCF, DJJ, BSO, and with that.

19 CHAIR: Look at Topic 2, is, is that Topic
20 2 is establish a chronology, and establish a
21 timeline of all interactions with law
22 enforcement, mental health, social services,
23 school, school personnel, family members,
24 friends, all concerning Cruz. You know, one of
25 the -- I mean there's a lot of family and

1 friends. I mean there's one person -- it is
2 one person who was the caller to the FBI and
3 was the caller to the Broward Sheriff's Office
4 that provided information by a family friend
5 that they were concerned about him, and we're
6 going to get into all of that. And anybody
7 else out there that in any way, shape, or form
8 touched this guy. That's what I intend that we
9 do in Topic 2.

10 MR. PETTY: Okay. But it seems that
11 though this is, the focal point is Cruz, as
12 opposed to the interaction between the, the
13 agencies.

14 CHAIR: Okay. Thanks for pointing that
15 out, and maybe I just wasn't clear with it, but
16 my intention there is, is that we include what
17 you're talking about there within Topic 2, so
18 we'll make sure we do that. And the idea being
19 is that if somebody -- let's say -- let's say
20 as an example the school saw something, he's
21 referred to a counselor, the counselor referred
22 him to, and he ended up in Henderson, and
23 somehow the Sheriff's Office was involved,
24 let's just say, what was the communication
25 between Henderson, the school, and the

1 Sheriff's Office? Was there communication
2 between the Sheriff's Office and the school,
3 was there any coordination of all of that or
4 was there just a whole bunch of people in silos
5 making independent decisions, and that there
6 wasn't any exchange of information where
7 somebody is looking at 1,000 foot view and
8 seeing that, no, in an individual aspect of
9 this there's nothing there, but if you put it
10 together it's a no brainer. That's what we
11 want to try and figure out.

12 MR. PETTY: Absolutely. And I think it
13 goes to our work around the threat assessment
14 teams, and making recommendations there on how
15 they should operate, and how they should
16 function.

17 CHAIR: Right. Okay, so we'll make sure
18 that we're clear with that, is being included
19 in Topic 2. Yes.

20 MS. POWERS: Mr. Chair, thank you. To
21 Commissioner Petty's point about the
22 coordination, if that, any of that information
23 is available as it relates to Topic 1 too on
24 the, you know, the people that committed those
25 crimes as well, if that's available so we can

1 compare to see if there were any overlapping
2 indicators that were in --

3 CHAIR: Okay, we'll include that. Sure.
4 Yeah, we'll take some notes on it, and we'll
5 make sure we include it.

6 UNDER SHER. HARPRING: Sheriff, I'm just
7 concerned about the inclusion of -- regarding
8 any issues to federal law, HIPAA in particular,
9 to include on the state level the communication
10 between the mental health professionals, the
11 threat assessment teams, and things like that,
12 and what recommendations we may need to make to
13 our federal legislatures. And I think that's
14 something that we have to consider as part of
15 the interaction between threat assessment
16 teams.

17 CHAIR: Absolutely we'll take a look at
18 it. And one of the things -- and somebody
19 mentioned this earlier, I do think it's
20 important, that we get an overview of the
21 applicable laws. My experience is, especially
22 with HIPAA, that it is one of the most
23 misunderstood over applied laws that is used as
24 a barrier where information could be exchanged.

25 There is no question that we need to, and

1 we should in all aspects respect individual
2 health privacy, no question about it. But we
3 don't need to over apply it either, and I can
4 tell you that I hear a lot that is relied upon
5 as HIPAA for withholding information when it is
6 not applicable. Some of those people need to
7 be educated on what it is and what it isn't and
8 apply it properly, but don't over apply it, and
9 don't use it as a barrier to sharing
10 information when it shouldn't be, and where
11 information actually could be.

12 You know one of the things that will tell
13 you whether somebody understands HIPAA or not
14 is ask them to write it down, and when they
15 write it down as H-I-P-P-A, they don't know
16 what they're talking about, because that's,
17 it's the Health Insurance -- It's HIPAA. So,
18 it's a misunderstood law, but we'll look at it
19 all, yeah. Senator.

20 SEN. BOOK: Mr. Chair, one other thing.
21 We talked a lot about the radios and
22 inoperability, but another piece that I think
23 should be included is social media, and how we
24 monitor social media, how that plays into
25 what's happening here, maybe things that were

1 missed on social media, whose responsibility
2 would that be to monitor. I just want to make
3 -- and, you know, Snapchats a cool - - I --

4 CHAIR: Yeah, we can look at it. You know
5 one of -- there's no question that monitoring
6 social media is extremely important. I can
7 tell you that law enforcement does monitor it
8 with everything from Snapchat and Instagram,
9 and Facebook, and you name it, all the social
10 media, and there are a lot of indicators that
11 are out there. We can look at this particular
12 case.

13 I know that Cruz was doing a lot with
14 different videos. I don't know that he
15 transmitted any of those, or that he shared
16 those with anybody, but he also did a lot of
17 internet research, and from different
18 electronic devices, so there were things out
19 there that he was doing that were electronic
20 based. He researched Columbine. He did a lot
21 of research on different things. He had a
22 specific plan. He mapped it out, and he had
23 been planning this for a while. Sheriff.

24 SHER. JUDD: I realize that our top
25 priority has to do with the shooting and the

1 events, but I'm not sure that we, me, and I've
2 been in it my entire adult life, understands
3 what the mental health system does past the
4 Baker Act. We had an event, a horrible
5 unfortunate event where we had to shoot a
6 twenty year old young man who I know we had
7 twelve interactions with and passed him off for
8 assistance, and he steps from behind a tree and
9 points a gun at my deputies.

10 So, there was opportunity after
11 opportunity, after opportunity, that we
12 documented, Tallahassee police documented,
13 Florida State University police documented it,
14 and nothing happened. So, I'm not sure that
15 that's in line with getting our report out in
16 January, our initial report out, but truly I
17 think we have to dig down deep into this mental
18 health system as it is, not as we think it is.

19 CHAIR: And I think -- I agree with you.
20 I would like to try if we can to at least touch
21 on that a little bit for the January report.
22 I'm not sure that we can or should, but we
23 should at least consider it here, because --
24 and we need to hear from some of the mental
25 health professionals, and one of the -- there

1 -- there is a big misconception about the Baker
2 Act and what it is and what it's not, is, is
3 that the Baker Act is an involuntary commitment
4 for an assessment.

5 The Baker Act is not an involuntary
6 commitment for treatment, it is because
7 somebody presents as a danger to themselves or
8 others, they have refused voluntary treatment,
9 they meet the other criteria, they can be
10 brought in for an involuntary assessment. And
11 one of the things that I've heard from
12 countless mental health professionals is, is
13 that there's nothing I can do because the
14 person, when they go into a CSU, a crisis
15 stabilization unit, or receiving facility, is,
16 is that the psychiatrist or the mental health
17 professional is evaluating that person, is
18 evaluating whether there is a diagnosable
19 mental health condition, and the level of
20 crisis a person is in, and the immediacy of
21 their danger to themselves or others.

22 That person may not be right, they may not
23 have all of their faculties, they may have
24 issues, but it's not up here where it's a
25 diagnosable mental health condition. It may

1 not be the acute crisis that warrants them
2 being able to go to the court and get an
3 involuntary commitment order because it falls
4 somewhere short of that and the person won't
5 voluntarily admit themselves, and so that's
6 where we end up on the cycle.

7 I mean if you all don't know, is that the
8 average in Florida on any given year, about
9 190,000 Baker Acts in the State of Florida
10 every single year. It's not 190,000 different
11 people. The whole bunch of them are over and
12 over again. And, so what happens is, is that
13 they go into a CSU, the mental health
14 professional, the psychiatrist evaluates them,
15 they don't meet the criteria and they release
16 them, and they're put back on the street. And
17 the next time that somebody has contact with
18 them is when they're back in crisis again, and
19 you start that whole process all over again.

20 A lot of people think if somebody is Baker
21 Acted, oh, they're going to get treatment,
22 they're going to get help. No, they're going
23 to get evaluated. And this is the problem that
24 we have, and a lot of misconception about it,
25 and there is a whole gap of dealing with

1 individuals that are somewhere between no
2 issues and extreme crisis where they are going
3 to be involuntarily committed, and they're in
4 this delta. And those are the people that we
5 see over, and over and over again, and that
6 there is an opportunity there probably with
7 case management and doing some other things
8 with.

9 And that is -- and that will get back to
10 what we have to deal with in this, is, is that
11 the things that we're seeing, is he was
12 evaluated by Henderson, is he was evaluated by
13 school counselors, et cetera. Was this a
14 problem with them or this a problem with the
15 system? So, did some counselor, did somebody
16 somewhere drop the ball, or is it more of a
17 problem with the system, where they were
18 working within the parameters, but we need to
19 look at some better opportunities to address
20 some of these people that are somewhere in this
21 gap.

22 SHER. GRADY: Because theoretically with
23 all of those interactions they could have been
24 formal Baker Acts and the outcome still would
25 have been the same that day.

1 CHAIR: From what I know I agree with
2 that. I don't -- I don't think that if this
3 guy is Baker Acted you would have had a
4 different outcome. And -- and remember up
5 until this bill, and we talked about this in
6 Tallahassee when we all met at the Governor's
7 request on the Tuesday afterward, up until this
8 bill you could be Baker Acted twenty-five times
9 in the last month and want and have guns, and
10 have threatened people, and law enforcement had
11 absolutely no authority to take guns.

12 And the disqualification, when somebody
13 was adjudicated, people think, well, if he had
14 been Baker Acted he would have been
15 disqualified from possessing or buying guns.
16 No, he wouldn't. The only way up -- up until
17 this bill the only way that you were
18 disqualified from anything is if a court, a
19 judge adjudicated you mentally incompetent, and
20 if a judge adjudicated you mentally incompetent
21 that only prevented you from buying a gun, it
22 didn't prevent you from possessing a gun. You
23 could have gone and had your brother give it to
24 you. That didn't -- but now the law is changed
25 on that.

1 So, we got to look at what the law was
2 prior to SB7026 taking effect, and there were
3 gaping holes prior to that. But this guy could
4 have been Baker Acted every single day and it
5 wouldn't have had a different outcome in his
6 ability to walk into a gun store and purchase a
7 gun. Commissioner.

8 COMM. SWEARINGEN: Thank you, Mr. Chair.
9 I think one of the key points that's lost when
10 we start talking about threat assessment,
11 there's a critical term that's always dropped
12 from that. It's not just threat assessment,
13 assessing the threat, it's threat assessment
14 and management. Somebody has to manage whoever
15 that is, whether that's regular visits by law
16 enforcement, whether it's regular counseling
17 visits, whatever that is. And maybe that's
18 where this Commission steps in.

19 Somebody has to own these people.
20 Somebody has to manage them. You don't just
21 assess them as a threat and then turn them
22 loose. Somebody has to keep an eye and manage
23 these folks, and I think that's where --

24 CHAIR: You know, and this is one of the
25 things that, you know, hopefully Secretary

1 Carroll can help us, with DCF, and shed some
2 light on it for us, and what's being done with
3 the managing entities, and the whole system,
4 and the providers. And, you know, I want to --
5 now is not the time to get into it, but we will
6 have time to get into it, and I would like to.

7 One of the things that I think there's a
8 need for is specific case management entities.
9 I don't think that we're doing enough in case
10 management, and I think that's where the
11 opportunity is. But, you know, this is where,
12 and this is why we have meanwhile Secretary
13 Carroll on the Commission, and access to the
14 resources there, but I concur with you, and
15 that is something that we should have a lot of
16 discussion about.

17 SHER. ASHLEY: Mr. Chairman, the mandatory
18 reporting for mental health service providers;
19 currently, the law protects them from civil
20 liability if they report to possible victims,
21 or suicidal or homicidal subjects. It does not
22 require them to report though, it only protects
23 them if they do. And this Commission may want
24 to look at our mandatory reporting laws not
25 only in regards to mental health providers but

1 also in social media services, and those
2 internet service providers, that if you see a
3 threat you don't self-sensor, you report to law
4 enforcement that this threat is out there. I
5 would like this Commission to look at those as
6 well.

7 CHAIR: Okay, we'll add that to the list.
8 All right -- yes.

9 MR. SCHACHTER: I'm sorry, Chairman, just
10 one more thing. On Topic 3, law enforcement
11 response, where it says we will consider school
12 hardening, is this the area where we're going
13 to be able to produce a report showing best
14 practices, for instance like you mentioned all
15 doors need to be locked, all classroom doors
16 need to be hardened. And my last question is
17 are we also going to be able to look at
18 emergency response systems from across the
19 country and show, you know, what as a
20 Commission, as the Sheriff was mentioning, what
21 we should do as a nation, and what would be
22 proven best practices?

23 CHAIR: The answer is yes to all of that.
24 You know, get into things, you know, such as
25 body worn panic alarm, such as override systems

1 where you could override the fire for a code
2 red, I mean all of what you're talking about
3 there, all of that would be part of that topic.

4 All right, do I have a motion from anybody
5 to approve these six topics as we've discussed
6 them, and with the input as the six initial
7 topics that we will investigate and include in
8 the report?

9 SHER. JUDD: Motion.

10 SEN. BOOK: Second.

11 CHAIR: Second. Motion by Sheriff Judd,
12 and second by Senator Book. Any further
13 discussion? All in favor, aye.

14 (AYE)

15 CHAIR: Any opposed, (unintelligible)?
16 So, motion passes. We'll adopt those as the
17 Commission's initial work, and the focus of the
18 first report.

19 So, let's take a break for lunch. We're
20 pretty good on time. We want to start again --
21 it's about 12:15 now. Let's start right at
22 1:00. That gives you about forty-five minutes.
23 Okay, so for Commission Members and Staff
24 there's food provided in the back room over
25 here, so go up the stage into the back, and

1 then we'll start again right at 1:00. Thank
2 you.

3 (Thereupon, the meeting is in recess.)

4 CHAIR: We're going to now begin with a
5 discussion on some of the specifics now that we
6 have the topics decided upon we want to discuss
7 our course of work, including evidence
8 collection and witness interviews. As we
9 talked about, we're going to suggest to the
10 investigative team that we break this down into
11 categories and assign people to these specific
12 areas.

13 We've got another Power Point, but before
14 we do one of the things that I didn't mention
15 earlier that I do want to mention for anybody
16 that is interested, these Power Point
17 presentations are on the Commission's website,
18 and they are accessible to the public, and is
19 accessible through the Florida Department of
20 Law Enforcement website. There is a Stoneman
21 Douglas Public Safety Commission page, and all
22 the material is posted on there, so if anybody
23 wants access to that you can access it through
24 that website.

25 On the agenda today is we're required to

1 do in these public meetings is to allow for
2 public comment. At the end of the public
3 session before we head out to Stoneman Douglas
4 High School we will have a public comment
5 session and opportunity. There are comment
6 cards, or a form to fill out. If there is
7 anybody that wants to address the Commission we
8 ask that you fill out the form, and they're
9 over there on the table to my right, to your
10 left by the entrance over there.

11 The public comment today will be limited
12 to three minutes, and the public comment is
13 just that, it's an opportunity for public
14 comment. This is not going to be a question
15 and answer. This isn't going to be dialogue.
16 This isn't going to be a debate. This is going
17 to be that anybody who wants to make a public
18 comment to the Commission can do that, you're
19 limited to three minutes, and we're on a tight
20 schedule because we're going to have to get out
21 to the high school. If down the road, if we
22 want to expand that and take questions from
23 people we can, but today is going to be limited
24 to three minutes per person, and that's going
25 to be the scope of the public comment.

1 So, as we get into the next area that we
2 need to discuss, go through the Power Point
3 presentation here. I want to just bring to
4 your attention the work that is already being
5 done, and right now there are several projects
6 that are currently underway, so FDLE is has
7 already started compiling a report on
8 nationwide school safety plans, and studies
9 establishing school safety best practices, and
10 we will continue to do that, so that's in the
11 works.

12 A report regarding all of those K-12
13 incidents for mass violence has already been
14 started. We've also started working on our own
15 timeline. One of the things that we're very
16 aware of is, as we're collecting information
17 is, is that we want to make sure that this is
18 independent, an independent review. So, some
19 of the information that we are gathering, we
20 will be able to use it as we've collected it
21 from others, but it's going to have to be
22 vetted, and ultimately with some things we may
23 bring it to you all and ask for your input, and
24 whether you feel comfortable that we should
25 rely on it, or whether we should do it anew.

1 We want to balance that against -- we
2 don't want to reinvent the wheel with
3 everything, but we are acquiring these things.
4 Especially as it relates to this timeline I
5 think it's important that we do our own, and
6 that's why the investigative team has already
7 started framing that. We've sent out a survey
8 to all the law enforcement agencies through the
9 Florida Sheriff's Association, and through the
10 Florida Police Chief's Association, to
11 determine SRO staffing levels and ratios
12 statewide.

13 The FDLE Office of Executive
14 Investigations is, I think it's been talked
15 about earlier, and some of you may be aware,
16 they are conducting at the Governor's direction
17 an inquiry into the law enforcement response.
18 But, that is an extremely narrow inquiry that
19 is limited to the response by law enforcement,
20 and the best information I have now, and
21 updated information, is that we should just
22 proceed ourselves, and we probably will not
23 have access to that information in the time
24 frame in which we will need it.

25 So, I had some discussion in here about

1 whether, again getting back to that point, or
2 topic, about whether we should rely on that or
3 whether we should do it ourselves. So, I think
4 at this point the direction we're going to give
5 to Staff is, is to do our own assessment and
6 timeline, and analysis of the law enforcement
7 response, and ultimately when FDLE and the
8 Office of Executive Investigations comes out
9 with their report it's something we can
10 consider, we can look at, but we don't have any
11 time frame for that and so we'll just do our
12 own.

13 As far as acquired evidence is concerned
14 we have obtained a lot from the Broward
15 Sheriff's Office, and we have some of that that
16 is catalogued here for you as to what we
17 already have. If you look at the next page
18 these are some of the things that we already
19 have. So, we've got police radio recordings.
20 We've got some from Broward. We've got some
21 from Coral Springs. We've got 911 center
22 calls. I mentioned earlier about student cell
23 phone video from inside Building 12. We've got
24 Coral Springs 911 center recordings. We've got
25 the video. We got body camera video, policies,

1 Peterson's training file. We've got Henderson
2 records, we talked about those, and some school
3 board records.

4 This is just a sampling of what we have,
5 and we're trying to now determine what
6 additionally we're going to need. I just want
7 to give you an idea about where we've been,
8 what we're working on, and now that we've got
9 direction we can start moving forward with
10 gathering additional information.

11 So, another topic though that we need to
12 have some discussion about are witnesses. Some
13 of this is going to be driven by what we
14 uncover. Some of the people have been
15 interviewed, and there are transcripts of
16 interviews, or investigative reports of the
17 interviews that have already been done. Some
18 of this is going to have to be -- and I think
19 we're going to end up having to share it with
20 you in some of the more important witnesses,
21 and get your input, is, is that do we want to
22 have our people re-interview these folks? Do
23 we want these people to appear before the
24 Commission and give live testimony? How do we
25 want to proceed as to some of these key

1 individuals?

2 I don't think we're prepared right now to
3 make a decision on that. I think that the
4 question needs to be floated out there, which
5 is what I'm doing, but ultimately, we're going
6 to have to make a decision. And most likely,
7 I'd suggest to you that after we have a
8 briefing from the Commission investigators in
9 subsequent meetings then we can make that
10 determination.

11 As far as the subject matter experts that
12 we want to hear from, we've had some discussion
13 about it this morning, but I'd like to hear
14 from you all. Are there any -- from what
15 you've heard so far are there any, or what
16 specific topics -- so, I think we need to hear
17 from somebody regarding the 911 communications
18 system, and the entire radio system here in
19 Broward. We need to hear about that.

20 I think we probably need to hear from
21 somebody within the school system about how
22 discipline works, about referrals to
23 counselors, how the school based discipline
24 system works here in Broward within Stoneman
25 Douglas, everything surrounding that so that we

1 have an overview of that. We probably need a
2 briefing on the mental health system, the Baker
3 Act system, the providers, probably something
4 that talks about the law enforcement
5 information sharing that is now in place.

6 Those will be some things that we should
7 hear from people on for background. So, other
8 than those things that I've mentioned what
9 ideas do you all have? Is there anybody,
10 anybody in particular, or any particular topic
11 that you want to hear about? Yes,
12 Commissioner.

13 MR. POLLACK: I'd like to know who
14 implemented that code red system with the
15 intercom and the fire alarms, how that was put
16 together.

17 CHAIR: The code red system --

18 MR. POLLACK: How they call a code red,
19 and how it interfered with the fire alarms that
20 day, how that affected everybody.

21 CHAIR: Okay, the code -- and just about
22 how it works, and how the code red --

23 MR. POLLACK: The code red and how they
24 called it in, was it called in, were they able
25 to hear it on the third floor, and was the fire

1 alarm superseded the noise from the intercom,
2 like how that whole system was set up, because
3 that we'll be able to implement in other
4 schools.

5 CHAIR: Okay, we'll fit that in. Any
6 other topics? Yes.

7 MR. SCHACHTER: You know, from a law
8 enforcement perspective, or even a mental
9 health perspective, what impediments did they
10 see on information sharing or, you know, down
11 that road. And that might help us, or give us
12 some ideas of what needs to be fixed.

13 CHAIR: Okay. And I guess where I'm
14 trying to go with this -- and I hear you on
15 that. Where I'm trying to go -- so that would
16 be -- but in order to, what impediments, et
17 cetera, and what was there, I guess we need to
18 find out what the system is. So what I'm
19 trying to, and maybe unartfully trying to get
20 from you all is, is that what are the topics of
21 things that are in place now, so how does it
22 work regarding, as an example the entire Baker
23 Act system. What is the Baker Act, what are
24 receiving facilities, what are the
25 capabilities, what's the law, what is the

1 structure and the foundation, and so that
2 you've got that, because if we're going to come
3 in and we're going to look at, well, could they
4 have Baker Acted him, maybe they should have,
5 maybe they should have done X, X, and X, we've
6 got to base it against something.

7 So, another thing that we did talk about
8 it, which I think -- and Christina's got it on
9 the list -- is we need somebody to brief us on
10 the existing privacy laws. That is something
11 that we need to know about, everything from
12 HIPAA and school based records, and federal
13 laws, and state laws, and everything across the
14 board under Florida and federal law, even
15 policies, so that if we are going to say that
16 there were information silos and somebody
17 should have shared something, again that gets
18 back to the issue of maybe they should have but
19 it isn't an individual person's fault there
20 because it's a law problem, it's a policy
21 problem, it's a protocol problem, as opposed to
22 they could have but they didn't. And so that's
23 where we need to, to get this foundational
24 background information.

25 Yes, Chris.

1 CHIEF NELSON: Sheriff, it may be a good
2 idea also, with the diversity of the group, to
3 have somebody speak on firearm regulations or
4 maybe purchasing possibilities, especially with
5 the Baker Act, I know we'll cover it under
6 Baker Act, but maybe specifically the firearms
7 portion of it.

8 CHAIR: Okay. All right, yeah, Chief, I
9 think that's probably, you know, a good idea,
10 is I touched that a little bit earlier, but
11 that way everybody knows. So, what was the
12 state of the law in Florida prior to SB7026 as
13 far as what the Baker Act did and did not do as
14 far as firearms are concerned, somebody's
15 ability to purchase firearms, what were firearm
16 purchase and possession disqualifications, so
17 what was the law, and now what is the law with
18 the implementation of 7026, and then perhaps we
19 could compare that, and if we have any
20 recommendations we can make any recommendations
21 from there.

22 The new risk protection orders, that's
23 something that you should all be aware of, as
24 everybody is implementing those. So, kind of a
25 pre 7026, post 7026, what's the state of

1 firearm possession/purchase disqualification,
2 would be a good way to put it?

3 CHIEF NELSON: Yes.

4 CHAIR: Okay. All right, so we'll have
5 somebody do that. Commission Swearingen.

6 COMM. SWEARINGEN: Thank you, Mr. Chair.
7 I think as we talked earlier, and you may
8 already have this down on your list, somebody
9 needs to come and talk to us about SLERS, and
10 where we are with that, and why this patch
11 didn't work, all this throttling that we're
12 talking about, how do we either fix that or
13 hold vendors accountable when they're selling
14 us those products.

15 CHAIR: Right, that's a whole -- and just
16 for people who are not familiar SLERS is the
17 acronym for the State Law Enforcement Radio
18 System. There are some agencies in Florida
19 that are on SLERS. The State -- certainly the
20 State law enforcement is. There's a whole
21 bunch that are not. You've got a variety of
22 systems, so that is absolutely something that
23 we will do, is to have an overview on overall
24 communications system infrastructure setup, and
25 then bring it narrowly into Broward, the 911

1 system here in Broward, the radio systems. We
2 need to get a whole background on all of that,
3 so we will make sure that that's on the list.

4 And I can -- so the way I see this is, is
5 that we're compiling all of this, and while the
6 investigators are going to begin based on the
7 direction that we're going to, we've given them
8 now, with what we decided here this morning as
9 to the investigative topics, what I think we
10 don't need to wait on is putting together these
11 briefings, so that we can come together for
12 let's say the next meeting, and we can have a
13 day of laying out all of these briefings on
14 these different topics that we're talking about
15 now, let them do their work, and then we can
16 begin with subsequent meetings, and getting
17 briefed by them and what they're finding, and
18 then we'll be able to compare it back to what
19 we heard. Does that make sense to everybody?
20 Okay.

21 MR. SCHACHTER: I think we also need to
22 involve Coral Springs and get Coral Springs PD
23 or the Chief of Police in here to explain,
24 because obviously they're a huge component in
25 this problem.

1 CHAIR: He's on my list. I'm going to go
2 talk to him. Yeah, we'll -- Coral Springs is
3 -- and another thing that we, you know,
4 probably need to give some consideration to, it
5 will come out here, is with fire and EMS, and
6 their response. So, there are some things
7 there that we probably need to incorporate into
8 this as well as far as fire and EMS are
9 concerned. Yes, Commissioner?

10 MS. SKINNER: I think that we should also
11 hear about law enforcement training with regard
12 to the Baker Act, and crisis intervention
13 training in Broward County, as well as
14 statewide, to see how it's rolled out, and how
15 many people are trained.

16 CHAIR: Okay. Yeah. Yes, and I agree
17 with you. And one of things that people will
18 be astonished to know is, is that law
19 enforcement officers who are called upon most
20 often to make these decisions about whether
21 somebody should be Baker Acted, are the people
22 absolutely the least qualified to make the
23 decisions, and that the training that law
24 enforcement officers get in the academy in
25 basic training is about thirty seconds.

1 And then if they get crisis intervention
2 team training, it's forty hours of training,
3 but it's a far cry from being a mental health
4 professional that is truly qualified to make
5 these decisions. And I think what you'll find
6 in a lot of cases is that law enforcement
7 officers, -- and this goes to a problem in the
8 system, -- law enforcement officers over Baker
9 Act. And the reason why they over Baker Act is
10 because cops do what they're trained to do, and
11 that's solve problems.

12 And they got somebody in front of them,
13 and there's an issue, is that, the way cops
14 solve problems is they act upon it usually by
15 taking somebody into custody for something, and
16 so what we're telling them is, is that try and
17 identify it for being a mental behavioral
18 health issue and don't put them in jail, which
19 is what they used to do, but they are reluctant
20 to just leave the person there because they're
21 not a licensed mental health counselor, they're
22 not a clinical social worker. They're not a
23 professional that can really evaluate and is
24 comfortable making a decision because they
25 don't want to make the wrong decision so they

1 Baker Act somebody.

2 But then they go to the receiving facility
3 and you do have a psychiatrist there, or a
4 LCSW, or whoever it is, whoever's doing the
5 evaluation that says, again, they don't meet
6 that criteria, and so this is where we end up
7 in that revolving door. But, the cops are
8 making these decisions in a lot of the cases,
9 but they're absolutely not qualified to make
10 these decisions.

11 UNDER SHER. HARPRING: With reference to
12 fire and EMS, I believe we should take a look
13 at and evaluate the protocols for training.
14 Many of our agencies do train with EMS for, for
15 active shooter drills, and bringing EMS into
16 what otherwise might be a secure or unsafe
17 area, and both with specificity as to what
18 happened in this particular incident, versus
19 what might be best practices moving forward
20 regarding that joint training.

21 CHAIR: Yeah, and what you're talking
22 about there, just for everybody else, generally
23 what is referred to is, is that in this type of
24 incident response we call it hot zones and warm
25 zones, and generally EMS, fire/EMS will go into

1 the warm zones, they won't go into the hot
2 zones, which is an active shooter, active
3 assailant situation, they'll stage at certain
4 places. But there's different protocols in
5 different places for it, and in some places
6 they do training where they have fire and EMS
7 personnel, they're teamed with the law
8 enforcement and they'll actually go into the
9 hot zones.

10 So, that type of response is something
11 that we can consider with the overall law
12 enforcement response, and how that integrates
13 between the disciplines, between fire, EMS, and
14 law enforcement. Yes, Mr. Petty?

15 MR. PETTY: Thank you, Mr. Chair. I'm not
16 sure it rises to the level of having somebody
17 testify but, in the presentation earlier from
18 Broward Sheriff's Department the statement was
19 made that Plantation and I think Coral Springs
20 had opted out of this countywide --

21 CHAIR: Right.

22 MR. PETTY: I'd like to understand why
23 they opted out.

24 CHAIR: Yeah, that's got to be -- I think
25 -- I think that's a question, because it's

1 creating a system down here where you have a
2 regional 911 system and you have two cities
3 that are not part of the regional system, so I
4 --

5 MR. PETTY: There must -- there must be a
6 reason, so. And then the second thing is I
7 think, from a mental health perspective I think
8 there is some case management that's done. I'd
9 like to understand how that works in the State
10 of Florida, or particularly in Broward County,
11 but also then that hand off once, once that
12 student reaches the age of majority, which is
13 what happened in this case. Is there a
14 handoff, what is the handoff, should there be a
15 handoff, who's notified, who's informed; the
16 kid turns eighteen and all of the sudden we
17 lose track, right?

18 CHAIR: Yeah, we'll get into all that, and
19 get an overview. I'm sure we can get people to
20 come in and give us an overview of that. But I
21 think what Commissioner Swearingen said hit the
22 nail on the head, is, is that, and we see this
23 across Florida, is that nobody owns these
24 people. If these people that have mental
25 behavioral health issues, or have addiction

1 issues, or have alcohol issues, whatever it may
2 be, if they could solve their problems on their
3 own, they would. They can't.

4 And there is some case management, so I
5 don't mean my comments to be taken as saying
6 that there is no case management, there is
7 some, but it's largely being done by the
8 entities that are providing the services, and
9 there's no inter- coordination between the
10 disciplines. So, as an example is if you have
11 somebody that presents -- and so many of these
12 people have co-occurring disorders, meaning
13 they have mental health, substance abuse,
14 behavioral health, alcohol, et cetera.

15 So, somebody presents with X, they go into
16 the receiving facility, they got some mental
17 health issues, then they get out, but they've
18 got substance abuse. Well, we don't really do
19 that, but you've got to go over here, and
20 here's an appointment card. Well, they don't
21 go. And when they don't show up, nobody is
22 knocking on the door saying, excuse me, you had
23 your appointment, you missed it, you need to go
24 over here, and we're going to need to help you
25 get there. So, there isn't that type of master

1 case management navigation oversight where
2 somebody owns the person and is ensuring that
3 they are getting those services, or the best we
4 can to ensure that. That's not happening.

5 And from the receiving facilities, my
6 experience is there's a -- receiving facilities
7 meaning Baker Act receiving facilities where
8 people go and then they're released, is, is
9 that the discharge planning, effective
10 discharge planning, at best is inconsistent,
11 and is nonexistent in many places. The
12 discharge planning is, is that here's a card,
13 call and make an appointment. Well, they walk
14 out the door, the card goes in the trash can,
15 and they never do it. And nobody's coming and
16 following up.

17 MR. PETTY: Would you say that that topic
18 is outside the scope of this Commission, or is
19 --

20 CHAIR: No, I think it's -- no, I think
21 it's within the scope of what we need to look
22 at, and as we look at the history. And I think
23 that will be driven by what we find, so I think
24 we -- it all needs to be on the table.
25 Senator.

1 SEN. BOOK: Mr. Chair, to Commissioner
2 Petty's point if we -- I know that there's some
3 folks here from the managing entity, but to
4 understand the dynamic in Broward County from
5 the managing entity to Child Net, and how the
6 Sheriff's Office plays into that, if there are
7 enough social workers, case manage, you talked
8 about case managers, what did that look like in
9 relation to school counselors, whose role is
10 what, and how can we make some of those parts
11 work a little bit better in the cog.

12 CHAIR: Sure. For those of you not
13 familiar -- and, Secretary Carroll, I always
14 lose track, are there seven or nine regions for
15 managing entities; do you know?

16 SEC. CARROLL: Seven.

17 CHAIR: Seven, right. So, there's -- so
18 the way the system is set up, for those who
19 don't know is, is that the money for mental
20 behavioral health, UCF (sic) contracts with the
21 managing entities, the managing entities are
22 responsible for providing the funding and
23 overseeing the providers. So, that's the
24 system. And then there's the regions
25 throughout the state.

1 And so, what you're interested in is
2 knowing specifically about the managing entity
3 here and how the system works, how the
4 structure works, is that --

5 SEN. BOOK: Correct. And do we need more,
6 do we need more social workers if the social --
7 are the social -- what does -- what does that
8 like, just as we talked about, what does that
9 plan look like, is it just a soft handoff.

10 CHAIR: Sure.

11 SEN. BOOK: How do we make sure that
12 somebody does make that next appointment, that
13 we're getting the help that we need.

14 CHAIR: Sure, and so we'll add that to the
15 list, and get somebody from the managing entity
16 to come in and explain, you know, that as part
17 of the overview on the structure of the mental
18 health system. Yes, Commissioner.

19 MS. SKINNER: Another thing we probably
20 need to include along those lines are what are
21 the options within the law that allow people to
22 be court ordered, or some other form of
23 requirement of treatment in the mental health
24 system, because once somebody reaches the age
25 of majority, and even kids, there's a

1 dependency on what the law allows, as far as
2 forcing people to partake in those services
3 that may be available.

4 CHAIR: And it's a high bar. And this is
5 where people get confused on the Baker Act, and
6 people think, well, just Baker Act them. No,
7 that's, that's not treatment, that's
8 evaluation. So, we'll make sure we look at
9 that.

10 And again, we had somebody come in, and
11 probably one of the first things is is to
12 explain what the law is, what the laws are,
13 then how are the laws interplaying with the
14 current structure, what is the current
15 structure, and then what are the abilities and
16 the limitations on those within the system as
17 to what they can do. We'll try and set it up
18 that way.

19 Sheriff Judd.

20 SHER. JUDD: On to another topic in our
21 effort across the state, and across the nation
22 to, to decriminalize events, divert kids, and
23 now adults, you're building more silos, not
24 less silos, because now they're not going into
25 this system, they're going into that system, or

1 they're going into no system. So, we need to
2 look at if we're going to have diversion
3 programs, if we're going to have
4 decriminalization programs, if we're going to
5 have whatever the diversion is by whatever
6 name, how are we going to link all of that back
7 together if in fact this next shooter never
8 rises to a committing a crime act, but has been
9 dealt with under another new system that's in
10 the process right now of being looked at.

11 So, -- so the reality is we don't only
12 have the traditional systems that we're all
13 accustomed to in this, but we have new systems
14 now being created.

15 CHAIR: And that's some -- and, you know,
16 Christina, if you would add this to the list,
17 too, so everybody knows what the landscape is,
18 how -- legally, how does juvenile crime affect
19 adults, and what happens with expungements, and
20 those types of things, so that everybody has an
21 understanding of that.

22 And I'm sure Secretary Daly is willing to
23 have somebody from DJJ come in and explain the
24 whole landscape on diversions, alternatives, et
25 cetera, and that we can get somebody from DJJ

1 to do that. Yes, Secretary.

2 SECT. DALY: Yes. I was hoping that we
3 could hear from some experts in school
4 construction, and some of the strategies around
5 school security, whether it's new construction
6 or retrofitted construction, and particularly
7 around communication internally, and
8 surveillance internally in real time at
9 facilities. Is that going to be something that
10 is going to be a subject?

11 CHAIR: Yeah, we'll make sure that that's
12 on the list, yeah. Somebody asked the question
13 earlier -- I forgot who, but somebody asked the
14 question earlier about whether anybody was
15 watching those cameras. I think along those
16 lines you're talking about surveillance. I
17 mean that's -- that's the question, is, is that
18 you're talking about a force multiplier, and,
19 you know, cops can't be everywhere. You can't
20 have a cop on every street corner. You can't
21 have a cop on every, in every hallway in front
22 of every classroom, but if you had a robust
23 video surveillance system you could be watching
24 those, and, you know, when that kid walked on
25 that campus and he opened up door and, I'm

1 telling you that when you see the video, is
2 he's carrying that bag, he's taking that gun
3 out, if somebody was watching that camera and
4 saw it when he was taking the gun out of the
5 bag and first walked out of the hallway, and
6 said, uh, we got a problem, somebody could have
7 done something about it.

8 Yes, Commissioner.

9 COMM. STUART: In looking at some of the
10 questions from what we are required to do, this
11 Commission is required to do in law, I wonder
12 if you want information regarding what can Safe
13 School money be spent on. And, in addition to
14 that, someone to do a presentation on what
15 changes with regard to some of the things we've
16 talked about within schools happened after some
17 of the national mass shootings.

18 CHAIR: Yes, those are great points.
19 Thank you, we'll make sure that's on the list.
20 Secretary.

21 SECT. CARROLL: And to follow up on -- and
22 I thought you, you had an excellent
23 description, by the way, of how the Baker Act
24 system works. But I -- it's even more
25 complicated than that, because when you refer

1 to managed entities, the managed entities
2 handle only those that don't have another
3 payment resource. So, Medicaid, for instance,
4 pays for double the amount of people that
5 community mental health dollars pay for, and
6 then private insurance.

7 And the Sheriff's absolutely right, those
8 cylinders, or spheres, don't always talk, so
9 somebody might be getting mental health
10 services and we don't even know about it,
11 because it's either privately insured, or
12 sometimes they get it through Medicaid, and we
13 have got -- so it's connected to the
14 information sharing, but we have to figure that
15 out. The other piece -- somebody mentioned the
16 transition piece, because that was an important
17 piece in this, because I know when the
18 Department got involved he had already
19 transitioned from being a child under eighteen
20 to a child over eighteen, and that impacts the
21 type of response that you get, and what, what
22 we can do as a result.

23 So, I do think to look at those
24 transitions, both from a behavioral health
25 standpoint, but even from a child welfare to an

1 adult protective services piece, it really
2 changes the nature of the relationship that we
3 can have with that person, and so I would
4 really like to look at that piece too, that
5 whole transition piece from seventeen to
6 eighteen.

7 CHAIR: Okay. I'll make sure that we got
8 that, got that on there. Yes, Commissioner.

9 MR. DODD: And to go along with
10 Commissioner Stuart's comments on the Safe
11 School allocation I'd also like to see how, or
12 suggestions for the mental health assistance
13 allocation that's in there that's going to
14 require school districts to provide mental
15 health counseling at school, and how we can tie
16 that in to the big picture with other social
17 service agencies.

18 CHAIR: Okay.

19 UNDER SHER. HARPRING: Overlaying all the
20 excellent ideas, and things that we've talked
21 about so far, is something that was alluded to,
22 is funding. And I think it would be important
23 for the Commission to have either a subject
24 matter expert or come up with consensus. And I
25 know that we have, you know, legislatures and

1 school board members here, but I think it's
2 very important that we recognize that whatever
3 we finalize or come up with, that we have some
4 sort of plan, some sort of strategy to direct
5 recommendations on the state level to the
6 legislatures.

7 I know that we in Sheriff's Office
8 sometimes struggle with our County
9 Commissioners, and our friends in our
10 municipalities with the city, with our city
11 councils, and whatnot, and I just think it's
12 critical that we keep that in mind, that these
13 recommendations for, you know, unified
14 evaluation and follow up, has with it the
15 necessary emphasis on the required funding,
16 whether it come from school districts, county
17 commissions, city councils, or the legislature.

18 CHAIR: We'll make sure that's on there.
19 You know one of the things -- and this may be
20 beyond the scope, you know, of this Commission,
21 but one of the questions that always comes up
22 when you talk about funding in my mind, and
23 everybody says we need more money. Well, we
24 do, we need more money for different things.
25 But, one of the things that is crucial and

1 paramount is before we ask for new money we got
2 to make sure we're using the existing money
3 correctly, and that it's being used properly
4 and efficiently, and that the services that are
5 being provided are evidence based and outcome
6 driven.

7 And I think there's a lot of room for
8 discussion about that, and making sure that
9 that's current as well, so it's something to
10 keep in mind, you know, against that backdrop
11 is, is we're looking at things, making sure
12 that what we are investing in is producing the
13 results. Sheriff.

14 SHER. ASHLEY: Mr. Chair, along that line
15 is how do we know what we get from the billions
16 of dollars of mental health services we put
17 into that today? I mean how do we measure the
18 effectiveness of our mental health service we
19 provide now? I mean I'd like this Commission
20 to examine that in some, some fashion, all the
21 way from determining what is the criteria for
22 determining or giving a prognosis, or
23 diagnosis.

24 Certainly, we talk about law enforcement
25 not being qualified to diagnose a mental health

1 issue; our job is to take control of an out of
2 control subject, and we refer them to a subject
3 matter expert that can diagnose them on what
4 their issues are. I disagree that we overuse
5 the Baker Act, only because there's no
6 alternative. If there was an alternative, then
7 I might agree. But, there is no alternative,
8 either jail or Baker Act. And it's an
9 evaluation, it's not treatment, you've said it
10 over and over again.

11 But how do we know what we get? As
12 Florida citizens, how do we know what we get
13 for the money we provide for mental health
14 services, and how do we determine, you know,
15 how do doctors -- I think we should bring a
16 doctor or psychiatrist, a mental health
17 professional to tell us how do you determine if
18 somebody is schizophrenic, bipolar, and how you
19 prescribe psychotropic medications to them, and
20 what are the side effects. I mean I think that
21 might be helpful for this Commission as well.

22 CHAIR: Then how do you get them to take
23 it, you know --

24 SHER. ASHLEY: If that is possible.

25 CHAIR: -- because that's another thing

1 is, is that they can prescribe it all day long
2 but if people aren't taking it, you know. And
3 then you get into -- you get those, you know --
4 we'll kind of move on from this here in a
5 second, but getting back to what Secretary
6 Carroll was saying about information sharing,
7 you got all these people, so you got people
8 that are going into the receiving facilities,
9 you got people going into the jails, you got
10 people going into the juvenile justice system,
11 or in that seventeen/eighteen gap that are --
12 there's records about all these people, and but
13 again it's all sitting here in different places
14 and nobody has overreaching access to it, you
15 know, it's --

16 There is a unquestionable fragmentation of
17 information, and the system doesn't do a good
18 job of talking to each other. I mean you can
19 take it -- and I've said this to somebody at
20 the break, one of the family members, you can
21 see it in law enforcement agencies, especially
22 in counties where you have multiple law
23 enforcement agencies. You can have one city
24 police officer that comes in contact with
25 somebody three times, there are some serious

1 indicators, there are some serious problems,
2 and they write an investigative report.

3 Well, the person happens to go three
4 blocks over and now they're in another city,
5 and that police officer in that city has
6 written five reports on that person and showing
7 serious indicators of certain things. And then
8 the person moves over here, but the cop over
9 here doesn't have access to any of that
10 information because they're different record
11 management systems, they don't talk, and nobody
12 has query access to it. That's every day.

13 That's every day, and it's happening, you
14 know, you take a county that's got, you know,
15 one or two agencies, that's a different story.
16 But, the bulk of the counties have multiple
17 agencies. And you take people that are on
18 county lines. So you take as an example is, is
19 that the Broward County Sheriff's Office record
20 management system and the Palm Beach Sheriff's
21 Office record management, they're two different
22 systems.

23 So, you see that throughout the -- and you
24 take people in the jail with mental health or
25 medical issues, et cetera, in the county health

1 department, you've got the same people that are
2 popping back and forth between the county
3 health department and all the county jails;
4 those systems don't talk. They don't.
5 Senator.

6 SEN. BOOK: Thank you so much. Lastly,
7 Mr. Chair, I think that one of the things
8 that, you know, we've outlined, and we've
9 accepted that these are the things that we're
10 going to look at, is the shooter, and what we
11 can glean from, you know, birth to now. You
12 know, was, was, you know, his biological mother
13 somebody who used drugs, what, you know, did he
14 have a case manager, was there a teacher who
15 saw something, how, what can we glean from,
16 from that birth to the current time, that we
17 could bring somebody here who interacted with
18 that individual, had some, you know, in the
19 course of us looking at some of this, bring
20 those folks here so that we can ask some of
21 those questions, and parse apart some of those
22 things.

23 CHAIR: Sure, we'll do that. The first
24 thing I think is to give you an overview of
25 what there is, and then give you all an

1 opportunity to weigh in on, after you hear all
2 what it is who exactly you want to hear from.
3 And, you know, and maybe some of it -- I know
4 there's some things in there where he had
5 contact with counselors from Henderson and they
6 made a determination that he was not then a
7 danger to himself or to others. Why? I don't
8 know the answers to those, but those are the
9 things we need go get into.

10 So, are there any other -- yes.

11 MS. SKINNER: So, one of the services that
12 our local sheriff's office offers us is they
13 will come to my facilities and do a security
14 kind of review and recommendations, and I'm
15 just wondering if that is something that is
16 available statewide, or particularly with all
17 the different school districts, if that's
18 something that they engage in, either with law
19 enforcement or other security experts with
20 regard to the schools.

21 CHAIR: So, they -- they're coming -- so
22 they're coming to your school and they're doing
23 a site assessment; is that what you're talking
24 about?

25 MS. SKINNER: It's not a school, it's

1 actually a psychiatric facility.

2 CHAIR: Yeah, okay. That's what I
3 thought, okay. Okay, so they're coming and
4 doing that. Was that -- I mean certainly --
5 that's probably a law enforcement agency to law
6 enforcement agency. Some probably do it, some
7 probably don't have the resources to do it. It
8 probably depends on place to place. But
9 they're doing a security site assessment, and
10 is -- your question is, is that available in
11 the schools?

12 MS. SKINNER: Well, what I'm wondering is
13 does the, do the school districts avail
14 themselves of anything like that?

15 CHAIR: So, now they do. It's part of
16 SB7026. It's part of this bill, and this
17 legislation. And what's required is, is that
18 the State and Department of Education is
19 required to contract with a provider to do a
20 site assessment instrument, and then there's
21 required to be these site assessments of the
22 schools, and what's needed.

23 In SB7026, the legislature allocated right
24 at just under \$100 million for infrastructure
25 hardening. I understand, and, Commissioner,

1 you can fill this in if I don't have it
2 correctly, is, is that what's available to the
3 districts is to apply to DEO for grants under
4 that. And I believe most of the districts are
5 in the process of doing assessments along those
6 lines now. And there has to be though as well
7 an opportunity for law enforcement, there has
8 to be, it's mandated by the bill, for law
9 enforcement to go onto the campuses and to
10 assist in the assessment and make
11 recommendations.

12 So, that may be one of the things that we
13 see how it plays out, and that we would bring
14 back some further recommendations to the
15 legislature on as that gets implemented. I
16 think that was one of the things that happened,
17 you know, quickly in the three week period, and
18 there's probably some room for some tweaks in
19 that. But we are much better today than we
20 were prior to March 9th when Governor Scott
21 signed the bill because none of that was
22 mandated before then. It is now.

23 Yes, Commissioner.

24 MR. SCHACHTER: Along the lines of what
25 we're going to present to the legislature, I

1 would love it if we could come back to the
2 legislature and say these are -- we're going to
3 create best practices, if we could take those
4 best practices and put them into law, like
5 Indiana has created a best practices law.
6 That, I think would be tremendous. That's what
7 we need in the United States, and this
8 Commission could not be more important to
9 establish that nationwide.

10 CHAIR: Okay. All right, any other
11 suggestions as to topics that anybody wants to
12 hear from before we move on? I think we got a
13 lot. I think we got a lot of direction, so we
14 will move ahead with taking those suggestions
15 and everything we talked about. Which takes us
16 into the next Power Point, which is a proposed
17 general, very general timeline for initial
18 investigation and report.

19 So, we've said this several times now, we
20 have to have an initial report, and again it's
21 an initial report, but it still needs to be
22 comprehensive, by January 1. So, working
23 backward from that what I suggest is, is that
24 we give the Commission Staff time to analyze
25 the evidence, and before they start reporting

1 to us, give them until June 1st. But between
2 now and then, or earlier, we can certainly have
3 meetings to get briefings on all those topics
4 that we have just gone through.

5 Then between June 1 and, or earlier,
6 depending upon the work and how it's
7 accomplished, and November 1st, that this
8 Commission will hold meetings, receive
9 evidence, receive testimony, go through
10 everything that you want to, and that we,
11 they'll cut it off by November 1st to give
12 Staff the opportunity to begin the report, and
13 that they provide us a draft report by December
14 1st, that we work during the first part of
15 December to finalize that report, and then give
16 us time to get it submitted by January.

17 It's the best I was able to come up with
18 given what we know at the current time, and
19 it's just intended to be a general framework of
20 how to proceed, but I am very open to any
21 thoughts, comments, suggestions that anybody
22 has, you know, on that. Does anybody have any
23 other thoughts on that as a beginning place of
24 our time frame?

25 Yes, Sheriff Judd.

1 SHER. JUDD: As I discussed earlier I'm
2 going to have to leave in a few minutes. Let
3 me just add a comment that I think that's very
4 reasonable. And the question is, that you
5 posed earlier, do we want to meet more often
6 for smaller amounts of time or more often, or
7 less often, you know, let me give my feedback.

8 You know after I've already made the trip
9 down here I'd rather have at least two day
10 sessions, as opposed to having to come twice
11 for two one day sessions. But this looks
12 reasonable, and I don't think we can project
13 exactly because we don't know if we're going to
14 bump into any roadblocks, but certainly we have
15 to give Staff time to get the reports together
16 by the January report.

17 We may need to have a conversation about,
18 you know, when we hear about the mental health
19 system, and certainly we want to deal with part
20 of that, but we've got to get some report to
21 the legislature by January 1st, so it may --
22 and we'll be able to tell this over the next
23 couple of meetings, about how much of this
24 elephant can we eat between now and January
25 1st, and how much we have to spread into next

1 year.

2 CHAIR: Right. And that may be one that
3 is, the bulk of the work is not done on that
4 between now and January, because that's very
5 complex, I agree with you, so. What -- so as
6 we are, you know, there at that point, and I'm
7 not hearing any concerns about this proposed
8 time frame which does lead us into the topic,
9 and this is as good a time as any to have as
10 far as future meetings.

11 So, as I said my intention is, is to have,
12 at least for the immediate future as we are
13 discussing what happened at Stoneman Douglas,
14 is to have these meetings down here, because I
15 believe that this is the place they should be
16 held to give the community an opportunity to be
17 here if they want. Out of respect for those
18 that experience this I think this is where we
19 should have these meetings. So, does anybody
20 -- Sheriff Judd has expressed his view. I saw
21 some heads nodding in concurrence with that.

22 Is it -- is it the general consensus of
23 the Commission that you would rather have multi
24 day meetings as opposed to having single day
25 meetings and multiple trips? Is that the

1 generally speaking -- okay, all right, so we'll
2 take that into consideration, so that we will,
3 you know, pack it full and try and get as much
4 scheduled as we can. My thinking is -- and I'm
5 going to need to sit down with FDLE, and we'll
6 have a discussion about it and then try and
7 reach out, is I would like to see, is during
8 May, and by mid-May sometime to be able to
9 schedule a couple of days session where we can
10 get all these briefings.

11 Now, we're going to have to reach out to
12 people, and we're going to have to line up the
13 speakers, and give them an opportunity to
14 prepare their material, et cetera, and we're
15 going to get on it quickly, but perhaps by
16 mid-May that we can schedule something, and
17 then as the investigative team is beginning
18 their work then to be able to come back. I
19 hope to be able to at least begin providing the
20 Commission with feedback by early June, and
21 then just keep it on a process, because we got
22 to start it flowing, because November 1 will be
23 here before we know it, and you said it, too
24 much, there's a lot to be done.

25 So, but we don't want to lose any

1 momentum, we want to keep it going, so
2 hopefully we can get back together here by
3 early May. We'll look at dates and get them
4 out to you as soon as we can. Yes.

5 SEN ASHLEY: With all due respect I would
6 ask that maybe we consider having the majority
7 of the meetings here, but I think this is an
8 issue that affects all Floridians. It
9 certainly affects the panhandle the same, and
10 North Florida the same as it does South
11 Florida. It's just as important to our
12 constituents in the north as it is to the
13 south, and they all want to have a say to the
14 Commission, and they all want to appear to the
15 Commission, and we may preclude that if we, if
16 we make it difficult for them to, to attend.
17 Just -- just --

18 CHAIR: Yeah, we will -- we will
19 definitely hold some meetings in other places,
20 but as our focus is on the specific occurrences
21 at Parkland at Stoneman Douglas on February
22 14th, that's really what I'm talking about,
23 about making sure we do it down here. But
24 obviously the scope is broader than that, there
25 will be other things. We will need to give

1 people other opportunities, and I appreciate
2 your comments, and we'll take that into
3 consideration as we do it.

4 The other thing I want to make sure that
5 we covered here, and I didn't -- it was in the
6 last Power Point, but you can read it yourself.
7 I'll just talk to you about it. One of the
8 things that we're asking is that there's twenty
9 of us, and there's only a handful of people on
10 the investigative team, is that we're asking
11 that individual Commissioners don't give
12 specific direction to the investigators, or to
13 the FDLE Staff, is to bring it up here and go
14 through the Chair with it, we'll talk about it,
15 and we'll do what we did here as far as giving
16 them direction, because if they start getting a
17 bunch of phone calls from a bunch of you about
18 do this, do this, do this, it's not going to
19 work.

20 So, please bring up any of these ideas,
21 there will always be time, we welcome the
22 dialogue, we welcome the suggestions, we're
23 going to take what you say and we're going to
24 make sure it gets implemented. But to save
25 them from going in a thousand different

1 directions just please don't reach out to the
2 Staff individually and give them tasks and
3 assignments. So, that's just something that I
4 discussed with FDLE, and we said that we would
5 ask you all to do.

6 So, I think at this point we've covered
7 what we need to --

8 SHER. GRADY: Sheriff?

9 CHAIR: Yes.

10 SHER. GRADY: Just quickly regarding
11 scheduling. We're going to have the multi day
12 session. We've talked about closed session. I
13 from a law enforcement perspective think it
14 will be important to take a look at the school
15 video, the body cam video, and the cell video.
16 As you said, suggested, difficult as it may be
17 I think it's incumbent upon us to do that, so
18 as we're moving forward, and you're looking at
19 dates, I would ask that you consider and
20 contemplate one of those dates in the fair near
21 future that we have to be a closed session
22 where those that are amenable can have the
23 opportunity to look at that.

24 CHAIR: Okay, we'll do that. Yeah, I
25 think that with the video it's something that

1 -- and I anticipate from a number of you that
2 you are going to want to see that. Having seen
3 it, it has probative value to watching it, as
4 hard as it is, to get a full understanding of
5 what happened. You know, we created the
6 animation, it gives you an idea, but it doesn't
7 give you the, the full aspect of it, so we will
8 make sure that we talk about that further.

9 And there are some other videos, and
10 there's come comparisons of things that have
11 already been put into place that I think will
12 help you understand what certain people did in
13 relationship to other events, too. But I think
14 those things are things that are going to have
15 to be done in closed session because they are
16 all still part of the active criminal
17 investigation, and much of the active criminal
18 investigation is still confidential and exempt
19 under the public records law.

20 And one of the reasons, just for everybody
21 that's watching, or anybody that's hearing is,
22 is that a lot of this is not only confidential,
23 but it is still exempt because discovery has
24 not been had in the criminal case. And that
25 changes the dynamic in it once discovery has in

1 the criminal case, but the defense hasn't
2 requested discovery, so there's a lot of legal
3 issues that are at play with it as well, but a
4 good chunk of it is affirmatively confidential,
5 so we'll, we'll make sure that we go down that
6 path and give everybody an opportunity to,
7 again, have as much as you want to have, and as
8 much as you feel you need to have so that you
9 can be informed to make the decisions that you
10 need to make.

11 So, I ask Assistant Commissioner Pritt, do
12 you guys -- who's going to do the -- do we need
13 to talk about the, the last administrative
14 thing, on the travel? Can we do that now, have
15 somebody, you know, talk to the Commission
16 members on that administrative issue?

17 MS. PRITT: Chairman, I can make it very
18 brief. Inside all of your folders you will see
19 an instruction set about travel and
20 reimbursement request. All of you have Ms.
21 Jennifer Miller's e-mail communication. Any
22 questions you have about travel, what can be
23 claimed, how to claim it, we are under some
24 guidance under the statute of the provisions
25 under which we must stay under, but you have

1 some instructions in there. If you have any
2 questions about that go individually to
3 Jennifer Miller and/or me. Okay.

4 CHAIR: That was quick, thank you. We
5 appreciate it. I think we'll move into now,
6 into public comment. As I said we have -- and
7 somebody can bring up to me if we have any
8 additional public comment cards. We have I
9 think four or five here of people that want to
10 speak to the Commission. The first one is, and
11 I'm sorry if I'm going to mispronounce your
12 name. April Schentrup.

13 PUBLIC COMMENTS

14 MS. SCHENTRUP: My name is April
15 Schentrup, S-C-H-E-N-T-R-U-P. I am the -- I am
16 the mother of Carmen Schentrup, one of the
17 seventeen victims at MSD. During this
18 morning's meeting we heard that in January of
19 this year 2018, that the school staff received
20 training in regards to how to respond to an
21 active shooter, a code red, but on February
22 14th we understand that the shooter was allowed
23 to just walk in, walk on campus through an open
24 unsupervised gate, then later permitted to walk
25 through an unlocked building door un-detected,

1 undetected, unfettered, and proceed to unload
2 in a stairwell 300 rounds of ammo and his
3 assault rifle, again without any detection from
4 school staff.

5 I just want to urge the Commission to look
6 at what kind of training did the staff receive
7 prior this event, because obviously it didn't
8 prevent this tragedy from happening. Simple
9 security measures like keeping your gates
10 locked is something that's been around in
11 policy for many years and could have maybe
12 prevented this tragedy. One of the entities
13 you didn't talk about today was the Broward
14 School's Police Department. They're included
15 in this training that's given to school staff,
16 so I urge you to look into what they have in
17 regards to how schools respond to active
18 shooters, code red drills, et cetera, and what
19 policies and procedures were already in place
20 that weren't done on this day.

21 And why wait until January 1st of next
22 year to make sure that these things are done
23 now, because many of our families still have
24 other children that attend not only MSD but
25 other Broward schools. So, please make sure to

1 look into everything, but also the things that
2 you do find, report them immediately so that
3 we're not faced with this incident, tragedy
4 every again. Thank you.

5 CHAIR: Thank you. And we're so sorry for
6 your, for your loss. But one of the things I
7 want to make clear for anybody, again, that's
8 watching, or listening is, is that this
9 Commission has a job to do, and we're going to
10 do it. And we have that initial report by
11 January, but nothing precludes any individual
12 school, any individual school district, or
13 anybody else from taking the necessary action
14 immediately to make changes. Nobody should be
15 waiting for us to take the action that is
16 necessary to effect the highest level of public
17 safety and security in making sure the schools
18 are safe, and the kids are safe, so anything
19 that we say here that indicated otherwise is
20 not my intention.

21 Nobody should wait. If somebody sees a
22 gap they need to fill it.

23 MS. SCHENTRUP: I agree. And I just want
24 to stress that, you know, the frustration that
25 some us are feeling is that things need to be

1 investigated. Committees are being
2 established, different things are being looked
3 at, or again because there's an investigation
4 things can't be told to the public. But again,
5 our children are our main priority, our loved
6 ones are our main priority, so we just want to
7 make sure that that's emphasized, that we can't
8 wait for reports, or Committees, or things like
9 that. If we know that something should be done
10 then they should be done immediately, and if
11 they're not then something needs to be, or
12 someone needs to be held accountable in regards
13 to that. So, thank you.

14 CHAIR: Thank you for your comments. Next
15 is Steven Brown.

16 MR. BROWN: Thank you. There's a few
17 things that I -- I've been listening at home,
18 and driving here, and so I didn't necessarily
19 hear everything, but I know you mentioned the
20 \$64 million from the State for safety. There's
21 also \$104 million that the County voted on for
22 safety that \$5 million has only been spent in
23 the last three and a half years, so we want to
24 find out where, where all that money is, what's
25 going on with those projects, and the interest

1 that they've been getting, where that money is
2 going to as well.

3 Also mentioned was the discipline matrix,
4 and the behavioral intervention plan. That
5 also allows, allows administration to make a
6 lot of decisions on whether law enforcement is
7 called in, or what type of discipline the
8 students get, and some of it is on relatively
9 violent acts, which, you know, unfortunately
10 administration is not equipped to make those
11 decisions, at least in my opinion. So, that's
12 -- that's one thing.

13 Also, from what I've heard from people it
14 would be a recommendation of mine to interview
15 teachers, administrative people, SROs
16 anonymously, privately, because from what I've
17 heard there's a lot of pressure from some
18 people to not report bullying, crimes. It
19 helps with money that comes into the County, it
20 also helps with, you know, the crime numbers
21 being lower, so that's a recommendation I have,
22 to meet with a lot of different teachers, not
23 only in Stoneman Douglas but all over the
24 county. I've heard stories all over the county
25 that that's happening.

1 Mental health -- one thing is I don't know
2 if this is state, local, national, but mental
3 health is lumped into one big group of, you
4 have ADHD all the way to someone like the
5 shooter, his mental problems that he had.
6 That's all lumped into one. It seems like it's
7 one big bucket, which they all seem to have the
8 same rights, depending on ADHD all the way up
9 to that.

10 Maybe there should be some sort of
11 something looked at where once you've turned
12 violent, there's some violent activities, that
13 certain rights are taken away, certain things
14 are, you know, different things are happening
15 with, with violent people versus the ADHD,
16 autistic kids, that type, that type of thing.

17 And also, the fragmentation was mentioned.
18 If agencies are all -- if everything is all
19 fragmented into different silos I think the
20 accountability of each silo is not there.
21 There's no oversight on different
22 organizations, and I think that needs to be
23 looked into very closely because from what
24 we've heard, and from what we've seen, there's
25 a lot of things that have gone, gone wrong.

1 One other thing about the security at the
2 school, I know just from me dropping my son off
3 at Stoneman Douglas, it's been taken care of
4 now, but the second day back at Stoneman
5 Douglas I dropped my son off at Holmberg Road
6 and my son walked right through the exit gate
7 of the, of the senior parking lot, the same
8 gate that he walked through on February 14th,
9 and there was no security.

10 There was probably seventy police officers
11 that day at Stoneman Douglas, most of them were
12 in front of the media, but there was no
13 security there. That gate was wide open, and
14 my son walked right through, and there was, you
15 know, no security there. So, there's been a lot
16 of failures obviously before that happened, and
17 obviously we heard up until Spring Break there
18 was a lot of failures as well, as well that we
19 need to look into. Thank you.

20 CHAIR: Thank you for your comments. The
21 next is Thomas James.

22 MR. JAMES: Good afternoon Commission
23 Members, we welcome you to --

24 CHAIR: Mr. James, hold on one second if
25 you would. Senator Book, did you have

1 something?

2 SEN. BOOK: Yes, Mr. Chair, thank you.
3 Mr. Brown's comments are a little alarming,
4 that teachers are being told to suppress
5 reports. Is there a way that -- and I don't
6 want to inundate anybody with e-mails, but is
7 there a place that teachers, that we could kind
8 of direct teachers to report to us, the
9 Commission?

10 CHAIR: On the Commission website there's
11 an opportunity for people to submit comments.
12 They don't have to put their name. Is that
13 still correct, or --

14 UNIDENTIFIED FEMALE SPEAKER: Correct.
15 But it's not for the receive a threat
16 information. It's comments about the
17 commission business.

18 CHAIR: Right, it's about Commission
19 business, so anybody that wants to provide any
20 information to the Commission, they don't have
21 to identify themselves, it can be done
22 anonymously, and there's an opportunity to
23 provide comment. So, if there is anybody out
24 there that feels like that they want to provide
25 information to us generally there is an avenue

1 for them to do that.

2 Sir, go ahead.

3 MR. JAMES: Yes, guys, good afternoon. My
4 name is Thomas James. I'm a resident of
5 Broward County. I was also a teacher for
6 thirty-six years in Miami-Dade County. I also
7 worked for the teacher's union in Miami-Dade,
8 and also worked at the State of Florida for the
9 Commissioner of Education from '99-2003. I
10 just want to thank Governor Scott, Speaker
11 Corcoran, President Negrón for convening this
12 Commission so we can, you know, hope that this
13 never happens again. It's my sincerest desire
14 this Commission get to the bottom of this
15 horrific incident and hopefully identify and
16 hold accountable those individuals responsible.

17 I'm very concerned about the impact of
18 failed Obama era policies on school safety and
19 school discipline in Broward and other large
20 Florida districts like Miami-Dade where I
21 worked, and I was a union steward, and union
22 lobbyist. These districts were basically
23 guinea pigs for this disastrous race to the top
24 federal grant. We know that all the agencies
25 involved dropped the ball, the school district,

1 Broward Sheriff's Office, juvenile justice
2 officials, FBI, Broward School Board, it's just
3 unfathomable this could have happened.

4 The bottom line is bad policy was the
5 cause of this tragedy. You've heard about the
6 Promise Program, behavior modification program,
7 this all evolved out of Obama's race to the top
8 in 2013. In my eyes this planted the seeds of
9 what happened in Marjory Stoneman Douglas on
10 that fateful day. Not arresting students who
11 commit serious school crimes isn't just pure
12 folly, it's downright evil.

13 Broward County Juvenile Justice Division
14 records show a 150% increase in serious
15 juvenile crime since the Promise Program went
16 into effect in 2013. According to the Chief
17 Juvenile Probation Officer for Broward County
18 they said the highest percentage of the most
19 serious violent and chronic juvenile offenders
20 in Florida is now here at Broward County,
21 ground zero.

22 Superintendent Runcie, who had worked with
23 President Obama and Arnie Duncan in Chicago
24 denies that school shooter sociopath Nicholas
25 Cruz was part of either of these programs. Why

1 has the Superintendent and School Board refused
2 to release Cruz's full discipline records? Why
3 was Cruz never arrested after BSO officials
4 were called to his home over forty five times?
5 BSO Sheriff, Scott Israel, was also one of the
6 original signers of the Promise Program.

7 Why was Cruz never arrested or Baker Acted
8 after being caught with bullets in his backpack
9 while a student at Douglas? Two Douglas
10 students told school officials Cruz had issued
11 death threats against them just months before
12 the shooting took place, a boy specifically who
13 had started dating his ex-girlfriend. Tips
14 were sent to the FBI regarding Cruz's threat to
15 shoot up his school. School officials were
16 aware of this one year prior to the actual
17 event.

18 Lastly, why has Superintendent Runcie and
19 the School Board sat on \$100 million of bond
20 money earmarked for school safety since the
21 bond was passed in 2014, all the while asking
22 the state and federal government for more
23 school safety money? Now that the state has
24 allocated \$400 million for enhancement of
25 school safety, Mr. Runcie and the Board have

1 indicated their intent to not participate in
2 the program, attempting to deflect to
3 ideological arguments on gun control and mental
4 health issues.

5 As the old saying goes, folks, something
6 smells fishy in Denmark, something stinks to
7 high heaven at Broward County School District
8 headquarters downtown. Please help us get our
9 schools back and make our kids safe again.

10 Thank you.

11 CHAIR: The next person we'll hear from is
12 Carlos Verne.

13 MR. VERNE: Good afternoon, Carlos Verne,
14 Marjory Stoneman Douglas alum class of 2004.
15 There's been some discussion, and at least one
16 question regarding why Plantation and the City
17 of Coral Springs have opted out from the
18 regional communications system and let me try
19 to offer the perspective from a Coral Springs
20 resident.

21 And I think the answer for that is as a
22 Coral Springs residents we have come to expect
23 a high level of professionalism and excellence,
24 and there is a high level of trust and
25 confidence that we have from Coral Springs

1 Police Department, from the Coral Springs Fire
2 Department, and from the Coral Springs
3 dispatchers who continuously perform lifesaving
4 work. As a taxpayer I benefit from those
5 services, and to the extent that you would want
6 to substantiate some of that general perception
7 I'm sure Coral Springs Police, Fire, and
8 dispatch will be able to answer those
9 questions.

10 You all have a huge undertaking, and
11 there's a great amount of talent assembled
12 here, and subject matter experts. My
13 suggestion would be, looking at the timeline,
14 that you allow the public an opportunity to
15 have input in the recommendations that you
16 craft. And that I would suggest to you that
17 you guide yourselves in the pursuit of the
18 truth, and nothing but the truth based on fact
19 and objectivity.

20 You were appointed by several members of
21 the legislature. There are -- there is a
22 bipartisan group of people assembled here
23 today, and I just ask you to please continue
24 down that path. There are a lot of people in
25 the community who are looking for answers, and

1 they don't care about red, blue, or democrat,
2 republican, or independent. They just want
3 answers to questions that happened before, on
4 that day, and what's going to happen in the
5 future. They're scared, and they just simply
6 want recommendations and answers to their
7 questions that have been raised. Thank you
8 all.

9 CHAIR: Okay, thank you. The next speaker
10 we'll hear from is, and if I don't get your
11 last name correct I apologize. Christine
12 Hynchofski. I'm sorry about that it's just
13 kind of hard to read on there.

14 MS. HYNCHOFSKI: Chairmen, Commissioners,
15 thank you very much. I just wanted to bring up
16 a couple of topics based on what I saw today.
17 I appreciate the work you're doing, and I would
18 like to echo what Carlos said, that I hope you
19 will focus on the data, and I know you will,
20 you have some very good minds here.

21 When you're speaking about SROs, and the
22 number of SROs in the schools, I also think you
23 need to expand that a little more and look at
24 what the role of the SRO is, because that can
25 be different throughout the state because

1 that's determined by the contracts with the
2 school boards. So, every policing agency here
3 in Broward has a contract with Broward County
4 schools for the SROs, and their
5 responsibilities and duties are in there, so I
6 think as part of this it's not just about the
7 number of SROs and their training but also what
8 those contracts say that their duties and
9 responsibilities are when they're on the
10 campus.

11 Additionally, SROs are only one component
12 of security on a campus, that you also look
13 into what are other, you have these hall
14 monitors, these campus monitors, how do they
15 play in, and what, how are they supposed to be
16 working together in a comprehensive security.
17 It can't be one, or two, or three people.
18 There needs to be a very comprehensive approach
19 where everybody understands what the policies
20 are, and everybody understands what the roles
21 are.

22 Additionally, we speak about threat
23 assessments, and there are all sorts of threat
24 assessments. There are the standard checklist
25 threat assessment that are done internally.

1 Some are done by the safety teams at the
2 schools. The question becomes who are the
3 people who are on those safety teams, and what
4 criteria are these safety teams given, what are
5 the criteria for the threat assessments. You
6 can do a deep dive on a threat assessment
7 that's very professional, and takes weeks to
8 do, or you can do the one day checklist. So, I
9 think it's very important when we talk about
10 the different things that might be
11 recommendations that we don't just look at a
12 recommendation to say, check, we did a
13 recommendation, but what is the quality of that
14 recommendation.

15 Separately, we can have all the policies
16 in place, we can have the best ideas in place,
17 and if the people aren't implementing it
18 because they got used to it, or this is a good
19 area, you know, we don't have to take it that
20 seriously, where is the accountability in these
21 policies. So, the policy, where's the training
22 that the policy gets followed, and then who's
23 making sure that if somebody isn't following
24 the policy there's accountability, so that even
25 if you go twenty years and nothing happens

1 you're still treating it like it's important
2 from day one.

3 And I also wanted to know, maybe you would
4 look into what some of the policies are
5 regarding, there was the SRO giving
6 information, and then we also had 911 calls
7 having information, and those two pieces of
8 information didn't always add up, so where does
9 the priority go in the action plan for the
10 people on the ground, with the eyes that are on
11 the ground or with the 911 calls coming in.

12 And again, thank you very much for taking
13 your time, and as a resident of Parkland, and a
14 resident of Broward County, I really
15 appreciate, and I know our community
16 appreciates that you are having meetings like
17 this here, because for those of us who were
18 affected, know people who are affected, have
19 been doing some of our own research, we
20 appreciate the opportunity to be part of this,
21 thank you.

22 CHAIR: All right, thank you, ma'am. I
23 appreciate your comments. Next is Amanda
24 Romano. Is she still here? Amanda Romano?
25 No, okay. The next is, again Pedrav Yanap

1 (phonetic)? Yeah, there you go.

2 MR. YOVANOV: Thank you kindly for being
3 here. Patrick Yovanov from Pompano Beach,
4 Florida. I gave this to the Parkland City
5 Commission on the 4th of April. I'll give it
6 to you again. One day in 1976 at Pompano Beach
7 Senior High School my eleventh grade psychology
8 teacher demonstrated the events that happened
9 on the 14th of February with a replica of an
10 M-16 as was common in the toy departments of
11 Sears and K- mart.

12 The teacher went up and down the hallway
13 shooting students between classes, and also
14 waited for students coming late to classes and
15 shot at them, too. This shooting went on all
16 class periods. Then we had class and discussed
17 what this weapon is used for, who could use it,
18 and why. Some of the students thought it was
19 funny and thought that the replica did not look
20 real. Others knew it was very real.

21 One of the examples discussed was the
22 University of Texas Austin shooting in 1967.
23 At the investigation it was noted the shooter
24 had Binaca mouth spray in his pocket,
25 indicating he was insecure about his breath.

1 Also described was the grieving father's rage
2 for his murdered daughter, and his reaction
3 towards the shooter. My prescient teacher
4 predicated these massacres with extraordinary
5 accuracy.

6 In 2010 School Board Members Dr. Robert
7 Parks and Benjamin Williams gave a presentation
8 to the Pompano Beach City Commission requesting
9 funding for school resource officers. At this
10 debate, Dr. Parks invoked the possibility of a
11 Columbine type event. I understood Dr. Parks'
12 comment as a tacit promise that there will be a
13 Columbine type event.

14 The children and their teachers at Marjory
15 Stoneman Douglas High School should have been
16 buried together where they were killed;
17 anything less is an excuse and makes their torn
18 bodies and spilled blood meaningless. I can
19 tell you other things, but I need permission
20 for that. There are others that can tell even
21 more, but they are in fear of retribution.

22 My children are also in fear for their
23 lives. Who am I? My references are
24 Commissioner Myers sitting behind me, anyone of
25 the Pompano Beach City Commission Dias, or the

1 Commanders of the Broward Sheriff's Office in
2 Pompano. Thank you kindly.

3 CHAIR: Thank you, sir. The next person
4 we'll hear from is Fred Guttenberg.

5 MR. GUTTENBERG: Thank you. My daughter,
6 Jamie Guttenberg, was murdered on February
7 14th. Listening to the presentation this
8 morning of the 911 system honestly just made me
9 rage. Everything that could have gone wrong
10 leading up to this day, went wrong. Everything
11 on that day when it should have been doing on
12 correctly didn't. All the failures in the 911
13 system -- but the part that I'm still unclear
14 on, and it's not recorded, is there was
15 somebody on that campus directly connected to
16 Broward Sheriff's, and he had a radio, and I
17 guess it's not recorded.

18 Isn't that the person who should have
19 correctly communicated what was going on, and
20 been the front line on a response? And if
21 there's a disconnect between what happened with
22 the school resource officers and the 911 system
23 outside of the school is there not a way for us
24 to make a recommendation to maybe get the
25 schools direct connected to the police

1 department and the fire department that are
2 supposed to serve them?

3 It was a cluster you-know-what of errors
4 and mistakes, and my kid is dead. And so, I
5 just -- I'm venting here, but every second we
6 lost -- that -- listen, the first floor never
7 should have happened, but had there been a
8 proper response, this guy never makes it to the
9 third floor, so that's -- that's number one.

10 And number two, and I spoke to you before
11 about this, but just to kind of put it out
12 there in public, the other concern I have is
13 the day I planned my daughter's funeral while
14 sitting at the funeral home, I got that call
15 from the FBI which said had we followed proper
16 protocol we would have apprehended this
17 gentleman back in January. We knew back in
18 January that he intended to do harm, and that
19 he should have been apprehended. And yet
20 somehow or another local law enforcement either
21 didn't know that, were working on separate
22 facts, or did know that, did know that, and
23 they were ignoring the same sets of facts.
24 Either way, seventeen beautiful lives are lost.

25 So, the issues of communication and the

1 emergency response with the 911 system, but
2 even prior -- I can even share examples of how
3 some parents and I knew things that were
4 happening with the brother after the murder
5 that our Broward Sheriff's Office didn't know,
6 but Palm Beach Sheriff's Office did, okay. The
7 communication continued to be broken. If
8 there's -- if there's an area to search for and
9 look at to fix, that by the way doesn't need to
10 wait until January of next year, it's the issue
11 of communication. It saves seconds, minutes,
12 and hours, and it will save lives. Thank you.

13 CHAIR: Mr. Guttenberg, just while you're
14 there I just want to address something, because
15 to the extent that I wasn't clear this morning
16 I think it's very important that we, as I said
17 in my opening remarks, that everything we do
18 here be based on accurate facts, so I want to
19 clear up the radio situation, is that Deputy
20 Peterson when he was on duty on that campus had
21 two radios.

22 One radio he had, which is the radio that
23 you reference, which is a non-recorded school
24 board walkie-talkie, so he was able to
25 communicate with teachers, staff, others within

1 the Stoneman Douglas campus. That's
2 unrecorded, we don't have access to it, and
3 that there was information translated relevant
4 to this event over that radio, but again we
5 don't have access to it.

6 He also had a Broward Sheriff's Office
7 radio, so he could communicate with Broward
8 Sheriff's Office dispatch, and with other law
9 enforcement officers within the Broward
10 Sheriff's Office. Now, he couldn't communicate
11 with Coral Springs, that's a different issue,
12 but with Broward, and he did communicate over
13 the radio, so we do have that. So, he had two
14 radios, one was recorded, one was not recorded,
15 and we'll get into this more.

16 He did communicate over the radio, and a
17 couple of things he said initial, which to me
18 make no sense, but we will flush all of this
19 out. One of them was, is, is that he told
20 responding units to deal with traffic at
21 intersections, and he told the responding units
22 to stay 500 yards away. So, he was
23 communicating, inappropriately in my view from
24 what I know and hear at this time, but this is
25 something the Commission will get into.

1 So, he was communicating. We do have some
2 recordings of it, but it's the stuff over the
3 school board radio, the walkie-talkie, that we
4 don't have.

5 MR. GUTTENBERG: Thank you.

6 CHAIR: Next is Walter Campbell, the Mayor
7 of Coral Springs.

8 MAYOR CAMPBELL: First of all, welcome
9 Senator Book. I am the Mayor of Coral Springs,
10 and I was here this morning, and I heard there
11 was discussion about the communications systems
12 in Coral Springs versus Broward County
13 Sheriff's Department, and I want to let
14 everybody know that Coral Springs has its own
15 dispatch. It dispatches for the City of Coral
16 Springs, for our citizens both fire and police,
17 and there's a reason for that.

18 The reason is we did not have confidence,
19 still do not have confidence in the system that
20 Broward County put together. And two cities
21 decided to have their own system, and our own
22 system is for the City of Coral Springs. We
23 are very proud of every police officer that
24 responded to the call. And I believe we had
25 almost 100 go to that school after we were put

1 on notice that there was a shooting.

2 And there was failures in communication
3 because the Sheriff's Department's
4 communication system totally failed. So I
5 don't want anybody to come here and think that
6 Coral Springs had a system that was intended to
7 be used Parkland or other cities, it was not.
8 It was intended for our city alone. Now, is
9 that something that maybe should be looked at
10 as far as full communication? Yes, I think it
11 is. But I want you to know, because I asked
12 our Chief this morning has anybody called you
13 about this, and he told me no one from this
14 Commission has even talked to Clyde Perry, our
15 Chief, which I found to be somewhat
16 inconsistent with us trying to get all the
17 facts.

18 Our communication dispatch people
19 attempted to call the Broward Sheriff's
20 Department, attempted to communicate with them
21 to no avail. They had the same problems that
22 you heard about this morning. It was also my
23 understanding that many of the surrounding
24 cities that communicate with Broward County
25 could not have their police officers dispatched

1 because the whole system went down.

2 I ask you to look at the system, but I
3 want you to understand that Coral Springs did
4 not and does not have a system which we
5 intended to have every county employee have
6 access to, and after this event we have now had
7 four surrounding cities that have come to Coral
8 Springs to see if we could take over their
9 communications because they have the same
10 concerns. The County system just doesn't
11 function properly. And I hope, Sheriff, I hope
12 that the Commission does contact, does come
13 over to our communications system so you can
14 see why our cities, our citizens in Coral
15 Springs are protected, and get the quickest
16 reaction time both from the fire department and
17 police department.

18 And I want you all to understand how
19 terribly we're concerned about these kids,
20 because 65% of these kids come from Coral
21 Springs although it's Parkland. So, please
22 come to the City of Coral Springs, please take
23 the time to speak to our dispatch people,
24 please take the time to speak to some of our
25 police officers who arrived as soon as they

1 were put on notice to try to stop this young
2 man, this demented young man from committing
3 anymore crimes. Thank you.

4 CHAIR: All right, thank you. That's all
5 the public appearance cards that we have, so
6 that will end the public comment portion. We
7 are going to break here now and end the public
8 portion of the meeting. I just want to remind
9 Commission Members that as far as
10 transportation goes out to Stoneman Douglas we
11 have a couple of buses that are here. They're
12 real, not big buses, they're small vehicles,
13 but we can fit everybody in them. Anybody that
14 wants to ride here together out to Stoneman
15 Douglas, we can transport everybody within the
16 two buses, and then they'll bring everybody
17 back here afterward.

18 Anybody that wants to drive yourselves out
19 there you're welcome to do that, in case you
20 want to leave directly from there, but if you
21 want to ride together once we break from here
22 now in a minute -- we also have on the agenda,
23 and I don't know that there will be any
24 requests or not, a time for media availability
25 for Commission members. I know some of us have

1 already spoken to the media here today, so
2 we'll find out whether the media has any
3 requests for interviews. We will take those
4 questions and do those interviews, and then the
5 buses will be out back behind me in the parking
6 lot, and we'll go out to the school.

7 When we get to the school, it is still,
8 again, an active crime scene out there, there's
9 deputies out there. We'll have to cross
10 through the, go through the crime scene log to
11 get in. The tour is going to be of the
12 exterior of the building. Again, we're not
13 going to go inside, it will be of the exterior,
14 but I think you'll find it every enlightening,
15 and very probative, because you'll get
16 firsthand to see where people were, the
17 facility, how the shooter got on the campus,
18 his path on the campus, where he exited from,
19 where Peterson was, where Peterson came from,
20 all of those things that I think will shed
21 light for you on the overall situation out
22 there.

23 So, I would imagine out there, that we
24 will be out there probably -- once we get out
25 there and do the tour I don't think it will

1 take somewhere, probably forty-five minutes. I
2 wouldn't imagine it will take anything more
3 than that. And then, again, once we're
4 finished out there we'll be done for the day.
5 Anybody that wants to get on the buses and come
6 back, or you're welcome to depart from out
7 there. So, unless any of the Commission
8 members have anything else we'll adjourn for
9 the media availability. The buses should be
10 here. Do we know whether they're here? They
11 probably should be. And then as soon as that
12 we'll head out there.

13 If you are going to drive yourself out
14 there please get out there as quickly as you
15 can, because as soon as everybody is assembled
16 out there we'll begin the tour. With that we
17 will adjourn the public portion of the meeting.
18 (Thereupon, the public meeting concluded.)
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C E R T I F I C A T E

(STATE OF FLORIDA)

(COUNTY OF MIAMI-DADE)

I, NIDELIS GONZALEZ, Reporter, certify that I was
authorized to and did report the foregoing
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correct transcription of my notes of the
proceedings.



NIDELIS GONZALEZ, Reporter

Commission: FF 188630

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