



State of Vermont
OFFICE OF THE GOVERNOR

MEMORANDUM

To: Legislators
From: Governor Phil Scott
Date: Thursday, February 22, 2018
Re: Maintaining the Safest, Healthiest and Strongest Communities & Schools

Vermont is currently the healthiest and safest state in America. We also have some of the best – and safest – schools in the country. Yet, as events have proven, Vermont is not immune to the risk of extreme violence in our schools, or in our communities.

This memo outlines a range of next steps that can help make communities healthier and our children safer, with an emphasis on improving school safety and reducing violence. I want to acknowledge that, as we are all aware, no single solution or combination of actions will eliminate 100% of the risk. I remain fully committed to working with you to establish a comprehensive approach to reduce the risk of violence in our communities, now and in the future, while preserving our Constitutional rights as Vermonters and Americans.

In addressing this issue, we have an important opportunity to set an example for our children and for our nation. By having a civil, fact-based and prevention-focused discussion, I am confident we can take significant steps forward. To achieve real results that make communities healthier and children safer, we cannot allow the discussion to be derailed by politics; or, frankly, be deterred from action by extreme points of view on both sides of this complex issue.

With all of this in mind, I propose the following areas of action, as well as a task force to consider and recommend additional longer-term measures to improve safety and reduce violence. Some of these items require the Legislature to act, while others are items my administration can begin, or continue our work, on immediately. All of these action items, and those you may offer, require teamwork to help reduce the risk of violence in our communities.

I. Strengthen School Security

- **Immediate Security Reviews** – I have directed the Vermont State Police and Vermont Emergency Management, in coordination with the Vermont School Safety Center (VSSC), the Agency of Education, and law enforcement officers in other state agencies (e.g. DMV, Fish & Wildlife), to conduct security assessments of all schools over the next several weeks. The assessments would be based on a check-list of best practices provided by the VSSC and be used to inform communities, school boards and administrators on additional prevention and preparedness measures they can implement.
- **School Security Grants** – I am requesting that we work together to make a total of \$5 million available for security grants that can be deployed quickly. I propose \$3 million be allocated in the current fiscal year (FY18) for immediate deployment; and an additional \$2M be allocated in the next fiscal year (FY19) for deployment over the summer. The grants would be administered by the Department of Public Safety and could be used for new security upgrades such as school resource officers, video monitoring, badge access, open source threat assessment/security software, as well as prevention planning and risk reduction measures that enhance the internal capacity of school districts to maintain safe schools.
- **Engaging the Media** -- I will ask the Vermont Press Association (VPA) and the Vermont Association of Broadcasters (VAB) to collaborate on a public service announcement campaign highlighting the critical importance of “see something, say something” and making parents and communities aware of the information and services provided by the Vermont School Safety Center (www.schoolsafety.vermont.gov).

II. Protect Those Who Speak Up

- **Shield Laws** – To encourage everyone who sees or hears concerning behavior or messages to come forward, the Legislature should explore shield laws, or other tools, to protect the anonymity of anyone – especially students and family members – who provides information regarding potential threats of violence to school administrators, law enforcement or other officials.

III. Act to Keep Guns Out of the Hands of People Who Shouldn't Have Them

- **Pass Extreme Risk Protection Orders Before Town Meeting** -- I am requesting that the Legislature move quickly to pass Extreme Risk Protection Orders (S.221) prior to Town Meeting and make it effective upon passage. This legislation creates an important tool for preventing suicide and crime by allowing family members, law enforcement or other concerned parties to

petition a court to restrict access to guns by an individual displaying violent behavior or threatening to harm themselves or others.

- ***Reduce the Connection Between Guns & Domestic Violence*** – I also ask that the Legislature pass H.422 allowing law enforcement responding to a domestic violence situation to remove firearms from the home. The Legislature should also adopt a law that would prohibit anyone convicted of a domestic violence offense (misdemeanor or felony) from receiving or possessing a firearm. This change would allow Vermont to flag anyone convicted of such a crime as ineligible to purchase a weapon in the National Instant Criminal Background Check System (NICS).
- ***Evaluate Improvements to Background Check Reporting and Efficacy*** – To further reduce access to guns, and other weapons, by dangerous individuals who should not have them, the Legislature should evaluate the adequacy of current reporting to the National Criminal Instant Background Check System (NICS). The Legislature should also consider expanding reporting requirements and addressing the number and type of sales that require background checks.
- ***Pass Conditions of Release Prior to Trial (H.675)*** – The Legislature should pass H.675, clarifying a judge's discretion to require any individual who is a risk to themselves or others to turn over weapons as a condition of pre-trial release.
- ***Solidify the Federal Ban on Bump Stocks -- (H.876)***, To be sure the positive step forward at the federal level is not reversed by a future federal administration, the Legislature should pass H.876 and ensure Vermont is not enabling the use of devices and accessories that convert legal firearms to illegal automatic weapons.
- ***Consider Increasing the Age Requirement for Purchasing Guns*** – The Legislature should consider raising the legal age to purchase a gun to 21, with an exemption for anyone who is a trained member of the military, a law enforcement officer, or who has completed an accredited firearms safety course. It would remain legal for minors to possess firearms for hunting, sport shooting, etc. Only purchasing requirements would change.

IV. Advocate for Safe & Healthy Communities Legislation

- ***Prioritize Early Intervention*** – The Legislature should support the newborn home visits program I have proposed for the fiscal year beginning July 1 and work with me to expand it statewide. This program is proven to get valuable results for families and children – particularly families and new mothers struggling with complex issues – by reducing demand for human services in the future.

- ***Restore the Foundation of the Mental Health System*** – We do not currently have the capacity to meet the needs of those requiring inpatient mental health services. To help meet this need, the Legislature should support our funding request for additional mental health outreach workers as well as funding for mental health treatment facilities.
- ***Expand the “Adverse Childhood Experience” (ACEs) Discussion*** – The Legislature deserves much credit for discussing ACEs. These are experiences by children, often trauma, that increase the likelihood that they will have significant challenges as adults. Continuing this discussion and taking steps to measurably reduce the rate of ACEs children are exposed to – and better serving those who are exposed to them – will be a critical long-term strategy for reducing poverty, mental illness, drug abuse, crime, violence and other challenges.
- ***Support Increasing Parent-Child Contact for Children in DCF Custody***– The Legislature should support the increased appropriation I’ve recommend enhancing the ability of the Department of Children and Families (DCF) to provide more supervised contact between the growing number of kids in DCF custody and their parents. These investments help reunify vulnerable families, and additional supervision resources will free up social workers' time and resources to deploy on other important work.
- ***Establish Safe Communities Indicators in the State Strategic Plan*** – I will charge the Chief Performance Office and the Cabinet with determining what specific metric(s) -- such as violent crime, gun violence and suicide rates -- we will use to measure the effectiveness of the policies Vermont implements to reduce violence.

V. Form a Violence Prevention Task Force to Recommend Additional Steps

I will form a balanced taskforce of experts and stakeholders to recommend additional evidence-based, prevention-focused options for:

- **Expanding school safety prevention and preparedness capacity** in the Agency of Education and Department of Public Safety and supporting the work of the existing School Safety Taskforce;
- **Preventing violence in communities and schools**; including, but not limited to, **identifying high-risk behavior**, how to **facilitate reporting** of that behavior and closing the operational gaps between DCF, DMH and our schools;
- **Strengthening open source intelligence gathering** by the Vermont Intelligence Center and exploring how the cybersecurity center I have proposed to establish in partnership with Norwich University might assist with this work;

- **Strengthen existing support systems to ensure every school has a local rapid reaction/early intervention team** involving educators, mental health/social service professionals and law enforcement when concerning behavioral issues identified;
- Continuing to **evaluate the adequacy of protections for individuals (students and adults) reporting threats;** and
- Recommending ways to **improve prevention and reporting of bullying and harassment.**

The taskforce will begin its work in March, be supported by the Agency of Education's school security liaison, and multiple state agencies. Meetings of the taskforce will be open to public. Their recommendations will be due to me no later than December 1, 2018 so these recommendations can be considered for the legislative session that begins in January.

CONCLUSION

Again, I believe that by having a civil, fact-based and prevention-focused discussion, we can take significant steps forward to improve the safety of our communities and schools, while protecting Constitutional rights. I welcome your feedback on these ideas and look forward to working with you on this important issue.

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