

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Infrastructure and Security

BILL: SB 70

INTRODUCER: Senators Book and Berman

SUBJECT: Panic Alarms in Public Schools

DATE: January 9, 2020

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Proctor	Miller	IS	Pre-meeting
2.			AED	
3.			AP	

I. Summary:

SB 70 creates “Alyssa’s Law.”

The bill creates a new section of statute to:

- Define “panic alarm” to mean a silent security system signal generated by the manual activation of a device or an alternative mechanism intended to communicate a life-threatening or emergency situation that requires a response from law enforcement;
- Define “public school building” to include all buildings on a public elementary, middle, or high school campus where instruction takes place or where students are present during the school day; and
- Require each public school building to be equipped with at least one panic alarm for use in a school security emergency, including, but not limited to, a non-fire evacuation, lockdown, or active shooter situation. The panic alarm must be directly linked to the local law enforcement agencies that are designated as first responders to the school’s campus and must immediately transmit a signal or message to those authorities upon activation.

Based on a 2019 analysis from the Florida Department of Education of similar legislation, the bill may have a fiscal impact of up to approximately \$235.8 million.¹

The bill has an effective date of July 1, 2020.

¹ Florida Department of Education, *Senate Bill 174 Bill Analysis* (January 18, 2019) (on file with the Senate Committee on Infrastructure and Security).

II. Present Situation:

Alyssa Alhadeff

Alyssa Alhadeff, was a former student at Marjory Stoneman Douglas High School in Parkland, Florida, who was among the 17 killed during a school shooting in February 2018.²

School Shootings

School shootings have become frequent tragedies in the United States. There have been over 234 shootings at primary and secondary schools since the shooting at Columbine High in April 1999, resulting in the loss of 144 lives.³ In 2018 alone, there were 25 shootings - the highest number during any year since at least 1999,⁴ and a Washington Post database of school shootings indicates that over 236,000 students have been exposed to gun violence.⁵ Although school shootings in America are rare compared to daily gun violence, the data indicates they are happening more frequently.

9-1-1 Calls

Calling 9-1-1 during an emergency is not difficult; however, calling the number, staying on the line, and trying to explain what is happening during a time of distress may be challenging for some.

While wireless phones can be an important public safety tool, they also create unique challenges for emergency response personnel and wireless service providers. Since wireless phones are mobile, they are not associated with one fixed location or address. While the location of the cell site closest to the 9-1-1 caller may provide a general indication of the caller's location, that information is not always specific enough for rescue personnel to deliver assistance to the caller quickly.⁶ In this situation, though the authorities might be aware of a disturbance in a general area, they will not know exactly what the threat is, where it is coming from, and the level of the threat, unless the caller is able to stay on the call and relay that information to the operator. Due to this, in some cases the police and paramedics may not know how many on-duty staff should be involved, where to set up a safe location, where to extract students (in the case of a school shooting incident), and of course, where a shooter is located (in the case of a shooting incident). This may delay police in defusing a situation and getting people to safety.⁷

² Marjory Stoneman Douglas High School Public Safety Commission, *Second Report* (November 1, 2019), available at <http://www.fdle.state.fl.us/MSDHS/MSD-Report-2-Public-Version.pdf> (last visited December 27, 2019).

³ Maya Rossin-Slater ET AL.(2019), Local Exposure to School Shootings and Youth Antidepressant Use (Working Paper 26563), available at <http://www.nber.org/papers/w26563> (last visited December 27, 2019).

⁴ John Woodrow Cox ET AL., *More than 236,000 students have experienced gun violence at school since Columbine*, available at <https://www.washingtonpost.com/graphics/2018/local/school-shootings-database/> (last visited December 27, 2019).

⁵ *Id.*

⁶ Federal Communications Commission, *911 Wireless Services*, available at <https://www.fcc.gov/consumers/guides/911-wireless-services> (last visited December 26, 2019).

⁷ SECURAlert, *Security Systems for Schools*, available at <https://www.securalert.net/blog/duress-system/security-systems-for-schools/> (last visited December 26, 2019).

In many cases of school shootings, there are already fatalities before a 9-1-1 call is placed because most people are not aware of the threat until after shots have been fired. The average shooting lasts 12 minutes,⁸ while the national average response time by authorities, taking into account all types of calls, to be on scene in response to a 9-1-1 call is approximately 15 minutes and 19 seconds after a 9-1-1 call is placed and the incident is reported.⁹

Marjory Stoneman Douglas High School Public Safety Commission

The Marjory Stoneman Douglas High School Public Safety Commission is entrusted with investigating system failures in the Marjory Stoneman Douglas High School shooting and prior mass violence incidents, and developing recommendations for system improvements.¹⁰ The commission submitted its initial report to the Governor and the Legislature on January 2, 2019, and its second report to the Governor and Legislature on November 1, 2019.¹¹¹² The commission is authorized to issue a report annually, by January 1, and is scheduled to sunset July 1, 2023.¹³

The commission's second report includes numerous school safety and security recommendations, which includes language directing that, "some emergency drills should require movement and exercise all necessary aspects of the drill and emergency operations plan, including panic buttons ...", and "the timeliest way to communicate an on-campus emergency is direct reporting from a school staff member to everyone on campus and the 911 center simultaneously."¹⁴ The last recommendation could be fulfilled with the installation of active shooter panic buttons in school buildings.

Panic Buttons

On average, there are 10 school shootings a year nationally since the shooting at Columbine High School.¹⁵ Since then, the U.S. Department of Homeland Security (DHS) has adapted their protocol for dealing with gun threats. When a shooting occurs, the official DHS guidance is to run if possible; quietly hide, ideally in a place that can be locked, if fleeing is not possible; and, fight only as an absolute last resort.¹⁶ This protocol may ensure that students can be reasonably safe, but it does not ensure that the authorities are able to be quickly informed of a threat, or know where a threat is coming from.

⁸ Ryan Sanchez, *How Columbine changed the way police respond to mass shootings*, available at <https://www.cnn.com/2018/02/15/us/florida-school-shooting-columbine-lessons/index.html> (last visited December 26, 2019).

⁹ Auto Insurance Center, *Emergency Response Times Across the U.S.*, available at <https://www.autoinsurancecenter.com/emergency-response-times.htm> (last visited December 26, 2019).

¹⁰ Section 943.687(3), F.S.

¹¹ Marjory Stoneman Douglas High School Public Safety Commission, *Initial Report* (Jan. 2, 2019), available at <http://www.fdle.state.fl.us/MSDHS/CommissionReport.pdf> (last visited December 27, 2019).

¹² Marjory Stoneman Douglas High School Public Safety Commission, *Second Report* (November 1, 2019), available at <http://www.fdle.state.fl.us/MSDHS/MSD-Report-2-Public-Version.pdf> (last visited December 27, 2019).

¹³ Section 943.687(9), F.S.

¹⁴ Marjory Stoneman Douglas High School Public Safety Commission, *Second Report* (November 1, 2019), available at <http://www.fdle.state.fl.us/MSDHS/MSD-Report-2-Public-Version.pdf> (last visited December 27, 2019).

¹⁵ John Woodrow Cox and Steven Rich, *Scarred by school shootings*, available at <https://www.washingtonpost.com/graphics/2018/local/us-school-shootings-history/> (last visited December 26, 2019).

¹⁶ Jonathan Allen and Joseph Ax, *Run? Hide? Fight? Lockdown? Two U.S. School Shootings Highlight Differing Responses*, available at <https://www.reuters.com/article/us-colorado-shooting-run-hide-fight/run-hide-fight-lockdown-two-us-school-shootings-highlight-differing-responses-idUSKCN1SE2LE> (last visited December 26, 2019).

The DHS lists a number of evolving products and technologies for consideration in K-12 School Security which include: closed-circuit video (CCV), door blockers, gunshot detection systems, integrated application-based services, locks, mass notification systems, motion detectors, smoke cannons, tactical training and equipment for school resource officers, strobe lights, turnstiles, unmanned aircraft systems, and visitor management systems.¹⁷

New to the security market are integrated application based services that schools and local first responders and emergency managers can use. Some mobile phone applications act as panic buttons which any teacher can press to send an alert to the phone of police officers within a certain radius of a school. Other mobile phone applications focus on locking down a school by virtually securing doors. Some others integrate numerous protective measures such as locking doors, deploying smoke cannons, activating strobe lights, and monitoring CCV.¹⁸

In addition to integrated application based services, there are designated active shooter panic buttons that can be set up at a school and be monitored by local law enforcement and first responders. By using a designated active shooter panic button, a school can alert the police of a threat in an exact location, but just an estimated area. By relying on a designated active shooter panic button system, there is no question of what the threat is or where it is coming from, everyone will be alerted to the disturbance, such as teaching staff, students, and the local police and first responders. Having this sort of immediate alert system in place could mean the difference between life and death of a student or an educator. By having all of the necessary parties on standby, anyone injured during an attack may get faster extraction and medical attention. Also, by responding immediately to an active shooter, the police can work to isolate the assailant and detain them to prevent injuries.¹⁹

III. Effect of Proposed Changes:

The bill names the act (newly created s. 1013.373, F.S.) “Alyssa’s Law.”

The bill creates s. 1013.373, F.S., to:

- Define “panic alarm” to mean a silent security system signal generated by the manual activation of a device or an alternative mechanism intended to communicate a life-threatening or emergency situation that requires a response from law enforcement;
- Define “public school building” to include all buildings on a public elementary, middle, or high school campus where instruction takes place or where students are present during the school day; and
- Require each public school building to be equipped with at least one panic alarm for use in a school security emergency, including, but not limited to, a non-fire evacuation, lockdown, or active shooter situation. The panic alarm must be directly linked to the local law enforcement

¹⁷ U.S. Department of Homeland Security, *K-12 School Security: A Guide for Preventing and Protecting Against Gun Violence* (2nd Edition: 2018), available at <https://www.dhs.gov/sites/default/files/publications/K12-School-Security-Guide-2nd-Edition-508.pdf> (last visited December 26, 2019).

¹⁸ *Id.*

¹⁹ SECURAlert, *Security Systems for Schools*, available at <https://www.securalert.net/blog/duress-system/security-systems-for-schools/> (last visited December 26, 2019).

agencies that are designated as first responders to the school's campus and must immediately transmit a signal or message to those authorities upon activation.

The bill has an effective date of July 1, 2020.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

This bill does not require counties or municipalities to spend funds or limit their authority to raise revenue or receive state-shared revenues as specified in Article VII, s. 18 of the Florida Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Panic buttons for public school buildings would be sold and installed by private sector vendors, and would therefore have a positive impact on vendors selling and/or installing panic button products.

C. Government Sector Impact:

The bill requires each public school building to be equipped with at least one panic alarm device. Further, the bill defines "public school building" to include all buildings on a public elementary, middle, or high school campus where instruction takes place or where students are present during the school day. The number of traditional public schools and charter schools that currently have panic buttons is not known. According to the Florida Inventory of School Houses (FISH) managed by the Florida Department of Education,

there are 3,068 traditional public schools in the state with an average of nine buildings and five portables per school campus. Therefore, implementation of the bill is projected to require an average total of 14 push button devices for each traditional public school in the state.²⁰

Based on this information, the Department of Education estimates that a panic button alarm system with one push button alarm device per building or portable for an average traditional public school, will have an estimated cost of:

	Materials	Installation	Subtotal per School
Computer Console:	\$4,131.00	\$22,800.00	\$26,931.00
14 push button devices:	\$1,948.80	\$1,680.00	\$3,628.80
8 outdoor repeaters:	\$5,520.00	\$14,400.00	\$19,920.00
16 indoor repeaters:	\$7,872.00	\$11,520.00	\$19,392.00
Total installation cost for an average traditional public school:			\$69,871.80
Multiplied by the number of traditional public schools:			x 3,068
			\$214,366,682.40

Total estimated cost to equip panic buttons in all traditional public schools: \$214,366,682.40²¹

According to the Office of Independent Education and Parental Choice within the Florida Department of Education, there are 658 charter schools in the state, with an average of two buildings and one portable per school. The proposed legislation requires at least one push button alarm device per building and, by definition, this would include portables for a total of three push button devices for each average charter school.²²

Based on this information, the Department of Education estimates a panic button alarm system, with one push button alarm device per building or portable, for an average charter school will have an estimated cost of:

	Materials	Installation	Subtotal per School
Computer Console:	\$4,131.00	\$22,800.00	\$26,931.00
3 push button devices:	\$417.60	\$360.00	\$777.60
1 outdoor repeater:	\$690.00	\$1,800.00	\$2490.00
2 indoor repeaters:	\$984.00	\$1,440.00	\$2424.00
Total installation cost for an average charter school:			\$32,622.60
Multiplied by the number of charter schools:			x 658
			\$21,465,670.80

Total estimated cost to equip panic buttons in all charter schools: \$21,465,670.80²³

The extent to which panic buttons are currently installed in public and charter school buildings is unknown. Based on the assumption that no public or charter school buildings

²⁰ Florida Department of Education, *Senate Bill 174 Bill Analysis* (January 18, 2019) (on file with the Senate Committee on Infrastructure and Security).

²¹ *Id.*

²² *Id.*

²³ *Id.*

are currently equipped with panic buttons meeting the bills requirements, the total estimated cost to equip panic buttons in all traditional public schools (\$214,366,682.40) and charter schools (\$21,465,670.80) would be \$235,832,353.20.²⁴

School districts could use Florida Education Finance Program funds for the purchase and installation of necessary materials for traditional public schools and charter schools.²⁵

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates the following section of the Florida Statutes: 1013.373

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

²⁴ *Id.*

²⁵ *Id.*