



# HOUSE MAJORITY OFFICE

FLORIDA HOUSE OF REPRESENTATIVES



REPRESENTATIVE RAY RODRIGUES, MAJORITY LEADER

## **Marjory Stoneman Douglas High School Public Safety Act: FAQ**

**No child should fear going to school. As elected leaders, it is our duty to prevent the Parkland shooting from ever happening again. We analyzed how these tragedies occurred and what could have been done to stop them. This proposal combines elements of mental health, school safety, information sharing, as well as firearms in order to comprehensively—and effectively—do what is necessary to protect Florida’s children.**

Q: How will this increase the security of our schools?

A: School safety is the primary goal of this bill. The bill provides \$262 million in additional safety resources including funding for more school resource officers, grants for school hardening, and funds for school marshals. The proposal is built on input from educators, parents, law enforcement, and students.

The school marshal program is a critical component of the effort to improve school safety. A marshal is a school employee who volunteers for extra responsibilities, meets specific background and other criteria, and earns an appointment as a marshal by a local law enforcement agency. A marshal must complete a psychological screening, a fitness test, hold a concealed weapons permit, and complete 132 hours of specialized training. Training includes 80 hours in firearms training, 16 hours in precision pistol training, 8 hours in discretionary shooting instruction, 8 hours in active assailant training, 8 hours in defensive tactics, and 12 hours in legal issues. Subject to the supervision of both the school and the law enforcement agency that partners with the school, a marshal must complete firearms requalification training every two years and pass an annual fitness test.

Any would-be shooter should know that there are armed and trained personnel on campus who have the ability to protect students. The marshal program is voluntary and provides the flexibility for each school district—in conjunction with local law enforcement—to meet the security needs of their schools in the manner they determine will be most effective.

Q: Is arming teachers the best way to deal with this issue?

A: “Arming teachers” is a misleading and pejorative sound bite. The marshal program is voluntary. School officials can choose to participate. Local law enforcement can decide to partner with schools. Teachers and other school personnel can volunteer to serve as marshals. This proposal enables school personnel with specific skills and training to be prepared and equipped to confront an active assailant. The marshal program creates the opportunity for a more immediate response. Quick, competent, and direct action against an active assailant is the best way to save lives.

Q: How is the Baker Act changed by this proposal?

A: The Baker Act is a process for involuntary examination and treatment for persons who are a danger to themselves or others. Although a Baker Act proceeding can be initiated based on the action of clinical professionals, family, or law enforcement, it is often law enforcement who take the individual into custody



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and transport him or her to a receiving facility. This proposal enhances public safety by authorizing law enforcement to seize firearms and ammunition for 72 hours while an involuntary examination is underway, provided there is a credible threat of violence to others.

Q: Why doesn't this include a provision to ban assault weapons?

A: 'Assault weapons' is a fake term that conjures up images of military-style fully-automatic weapons, which are already banned under current law. Not only can states not agree to a uniform definition, in instances such as California—which does have a ban—they have proven to be ineffective in preventing the flow of illegal weaponry from ending up in the wrong hands. The sad truth is that such bans do not stop criminals' intent on doing harm; they only punish law-abiding citizens from exercising their constitutional right to defend themselves from such harm.

Q: Will this proposal take away a person's constitutional rights?

A: No. The bill establishes judicial oversight and due process for any seizure of firearms and ammunition. Law enforcement can seize weapons, but only for 72 hours. Any extension of that time period can only occur under a court order. The court can extend custody for up to 60 days, but this extension depends on clear and convincing evidence of a credible threat of violence against others; the firearms owner may petition the court for earlier release, but must also demonstrate by clear and convincing evidence that there is no further threat.

Q: Will this allow judges to continuously extend the 60 days in perpetuity?

A: A judge may add a single additional 60-day period when the threat continues. The extension must be based on clear and convincing evidence.

Q: Do the proposed changes apply to charter schools?

A: Yes.

Q: Will police officers be able to distinguish who the shooter is and who the "marshals" are?

A: Marshals are law enforcement trained and screened school personnel, who function as a part of school security teams. The bill requires marshals to be clearly identifiable during an active assailant event.

Q: Do you believe that inter-agency information sharing will actually help prevent these incidents from happening again?

A: The Parkland shooter gave numerous warning signs. With a more comprehensive process for the sharing of information, we will be able to identify and stop future incidents from occurring.

The new commission on school safety will identify what caused the communication failures and make recommendations for improvement. The commission will identify what data systems we have and what it would take to get them to automatically interact – so all the red flags automatically get to the right eyes for action.



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We're also going to invest in social media data analytics at the school district level. Many times, threats and other evidence that youth plan to hurt themselves or others are posted on social media – and many of their peers see it, but don't know what to do. Monitoring social media will help identify youth who need help and intervene before they can hurt others.

Q: What is a CAT, and are they effective?

A: Community Action Teams are made up of mental health clinicians, medical professionals, case managers, therapeutic mentors, and support staff. CATs collaborate to provide therapeutic and support services to children, adolescents and young adults with serious mental health needs, and help families and other caregivers to obtain additional services and support.

CATs have proven to be effective treatment tools. Florida already has 23 CATs in various counties, and this proposal would give us statewide coverage.