

Marjory Stoneman Douglas High School Shooting – Florida's Response

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Overview

- Marjory Stoneman Douglas High School Shooting
- Response from Florida Governor Rick Scott
- Legislative Action
- Marjory Stoneman Douglas High School Shooting Public Safety Act
- Unfinished Business

Marjory Stoneman Douglas Shooting

- On February 14, 2018, 19 year old former student, Nikolas Cruz, committed a mass shooting at Marjory Stoneman Douglas High School in Parkland, Florida.
 - 14 students and 3 school personnel tragically lost their lives
 - 17 people injured
- Deadliest school shooting in Florida History and deadliest school shooting since the December 2012 Sandy Hook Elementary School shooting in Connecticut.

Response by Florida's Governor

1. **Immediately convened 3 round table meetings (*February 20, 2018*)** with educators, mental health experts, and law enforcement officials to make recommendations on how to address contributing factors, and steps to prevent future tragedies.

Mental Health Workshop Recommendations

- Community Action Treatment (CAT) Teams – statewide coverage
- Mobile Crisis Response Teams – statewide coverage
- Local System of Care Community Reinvestment Grants

Response by Florida's Governor

2. Major Action Plan to Keep Florida Students Safe (*February 23, 2018*)

- Three Components:
 - Guns Laws
 - School Safety
 - Mental Health
- Plan based on recommendations from 3 round table meetings.
- Aggressively worked with Florida Legislature to pass legislation (SB 7026) and appropriate funding based on the provisions of the Plan.

Response by Florida's Governor

3. Governor's Executive Order 18-81 (*March 26, 2018*)

- Complements the provisions established in the Marjory Stoneman Douglas High School Public Safety Act (SB 7026).
- Directs DCF Secretary to convene quarterly meetings in each of DCF's six regions with sheriffs and police chiefs in the region, the behavioral health managing entities and service providers, school officials, and other stakeholders to improve communication, collaboration, and the coordination of behavioral health services.
- Mandates DCF, the Department of Juvenile Justice, and sheriffs' offices to improve cost sharing and integration of funding.
- Establishes enhanced collaboration between DCF, managing entities, and sheriffs' offices to ensure access to mental health and substance abuse treatment services for those released from county jails.

Florida Legislation

Marjory Stoneman Douglas High School Public Safety Act

- SB 7026 – Public Safety
- Signed into law on March 9, 2018 – effective immediately.
- Addresses 3 critical issue areas – **Mental Health, School Safety, and Gun Safety**
- Intent is to increase communication between entities that interact with schools and students, better identify students in need of mental health treatment and increase access to such treatment, and to help prevent mass violence incidents in the future.
- \$400,000,000 appropriation to various agencies.

Marjory Stoneman Douglas High School Public Safety Act

- Authorizes a law enforcement officer (LEO) taking a person into custody for involuntary examination to seize and hold a firearm or ammunition in his or her possession if the person poses a danger to himself or herself or others and has made a credible threat of violence against another person.
- Prohibits a person who has been adjudicated mentally defective or committed to a mental institution from owning or possessing a firearm until a court orders otherwise.
- Prohibits a person under 21 years of age from purchasing a firearm.
- Requires a three-day waiting period between the purchase and delivery for all firearms (not just handguns) or until the background check is complete, whichever is later.
- Prohibits a bump-fire stock from being imported, transferred, distributed, sold, keeping for sale, offering for sale, possessing, or giving away within the state beginning October 1, 2018.
- Prohibits a person from making, posting, or transmitting a threat to conduct a mass shooting or an act of terrorism.

Marjory Stoneman Douglas High School Public Safety Act

- **Risk Protection Orders**

- Creates a process for LEO or a law enforcement agency to petition a court for a risk protection order to temporarily prevent persons who are at high risk of harming themselves or others from accessing firearms when a person poses a significant danger to himself or herself or others, including significant danger as a result of a mental health crisis or violent behavior.
- To issue a risk protection order, the court must find by clear and convincing evidence based on specified considerations enumerated in statute that the respondent poses a significant danger of causing personal injury to himself or herself or others by having in his or her custody or control, or by purchasing, possessing, or receiving, a firearm.
- Allows a court to issue a risk protection order for up to 12 months **and** requires the surrender of all firearms and ammunition if a risk protection order is issued.
- Allows a court to issue temporary ex parte risk protection order in certain circumstances.
- Provides a process for a risk protection order to be vacated or extended.

Unfinished Business

1. Align the process for a risk protection order to be concurrent with the process for a court order for involuntary or voluntary assessment, evaluation, or commitment.
 - However, require a separate court order that addresses firearm possession.
2. Establish criteria that a court must use for determining whether to vacate a risk protection order.
 - What shall constitute “clear and convincing evidence that an individual does not pose a significant danger of causing personal injury to himself or herself or others by having in his or her custody or control, purchasing, possessing, or receiving a firearm or ammunition.”
3. Limit magazine capacity for semi-automatic weapons.

Questions?