

MSDHS Public Safety Commission



Under Section 943.687(4), the Commission has broad investigatory power. Line 1568 of SB 7026 states that “the commission has the power to investigate” and line 1570 sets forth subpoena power. The Commission and its investigators may also place witnesses under oath.

Under Section 943.687(3), the Commission is required to, at a minimum, investigate the following:

#1 Active Shooter/Mass Violence Events

- Investigate system failures in MSDHS shooting and prior mass violence incidents in the state
- Analyze information and evidence
- Develop recommendations for system improvements

#2 Incident Timeline

- Develop timeline for the following:
 - Incident and incident response as it occurred
 - All prior relevant events
 - Perpetrator's prior contact with all agencies (local, state, federal, contracted personnel)

#3 Law Enforcement Response

- Investigate any failures in incident response by local law enforcement agencies and school resource officers

#4 Policy and Procedures

- Identify existing Policy and Procedures:
 - Review active assailant incidents on school premises
 - Evaluate compliance with policies in incident response

#5 Evaluation of Current and Best Practices

- Evaluate existing active assailant policy and practices in comparison to national best practices
- Evaluate the extent in which current failures in policy, procedure, or execution contributed to inability to prevent injuries or deaths
- Make specific recommendations for improving future response by law enforcement and SROs

#6 School Resource Officers

- Make recommendations for:
 - Determining appropriate ratio of school resource officers per school by school type

Note: The methodology for determining the appropriate ratio should consider location, student population, and school design

#7 Perpetrator Actions in Past Shootings

- Identify history of interactions between perpetrator and government entities (schools, law enforcement, courts, social service agencies)
- Failure in interactions prior to the incidents
- Failure to adequately communicate or coordinate among all agencies regarding:
 - Risk indicators
 - Possible threats

Perpetrator Actions in Past Shootings (cont.)

- Evaluate extent failures contributed to inability to prevent deaths and injuries
- Make specific recommendations for:
 - Improving communication and coordination
 - Sharing knowledge of risk indicators
 - Sharing knowledge of possible threats of mass violence in future

#8 Enhancing Communication and Coordination

- Identify state and local tools (i.e. Fusion Centers, Judicial Inquiry System) and resources for enhancing communication and coordination regarding indicators of risk or possible threats
- Make specific recommendations regarding using such tools and resources effectively

The Commission shall submit an initial report on its findings and recommendations to the Governor, President of the Senate, and Speaker of the House of Representatives by January 1, 2019 and may issue reports annually thereafter.

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Proposed Topics for Initial Investigation and Report

Topic Number 1

History of K-12 Active Assailant Events in the United States

In addition to mass casualty events, the analysis should include any known thwarted events and how those events were successfully thwarted.

The history of events should include:

- The type of weapon(s) used
- Profile of each assailant
- Any common themes to the events or assailants
- Structural designs of sites (any commonality in thwarted events versus mass casualty events)
- Lessons learned from previous events and remedial steps recommended
- Whether Florida formally implemented any remedial steps recommended as a result of previous events, and if so what steps were taken and if not are there steps that should be taken. Also consider barriers to implementation

Topic Number 2

Cruz's Background

Establish a chronology of Cruz's life and establish a timeline of all interactions with:

- Law enforcement agencies;
- Mental health providers;
- Social service agencies;
- Schools and school personnel;
- Family members, friends, and/or associates

This topic will analyze the nature of the interactions Cruz and other family members had with these organizations and/or individuals and whether there were actionable indicators of mental health and/or behavioral issues during these interactions.

If indicators were present, what action, if any, was taken?

We will identify whether there were missed actionable indicators for intervention under then existing laws, policies, and protocols.

We will also consider gaps in existing laws, policies or protocols that require change(s) to avoid any missed intervention opportunities in the future.

Topic Number 3

MSD School Structure

We will review the campus structure and physical layout of MSD High School and whether/how the physical facility played a role in the shooting.

This analysis will include the campus exterior and the interior of buildings, including classroom design and set up.

We will consider “school hardening” recommendations.

Topic Number 4

Broward Schools and MSD Active Assailant Protocols

Review the School Safety Plan in effect at MSD.

Was there a site risk assessment performed at MSD before the shooting? If so, when was it last performed?

Analyze and review Broward School Board's active assailant policies, the specific policies in place at MSD, and how MSD staff and students were trained in the protocols.

Determine whether the MSD and/or School Board policies and training played a role in the outcome of this shooting.

Assess whether different Code Red and fire alarm responses by students and staff affected the outcome.

Determine school-based active assailant best practices, and if there is a benchmark whether it was followed by Broward Schools and MSD.

Topic Number 5

Broward Sheriff's Office On-Campus Response and Active Assailant Protocols

Analyze and evaluate BSO's initial on-campus law enforcement response to the MSD shooting on February 14, 2018.

Identify and evaluate the Broward Sheriff's Office's active assailant policies, procedures, response protocols and personnel training – generally and specifically for SRO's.

Identify SRO staffing at MSD and the Westglades Middle School and how it played a role in the shooting.

Determine SRO staffing across Broward Schools and how the district allocated its State Safe Schools funding.



Topic Number 6

Law Enforcement,
Particularly Broward Sheriff's Office
and Coral Springs Police Department,
Off-Campus Response to MSD and
Their Active Assailant Protocols

Analyze and evaluate the off-campus law enforcement response to the MSD shooting, specifically the actions of the first personnel on scene.

Evaluate the supervisory and command response – were proper command and control protocols followed and was command effective in scene control and searching for the suspect?

How did radio communications interoperability affect the law enforcement response and coordination efforts?

Did the structure of the Broward County Regional 911 system affect the response?

How effective was the multi-agency response?

Commission Discussion on Research, Evidence to be Acquired and Witness Interviews

There are several research projects already underway:

FDLE has started compiling a report on nationwide school safety plans and studies establishing school safety best practices.

FDLE is preparing a report identifying nationwide incidents where K-12 schools were targeted for mass violence.

We have started working on a timeline of the events leading to and surrounding the MSD shooting.

A survey has been sent out via the Florida Sheriffs Association and Florida Police Chiefs Association to determine SRO staffing levels and ratios statewide.

The FDLE Office of Executive Investigations is conducting an inquiry into the law enforcement response to the MSD shooting. This review is narrow in scope and limited only to the police response. If this investigation is completed within our timetable we may be able to use facts and information developed by FDLE to make our determination.

Once we have the results of the FDLE inquiry, the Commission should decide whether it wants additional independent fact gathering by Commission investigators or if we will rely on the facts established by FDLE. Of course, we cannot make that decision until we see FDLE's results.

Requests have been or are in the process of being sent to the state agencies represented on the Commission for all information your agencies have regarding Cruz and his immediate family. We would appreciate an expedited response.



Acquired Evidence:

A significant amount of evidence has been acquired by BSO during its criminal investigation, some of the evidence is not public record and remains confidential.

The Commission will review confidential evidence that it deems necessary to our inquiry at a subsequent meeting and in closed session.

The Commission will also need to review what has been acquired by BSO and others and determine whether we are satisfied that the evidence is complete for our purposes or if we need to seek it anew ourselves.

Some of the evidence acquired by BSO that we have received or have access to includes:

- BSO police radio recordings
- BSO communications center 911 calls
- Student cell phone video from inside Building 12
- Coral Springs P.D. 911 call recordings
- Video from surveillance cameras at MSD High School
- Officer body camera video
- BSO active shooter policies
- BSO active shooter training outlines
- BSO Deputy Scott Peterson's training file
- BSO investigative reports (including reports of interviews)
- Cruz's Broward School Board records
- Cruz's Henderson (mental health provider) records

In addition, BSO has conducted many witness interviews and we are in the process of reviewing investigative reports and/or transcripts of the recorded interviews.

Once we have reviewed these reports and transcripts we will know what additional interviews need to be conducted by Commission investigators.

Additionally, we will need feedback from Commission members regarding who you would like to hear direct testimony from, regardless of prior interviews.

We will receive a briefing from Commission investigators in a subsequent meeting after they review interview reports and transcripts. I suggest we make a decision on live testimony after we are briefed so that we can make informed decisions.

Information/Evidence to be acquired:

We are in the process of identifying additional evidence and information that needs to be obtained and will provide this to Commission members as it becomes available.

We will also need to determine if there are any SME's that you want to hear from.

Next Steps:

We will continue acquiring information and evidence. So that there is consistency and continuity and we do not have redundant work being done, we ask that Commission members not directly request the staff to perform certain work or acquire certain things.

There are 20 of us and it will become unwieldy for the investigators if they are taking direction from individual members. If you have specific requests for material or lines of inquiry please, go through the chair and make the requests during our meetings.

Do Commission members have any requests for specific lines of inquiry, specific evidence, specific research or specific witnesses to be interviewed that we have not already included?

Commission's Timeline for Initial Investigation and Report

Our initial report to the Governor, House Speaker and Senate President is due by January 1, 2019.

Working backwards against our report deadline, the following is a suggested and tentative timeline:

6/1/18: By June 1, 2018, staff will analyze the evidence and report to the Commission regarding witness statements and key investigative findings. Staff will use the Commission's decided upon initial investigative topics to guide their work.

11/1/18: Between June 1, 2018 (or earlier) and November 1, 2018, the Commission will hold meetings, hear from witnesses, review evidence and receive staff briefings.

12/1/18: By December 1, 2018, staff will provide the Commission with a draft of the proposed initial report. The Commission will then work to finalize and approve the report.

1/1/19: Report submitted.