

MINUTES

JOINT PERFORMANCE REVIEW COMMITTEE

July 9, 2018

The Joint Performance Review Committee met Monday, July 9, 2018 at 1:00 p.m., in Room A, MAC Building, Little Rock, Arkansas.

Committee members present: Senators Missy Irvin, Senate Chair, John Cooper, Jonathan Dismang, Lance Eads, Trent Garner, Jimmy Hickey, Keith Ingram, and Terry Rice. Representatives Mark Lowery, House Chair, Scott Baltz, Sonia Barker, Trevor Drown, Kenneth Ferguson, David Fielding, Jack Fortner, David Hillman, Aaron Pilkington, Brandt Smith, Nelda Speaks, and Dan Sullivan.

Other members present: Senators Alan Clark, Linda Chesterfield, and Joyce Elliott. Representatives Fred Allen, Bob Ballinger, Charles Blake, Ken Bragg, Gary Deffenbaugh, Jim Dotson, Charlotte Douglas, Vivian Flowers, Jimmy Gazaway, Kim Hammer, Mike Holcomb, Michael John Gray, Grant Hodges, David Meeks, Mathew Pitsch, Donald Ragland, Johnny Rye, and James Sorvillo.

Call to Order

Senator Irvin called the meeting to order. She briefly described the presentation given by Dr. Harvey Hughes at the May 29, 2018 committee meeting regarding the software program he has developed for schools. She said copies of Mr. Hughes' PowerPoint presentation are available on the legislature's website. Representative Lowery commented that the Joint Performance Review Committee's school safety review parallels that of the Governor's School Safety Commission.

Motion for Approval of Minutes – May 27 and June 6, 2018 [Exhibit C and C-1]

A motion to approve the minutes of the May 27, and June 6, 2018 Joint Performance Review Committee meetings was adopted without objection.

Update on the Work of the Governor's Arkansas School Safety Commission [Exhibit D]

Senator Irvin recognized Dr. Cheryl May, Chair, Arkansas School Safety Commission. Dr. May introduced A. J. Gary, Director, Arkansas Department of Emergency Management, who is also a member of the Commission. Dr. May gave an overview of the Commission's Preliminary Report, which contains nineteen recommendations that are listed in the Executive Summary [Exhibit E]. The first recommendation is that no school should be without an armed presence on campus. The Commission learned that one effective strategy is having the presence of a School Resource Officer (SRO) who goes beyond the regular presence of a law enforcement officer in the schools. When SROs are properly trained, they can also act as mentors, teachers and informal counselors. Mr. Gary told legislators the Commission studied having SROs in schools and determined that a Memorandum of Understanding (MOU) is needed so all parties will have a clear understanding of the duties and responsibilities of an SRO. The Commission plans to work with the Arkansas Department of Education's Safe Schools Committee to develop the MOU. Dr. May said schools who choose to employ an SRO should create a District School Safety Committee and include the SRO as a member.

The Commission has also considered the use of Commissioned School Security Officers (CSSO) in its discussions. If a school chooses to employ an CSSO, the Commission recommends increasing the regulations that govern the CSSO to include psychological examinations and random drug testing. The CSSO should also be provided additional training opportunities.

Dr. May discussed the requirement that all schools have an emergency operation plan in place. Because the quality of school plans is unknown, Dr. May said the Governor is considering requiring schools to conduct a safety and security assessment every three years. The Commission recommends that schools and/or school districts employ a School Safety Coordinator on each campus along with their School Safety Committee. The School Safety Committees should consist of different members from the area schools and the community. One issue these Committees should study is mapping the floor plans of their school buildings for emergency management purposes. Mr. Gary said these plans can be augmented with assistance from local law enforcement, county emergency managers, and fire departments; all who can help with the development of an emergency management operation plan.

Another recommendation is schools should create a Behavioral Threat Assessment team. Members of these teams should consist of multiple professionals within the school system with the primary responsibility of determining the credibility of a threat. Should a team decide a threat is credible, communication with appropriate law enforcement is critical.

Dr. May stated again that the recommendations and final report are not complete. The Commission has much more work to accomplish before the final report is issued. Legislators discussed specific elements of the Commission's recommendations with Dr. May and Mr. Gary.

Potential Procedures for Implementing School Safety Protocols

Senator Irvin recognized Dr. John R. Lott, President, Crime Prevention Research Center (CPRC). Dr. Lott gave a PowerPoint presentation (Exhibit E-1). Dr. Lott's overview of his presentation contained several proposed solutions to shootings occurring in public schools. He specifically addressed several issues:

- Gun Control- proponents of gun control suggest banning semi-automatic weapons, requiring universal background checks, and creating a national registry for weapons. Dr. Lott is opposed to these suggestions because in his opinion none of these measures would be a deterrent
- Law Enforcement and School Resource Officers (SROs)- Dr. Lott thinks the costs of law enforcement officers in schools and/or SROs would not be as effective as arming teachers. He cited cases from other countries he has studied and he strongly believes allowing teachers to carry weapons to be more effective

Legislators discussed Dr. Lott's research and asked his response to a number of their questions.

Retired Lt. Colonel Monk gave a PowerPoint presentation on active shooters, [Exhibit E-2]. He told legislators he has studied the active shooter threat in public schools for the past twelve years from several perspectives. He referenced trends over the past twenty years that predict that people who engage in school shootings are young, intelligent males who have multiple weapons, implement their attack in a gun-free zone, and have no escape plan. Lt. Colonel Monk reviewed options schools should consider in an active shooter situation:

- Option one- wait on police response. Lt. Colonel Monk does not recommend waiting on outside law enforcement assistance because of the long response time

- Option two- Employ SROs on campus. Lt. Colonel Monk said the presence of an SRO does not guarantee or deter an attack because communicating to an SRO that an attack is happening and his arrival on the scene can be delayed based on his location within a school building
- Option three- Lt. Colonel Monk believes the best plan is to have good, armed persons present who will act aggressively to stop the attack. Armed staff in large enough numbers where shootings are most likely to occur would increase the odds the staff would be able to stop the shooter

Addressing arguments against arming school staff, Lt. Colonel Monk said law enforcement officers, no matter how good the officer may be, their delay in getting to a school means a number of students could be killed during that timeframe. Addressing the argument of school staff not being trained, Lt. Colonel Monk said this can be addressed by both training personnel and ensuring they are willing and able to shoot someone. He recommended that school personnel who are armed should wear their weapon on their person.

Senator Irvin recognized Dan Keithley, Training Instructor, Arkansas Law Enforcement Training Academy (ALETA). Mr. Keithley told legislators he began working for ALETA in 1992 after having served in law enforcement starting in 1977, when he worked in three different states and served as an anti-terrorist trainer and consultant in South America. He then gave a PowerPoint presentation [Exhibit E-3]. He said one of the concerns police officers have when responding to an active shooter event is the ability to correctly identify the person(s) involved to prevent shooting the wrong people. Mr. Keithley recommends that training should be provided to those school personnel who are armed. He also suggests that the armed school staff wear a recognizable item, such as a colored glove, a hat and/or an armband which law enforcement has coordinated with the school. He also gave the following recommendations:

- Local police officers have access to active shooter training, which is offered in programs available at ALETA
- SROs be required to obtain training through a nationally recognized SRO program
- CSSOs should be examined to determine that they are psychologically and physically equipped to handle weapons and have the ability to act in a deadly force situation
- Armed school personnel should identify a safe place in each classroom to be used to protect the students

There being no further business, the meeting adjourned at 4:00 p.m.