

SB 906 (Portantino)

School safety: mass casualty threats

PROBLEM

The United States has had 1,316 school shootings since 1970, with 164 in California alone. The recent proliferation of school shootings necessitates increased caution and vigilance. While California has adopted strenuous firearm storage safety laws in recent years, increased measures are needed to ensure that parents are aware of safe storage regulations that protect their children and their peers. Warning signs frequently forecast subsequent school tragedies, and local educators should be able to investigate perceived threats to their students' safety. Prioritizing the safety of students by increasing transparency, ensuring safe at-home storage, and empowering educators to investigate threats is crucial to keeping California students safe.

BACKGROUND

In California, it is illegal to negligently store firearms. However, in approximately 68% of firearm-related incidents that occur in schools, the firearm was taken from the student's home, friend, or relative. Many parents also wrongly believe that their children do not know the location of their household firearm. Including in the parent handbook information on safe storage and accessibility of firearms, as outlined by the California Department of Education (CDE), can increase accountability and awareness of safety precautions. Teachers and school administrators can also help educate parents and guardians about the safe storage of firearms.

In almost every case of a school shooting, there were clear warning signs, and research shows that knowing the signs of gun violence

can help prevent it. In 93% of incidents, school shooters planned their attack in advance. Most made threatening or concerning communications prior to the attack that elicited concern from parents, friends, or educators. Allowing concerned teachers or school administrators to investigate perceived threats would lessen the chance of a tragedy.

SUMMARY

SB 906 would require the State Department of Education, in consultation with local educational agencies and the Department of Justice, to develop model content for use by local educational agencies related to a threat or perceived threat of an incident of mass casualties at a school of a school district or county office of education or a charter school maintaining any of grades 6 to 12, inclusive, as part of a middle school or high school. Using the model content, the bill would require local educational agencies to include information related to the safe storage of firearms in the annual notification provided to the parents or guardians of a pupil in any of grades 6 to 12, inclusive, as part of a middle school or high school.

If a school official is alerted to or observes any threat or perceived threat of an incident of mass casualties at a school, SB 906 would require a report of the threat or perceived threat to be immediately made to law enforcement. The bill would require, with support from the school or local educational agency, law enforcement to immediately conduct an investigation and threat assessment. The bill would require the investigation and threat assessment to include a review of the firearm registry of the Department of Justice and appropriate searches conducted by the local law enforcement agency or the schoolsite police.

EXISTING LAW

Existing law requires school districts and county offices of education to be responsible for the overall development of a comprehensive school safety plan for each of their schools operating a kindergarten or any of grades 1 to 12, inclusive. Existing law requires a comprehensive school safety plan to include, among other things, the development of procedures for conducting tactical responses to criminal incidents, including procedures related to individuals with guns on school campuses. Existing law prohibits school employees from conducting a body cavity search or visual inspection under the clothing of a pupil, as provided. Under existing law, pupil and pupil property searches at a schoolsite by school official are generally justified at their inception if reasonable grounds suggest a search will lead to relevant evidence.

SUPPORT

Democratic Party of San Fernando Valley (DPSFV)
Consumer Attorneys of California (CAOC)
Women Against Gun Violence (WAGV)
Riverside County Superintendent of Schools

Version: 4/14/2022

