

House Homeland Security  
Subcommittee: Emergency Preparedness, Response & Recovery

Max Schachter  
Safe Schools For Alex  
Founder & CEO  
9/26/19

My name is Max Schachter, my son Alex was one of 17 people that were brutally murdered at Marjory Stoneman Douglas High School last year. After I buried my son my priority was to make sure my other three children were safe in their schools. I could not afford to lose another child. I said to law enforcement and school officials show me the best practices, show me the school safety standards and they all told me there were none. I couldn't understand how that was possible. We developed fire codes after 92 children died in a school fire in 1958 and it has worked. No child has died in a school fire in 60 years. It has been 20 years since Columbine and children and teachers continue to be murdered in their classrooms.

I traveled the country and came to realize that in all of the 139,000 K-12 schools, each principal had to become a school security expert. It made no sense to me that each school had to reinvent the wheel. The idea that crystalized for me was the need to create National School Safety Best Practices at the federal level. Those best practices would be housed on a clearinghouse website so that all schools had a repository to find the most effective ways to secure their school.

I was pleased to see this idea highlighted in President Trump's Federal Commission on School Safety report and the subsequent development of the clearinghouse in DHS. I received an in-depth demo of their new website [SchoolSafety.gov](http://SchoolSafety.gov) several days ago and I was very impressed. DHS hopes to have it live by the end of October. Once the website has been launched there needs to be a huge outreach to schools and school districts.

Once we have the best practices, we need to make sure that all federal grant dollars are being used to implement the newly developed best practices. For example, Broward County received \$500,000 from COPS for analytic cameras when they did not even have an active assailant response policy. They were not training their teachers and staff what to do in an in a school shooting. They did not identify safer corner of the classrooms. They didn't have coverings for the windows to obscure the sight line of the shooter. In order to move the needle, we have to make sure schools are not just throwing money at the problem (analytic cameras) but they're doing things in a systematic planned approach.

Unfortunately, we know we can't prevent 100% of these school mass murders. But we know that we can absolutely mitigate a lot of risk to students, teachers, and staff when they do happen. Every school can do things TODAY to improve school safety. Many of those things are low cost or No cost. Those measures will be on [SchoolSafety.gov](http://SchoolSafety.gov). Things like developing a formal active assailant response policy, training your teachers and students what to do in an emergency, train all staff to lock doors, identify the safer corners in the classroom, If you have an app for students to report threats advertise it, train your students how to use it, make sure all teachers have the

ability to block the sightline of the window, make sure law enforcement has live real time access to school cameras during emergencies.

Other measures I support are implementing Stop The Bleed kits in all classrooms and offices. That way your teachers and staff can be first responders. SWAT will not arrive for over 30 minutes. if you do not stop an arterial bleed within 5 minutes your chance of survival is minute.

Given the fact that most school shootings take place in 4-5 minutes, immediate notification to law enforcement and the entire school campus is paramount. The process in most K-12 Schools takes way to long and people die due to the time lapse.

One of best ways to prevent the next school shooting are threat assessment teams. After the VA Tech shooting the state of Virginia implemented the threat assessment program developed by the USSS National Threat Assessment Center. As a result, they have not had a school shooting since. I recommend all members to co-sponsor and pass the EAGLES Act. It reauthorizes the US Secret Service National Threat Assessment Center so they will be able to expand their reach in order to help other states develop threat assessment programs to identify students that exhibit concerning behavior and to get them the help they need before they commit acts of targeted violence. I support the TAPS Act as well. The US Secret Service uses threat assessments to protect the President. The Capitol Hill Police uses threat assessment teams to protect congress. Our children deserve the same protection. Pass the EAGLES Act!

In my view the main reason school shootings have been an epidemic for the past two decades is twofold. Number one; parents and community members have an "it can't happen here" mindset. That mindset lets complacency set in and prevents them from having a security mindset. Schools are not being honest about the violence on their campus and there is no way for parents to know if their child's school is safe. Number two; schools are not successfully establishing a positive culture and climate on their campus which results in bullying. Kids are not being given enough tools to function after they graduate to deal with their anger, rejection, failure, and crisis they will no question experience.

A prime example of the underreporting of campus violence can be seen in in what Marjory Stoneman Douglas reported to the state for the years 2014-2017. They reported No bullying, No harassment, and ZERO Threat / intimidation. We all know those numbers are bogus and far from true. It's not just Broward County that is inaccurately reporting these incidents. This is pervasive across the entire country. The result is a false sense of security which leads to complacency in implementing school safety best practices. School districts around the country must ensure that each school accurately report all required incidents and that under reporting is eliminated. Unfortunately, there IS AN incentive to underreport so the numbers look good.

On college campuses, the federal Cleary Act imposes large financial penalties for inaccurate reporting of campus crime statistics. In K-12 there is such no requirement. When the public goes online to look at the ratings of K-12 many of them, including MSD, have an 'A' rating. The public does not understand that has nothing to do with the safety of that institution. That is just academics. Academics are important, but if children do not come home from school every day NOTHING else matters. There is no school safety rating system currently to inform parents and

teachers whether or not their school has implemented best practices to prevent and mitigate casualties during the next school attack. Florida has implemented laws to gain school district compliance, but i believe the most effective strategy is to use public pressure to make school districts prioritize safety and security. i believe we need a school safety rating system. The car industry's crash test rating system has improved car safety and decreased fatalities. But for parents there is nothing. No way to know if your child's school is safe or not.

Broward County Public School pre-arrest diversionary program known as PROMISE created a culture of leniency within its schools. This prevented the judicial system from having an opportunity to address the murderer's systematic violent behavior and resulted in him never being arrested. He was able to accumulate 55 instances of disciplinary action. Everyone is in favor of giving kids a "second chance" but not 55 of them. This disciplinary system prioritized the rights of the murderer over the rights of every other child in his classes and schools that he tormented, assaulted, and threatened. There were 69 documented incidents where the murderer threaten someone, engaged in violence, talked about guns or other weapons. It was no surprise to anyone on campus that he had committed this horrible act of violence. He had been violent since age 3. There were an additional 43 instances of law enforcement interaction with him outside of school. He was never arrested. He had all the red flags of a future school mass murderer. He was suicidal, homicidal, killed animals, mutilated their bodies, obsessed with weapons, and when he turned 18 his mother bought him a gun.

Broward County public schools used FERPA to not share information and data with law enforcement. Their refusal to let law enforcement have access to school cameras prevented law enforcement from having live actionable intelligence inside the building. They waited 11 minutes to enter the building. Upon arriving law enforcement thought the murderer was still inside. They did not go up to the third floor for over 40 minutes to administer medical attention to the 10 kids that had been shot and were dying. They had no idea the murderer had escaped after 6 minutes.

There must be a conversation with the law enforcement about active shooter training. Broward Sheriff Office Active Shooter policy on 2/14/18 was that officers MAY go towards the shooter as opposed to SHALL go towards the shooter. During the interviews of BSO deputies some could not remember if their last active shooter training was 10 years ago or 20 years ago. That is probably because their training frequency was only every 3 years. The SRO on campus Deputy Peterson underwent a single, one-hour active shooter exercise in the three years leading up to the mass shooting. They only had 5 trainers for a force of over 5k officers. The SRO on campus arrived at the front of the building in 1 min 44 seconds. By then 24 people had been shot and or killed on the first floor. After arriving to the front of the building the SRO heard the gun fire. He then went and hid behind a concrete pillar for 48 minutes. He never entered the building. Active shooter training builds muscle memory. Unfortunately, during a mass casualty event people do not rise to the occasion. they fall to their lowest level of training. The other responding agency, Coral Springs Police Department, conducts active shooter training every year. Those officer in contrast went right into the building. 8 Sheriff deputies heard gunshots and did not attempt to enter the building. They are either under investigation, reassigned, or retired. no active bulletproof vest wear policy

After Columbine, all responding officers were required to rapidly deploy directly to the threat. Yet in Parkland, 8 deputies waited outside for 11 minutes while kids and staff were being slaughtered. In Parkland, first responder radios failed and were not interoperable, delaying help for victims. SWAT teams had to resort to hand signals to avoid shooting each other because their radios failed. Yet as a country we haven't truly committed to solving the communications problems. We can't force all agencies to use a single radio system, but we CAN make it possible for them to communicate no matter what system they are using. After Sandy Hook each school should have trained their students and staff how to respond to active shooters. Sadly, many did not. During the 2017-2018 school year, Marjory Stoneman Douglas did not hold a single code red drill. Students and staff did not know what to do when the murderer fired his AR-15 into classrooms and killing their classmates. No staff member called a code red until 3 minutes after the shooting had started. By then all 17 people were dead, including my little Alex.

It has been 20 years since the Columbine massacre and children continue to be murdered in their classrooms. We know the next school mass murderer is already out there. The gun that he will use is already out there. It is not a question of IF, it is a question of WHEN. We know what can be done to prevent it, and we know what MUST be done to mitigate the risk of more lives lost.

# **School Safety Measures Implemented in Florida** **Post the Marjory Stoneman Douglas High School** **Massacre**

\*Majority of measures were recommended by the Marjory Stoneman Douglas High School Public Safety Commission after their 14-month investigation into the 2/14/18 massacre. Their recommendations were subsequently signed into law by Florida Governor Ron DeSantis.

\*All measures are completed except for ones marked pending.

## ***Gun Safety***

- Created a legal process (Risk Protection Orders) that requires people meeting certain criteria (threatened self-harm or harm toward others) to surrender their firearms and prohibits them from purchasing firearms.
- Prohibits gun purchases by anyone under age 21 and requires a 3-day waiting period for all gun purchases.
- Authorizes law enforcement officers to seize firearms when taking someone into custody under the Baker Act for threatened harm toward another person.

## ***Guardian Program***

- Created the Guardian Program and required that there be an armed Safe School Officer (armed person) on every school campus.
- The legislature should expand the Guardian Program to include all school personnel.
- Law enforcement and guardian staffing should be sufficient on each charter, elementary, middle and high school campus to provide immediate back-up and appropriate and timely response to an active assailant situation. (Pending. Most schools have one or two SROs or guardians, but most school districts still prohibit any school staff from participating in the guardian program.)

## ***Mental Health***

- Expanded mental health Community Action Teams to focus on people up to age 21 who have a history of criminal justice and law enforcement involvement.
- Expanded multi-agency network of mental health services in K-12 schools.
- Expanded mental health Mobile Response Teams focusing on people up to age 25 who are in crisis and need intensive case management until they are placed into services.
- At registration, every student is required to disclose any prior mental health referrals and schools are permitted to refer students for mental health services.
- Courts are required to report to the school superintendent any child they refer to mental health services.
- Mandated that mental health professionals report and warn others of impending threats by their patients.
- School mental health records must be placed in the student record and follow the student when he/she transfers from school-to-school and inter-district. Records are now required to be transferred within 3 days and if a student is under care of a Threat Assessment Team the transferring team is responsible to ensure continuity of services until the receiving school's team evaluates the student.
- Students referred for mental health services must commence treatment within 45 days. School based treatment must begin within 15 days and community treatment within 30 days.
- Consider targeted mental health case management for people in 13 to 25 age range.
- School districts should coordinate mental health services with community providers. (Pending, but law now permits referrals by school providers to community-based providers).

### ***Prevention***

- Created FortifyFL app as a mobile suspicious activity reporting tool and requires that all Florida schools promote the app.
- Every school in the state is required to have a Behavioral Threat Assessment Team. The team is required to have certain members, including a law enforcement officer.
- FLDOE will provide all districts a standardized behavioral threat assessment instrument and develop an on-line threat assessment database.
- Required the development of an Integrated Data Repository and Social Media Monitoring tool.
- Makes it a felony to threaten to kill someone without the previous “transmission” requirement.

### ***School Hardening***

- Every classroom must have a designated safe area or hard corner.
- Require that all gates to school campuses are closed and locked. When open the gates must be staffed. (Pending. Survey shows compliance in 59/67 districts.)
- All campuses should have single ingress and egress points. (Pending)
- Each classroom door should have an immediately available opaque covering to block the line of sight from the outside. (Pending)
- Every school should have a policy requiring that classroom doors be locked when occupied.
- All law enforcement agencies in Broward County should have live, real time access to cameras in all Broward County schools. (Pending. BSO has access and access is pending by other agencies.)
- Every school must have an effective communication system through which all personnel may transmit and receive threat notifications. (Pending. Survey shows some compliance but still pending in many schools).
- Required annual physical site security assessment of every school in the state, and report to DOE using the Florida Safe School Assessment Tool (FSSAT). In addition to the school specific assessment and report, a separate districtwide report is required annually.
- Established School Hardening and Harm Mitigation Workgroup. The workgroup must be comprised of school security subject matter experts and the workgroup must submit a report with recommendations to DOE by August 1, 2020.

### ***Training / Drills***

- Every school must conduct monthly active assailant drills.
- Every school district and charter school must adopt an active shooter response plan and all school personnel must be trained on the plan.
- All school active assailant policies must make clear that all staff are empowered to initiate an active shooter response.

### ***Discipline Policy / Diversion Program***

- School district “zero tolerance” policies cannot apply to petty acts, except acts of violence, but when a student commits more than one misdemeanor the Threat Assessment Team must consult with law enforcement to determine if the act should be “reported” to law enforcement.
- Include school diversion programs under the same auspices as community juvenile diversion programs. (Not completed but DJJ report just issued.)

### ***Broward Sheriff’s Office***

- BSO should change its active assailant response policy from “may” to “shall,” requiring that deputies enter an active shooter situation to stop the threat.
- BSO should increase the frequency and quality of its active assailant response training.

### ***Radio / Communications / 911***

- Law enforcement agencies throughout Florida should be required to have radio interoperability in each county and with surrounding jurisdictions.
- Police agencies should be required to share primary patrol radio channels with other agencies
- All 911 centers should have direct radio communication with all first responder agencies in their service area.

### ***Broward County Public Schools (BCPS)***

- BCPS should conduct an internal investigation into the actions and inactions of AP Jeff Morford (mishandling of the Cruz threat assessment), Principal Ty Thompson and others. (Pending).
- Require that all school personnel report suspicious incidents to a school administrator, that the incidents be tracked, and their disposition documented.
- BCPS should evaluate its threat assessment process.

### ***Florida Department of Education***

- Every school district is required to have a School Safety Specialist to oversee school safety in the district.
- Created the Office of Safe School (OSS) within the Department of Education (DOE). OSS is responsible for compliance and oversight of all school safety and security matters throughout the state.
- Establish a workgroup to recommend FERPA changes. (Pending. The DOE analysis was just completed.)
- Require mandatory use of the Florida Safe School Assessment Tool (FSSAT) by all districts and schools.
- Authorizes the FLDOE commissioner to oversee and require compliance with all Florida school safety laws including completion and submission of the FSSAT.
- FL DOE commissioner and State BOE now has sanction authority to ensure compliance with all mandated school safety requirements.
- CJSTC should require single officer response training. CJSTC has not acted on this but FDLE has created the training. (Pending.)