

## Preventing School Shootings with Proactive Legislation

1. Implement mandatory reporting of students identified as “threatening,” “violent,” or who have brought a weapon to school.
  - a. The appropriate authorities must define what constitutes “threatening” behavior, “violent” behavior, and a “weapon.” A reasonable definition could include illegal actions, threats to carry out illegal actions, or threats to cause harm to self or others.
  - b. Public policy supports measures that are in the best interest of minors. There are precedents for mandatory reporting to prevent future harm to minors. For example, healthcare professionals have a mandatory requirement to report suspicion of child abuse. Mandatory reporting of students who “threaten” or act “violently” and also demonstrate the means of causing harm is consistent with the public policy that requires mandatory reporting of possible child abuse.
2. Reported students should be investigated by law enforcement for “intent to commit dangerous acts.”
  - a. Law enforcement investigation should include:
    - Review of social media accounts
    - Search of electronic devices, including personal computers, phones, tablets, etc.
    - Interviews with the reported person, family, friends, teachers, coaches, neighbors, and other potential sources of intelligence
  - b. The investigation should result in an official report that is filed with appropriate authorities.

These actions create tension with the student’s right to privacy. However, some courts have held that students at school and minors, generally, have a more limited right to privacy. For example, courts have held that student lockers can be opened and searched without permission of the student or parents.

3. Reported students should be assessed by a qualified mental health professional. The number of shooters that have suffered severe depression, suicidal ideation, and more severe, often undiagnosed, mental illnesses suggests that early intervention by mental health professionals may bring an “at risk” student back from the edge or result in early psychiatric diagnosis that can be treated with psychotherapy or medication.

- a. Psychiatric assessment should include consultation with mental health professionals who have treated the student, including review of prior mental health records.
  - b. The assessment should include a complete mental health history, current and past medications, substance abuse history, and current or prior at-risk behaviors.
  - c. Assessment should include a home visit to understand the living conditions of the student, adequacy of parental/guardian supervision, and evidence of past or current abuse.
  - d. Interviews should be conducted with family, friends, teachers, coaches, neighbors, and other potential sources of behavioral intelligence.
  - e. An important goal of the assessment is to establish availability of support available to the student.
  - f. The mental health assessment should be filed with appropriate agencies as the law permits, preferably with mechanisms to seal or expunge records if deemed appropriate.
4. Personal and family counseling should be required until the mental health professional determines that the individual is no longer a danger to themselves or others.
    - a. The student may require referral to child protective services, alternative schools, or a mental health facility appropriate for troubled adolescents, mentally ill adolescents, or criminally ill adolescents.
    - b. Drug testing for substances of abuse should be conducted. If a drug test is positive, random periodic drug testing should be required. Appropriate guidelines for mandatory or voluntary drug testing must be developed if parental consent is not provided.
    - c. Parents/guardians should be provided with clear, objective guidelines to monitor their child's behavior, and instructed what to do, and who to contact if there is deterioration in the child's mental condition.
5. Establish a "watch list" of reported student for school officials.
    - a. To ensure ongoing safety of the student body, the reported student should be placed on a "watch list" until law enforcement and mental health professionals have provided official written clearance.
    - b. The "watch list" may be provided to designated school personnel, such as school guards and faculty, who can monitor the student for suspicious behavior.
      - The reported student or their parent/guardian must consent to routine search of any backpack, duffel bag, overcoat, or other concealing device prior to the student's entering school.
      - The reported student or their parent/guardian must consent to random searches of the student's school locker.

- If the student or guardian refuses consent to any aspect of a plan to safeguard the school, a designated safety/ethics committee may review the case.
  - c. Ultimately, if the student and guardians refuse to participate in the school's approved safety process, the school may refuse to allow the student to return to school.
- 6. Establish a federal law enforcement database of reported "dangerous" students and make the database accessible to designated school officials. This database would serve to help prevent loss of information when students change schools or otherwise relocate.
- 7. Enforce the mandate to secure weapons in the home. Most high school shooters used guns that belonged to their parents.
  - a. Attach personal liability to parent/guardians for failure to reasonably prevent unauthorized access to their weapons.
  - b. Schools should issue directives to parent/guardians of school-age children that the school does not allow weapons on campus. The directive should indicate that the parents are required to securely lock up weapons in the home.
  - c. If a child is found with a weapon at school and the parent/guardian cannot demonstrate that the weapon was adequately secured, the parent/guardian may be fined and formally charged with endangering others.

## Preventing School Shootings with School Policies and Procedures

- 8. Periodically, educate your students and staff by defining "suspicious" or "dangerous" behaviors.
  - a. Provide students with a safe and confidential reporting mechanism.
  - b. Educate students to immediately report "impending danger." The ability to report "impending danger" must be simple and able to be carried out within seconds.
- 9. Establish high vigilance surveillance during transition times at school.
  - a. 50% of school shootings occur as students enter school in the morning.
  - b. 20% of school shootings occur as students exit schools in the afternoon.
  - c. 13% of school shootings occur in the cafeteria during lunchtime.
  - d. Mass school shooters often assemble their weapons in the bathroom.
  - e. Close or limit access to parking lots after dark.