

Dear Committee Chairs Senator Boucher, Representative Fleischmann, and members of the School Security Committee:

Please accept this as my testimony for the task force public hearing for January 25<sup>th</sup> in lieu of my attending.

The tragedy resulting from the actions of a psychotic, deranged young man on December 14<sup>th</sup> has caused great pain to many in our community, highlighting the strong need to improve physical infrastructure, procedures and policies as it pertains to physical security at our schools. Unfortunately, some have also seized on this event to promote radical changes in the law that would greatly infringe on Constitutional rights (both U.S. and CT Constitutions), yet yield not a single benefit to securing the schools or making children safer.

I implore you all to focus on what actually works, and disregard knee-jerk and emotional proposals which do nothing to actually further the cause of safety. It's simply a fact that in an undefended venue, an assailant will do great damage regardless of "magazine capacity". This reference is only to highlight one example of proposed laws which would have made no difference at all on December 14<sup>th</sup>.

But to the intent of actual school safety, I must also ask you to keep in mind statistical probabilities to balance against those actions you are about to take. The chance that, on any given day, a psychotic youth will steal a firearm, commit murder, steal more firearms and then commit mass murder of women and children is pretty low. Clearly that's not a zero probability, and unfortunately possible. But it is a rare and singular event. Please keep that in mind.

Broad-reaching, rights-infringing, property-confiscating laws that do not effectively address what needs to be done and do not actually achieve the goal of real safety are not within my personal definition of "common sense" or "reasonable". This was the message in a separate email I sent this past Monday to every legislative email I could find. You may have read that email, if not I ask you to check if your staff printed it out for you.

Regarding physical security of schools, the security experts are best consulted, along with best practices evidenced in states like Texas. But I would make these basic suggestions.

During times when the building is occupied, access in must be through a double-door, penetration resistant vestibule with CCTV monitoring and a way to lock the inner and outer doors to entrap a would be assailant. Exterior windows should have mylar application or be of a laminated safety glass design like auto windows; mylar providing both insulation and some shatter/breaching resistance. There should be a panic system that can activate any interior fire doors locking to provide compartmentalization slowing down an intruder. Finally, and I must reference the NRA statements that if an armed intruder does get in, no firearms laws you construct will mean a thing! The only effective countermeasure at that moment is the use of defensive weapons which can include a spectrum of devices which include pepper spray, electronic devices, and firearms.

I have friends who are in law enforcement; trainers in active shooter response tactics. I'm told it's highly specialized training. The cost of providing armed and trained security staff (cops or certified armed guards) will be upwards of \$500,000 per school district. Again, you should evaluate cost vs. benefit in light of the extremely low probability of a repeat event. This is not an expense to be borne just by local property tax payers. The State can't even make good on commitments to fully fund excess special education costs! The last thing we need is an expensive new unfunded mandate.

However I'm told that, as a group, you have already rejected a more inexpensive common sense approach being implemented in some western states. I refer to school staff being properly trained in active shooter tactics/defense for those staff members who do have or are willing to obtain permits. This solution does not add to resource costs, but it would provide both a deterrent and a real defense. Before dismissing this out of hand, please refer to this article:

<http://www.nytimes.com/2008/08/29/us/29texas.html?pagewanted=all&r=0> ("The school board in this impoverished rural hamlet in North Texas has drawn national attention with its decision to let some teachers carry concealed weapons") and a Texas State Legislator has proposed this: "The Protection of Texas Children Act" that would deputize certain school staff.

According to the press release of this Texas bill soon to be introduced:

The Protection of Texas Children Act will:

- Authorize Texas public schools (at the option of the ISD) to appoint a member of the school faculty to serve as a certified "school marshal" having the right to carry a concealed firearm and to use lethal force upon the occurrence of an armed attack in the classroom or elsewhere on campus.
- Determine and set forth the protocols for the use of lethal force by a school marshal.
- Create licensing and certification standards for school marshals who will have the authority to carry concealed firearms on the premises of Texas public schools for the purpose of protecting the safety of children and faculty.
- Provide that school marshals shall be an existing employee of the ISD who is a Concealed Handgun License (CHL) holder and who has received additional training relating to the protection of students in a public school setting.
- Set forth that school marshals would provide their own firearms (will not be purchased by the state) and shall be responsible for their regular maintenance training.
- Provide that schools shall be entitled to have one school marshal per 400 students.
- Provide that school marshals shall be unknown to all school personnel other than the principal, law enforcement personnel, and certain executive administrators of the ISD.

And, in Utah, many teachers have signed up for free firearms training:

<http://usnews.nbcnews.com/news/2012/12/28/16206006-utah-teachers-get-free-gun-training-in-response-to-newtown-shooting?lite>

The 2<sup>nd</sup> Amendment is often not explained quite this way, but I ask you to consider: In the 1700's, common legal writings offered a preamble to explain a motive for what follows, then followed by the core legal statement. The "We The People" preamble sets the stage for what follows, but the core IS what follows. The preamble is an introduction, a "scene setter".

The right guaranteed by the second amendment is the Right of the people to keep and bear arms. That's all of it. Not bound by anything more, that's the Right not to be infringed. Arms means a firearm, ammunition and an ammunition store combined (sidearm, magazine and cartridges in today's language). One reason, and not necessarily the only reason to express the need for that Right is to maintain a working and coordinated militia of the people. Nothing in the preamble conditions the actual Right granted. In D.C. v Heller, that Right was affirmed to be an individual Right. In the Connecticut Constitution, Article first, section 15 it's even more straightforward: **"SEC. 15. Every citizen has a right to bear arms in defense of himself and the state."**

*There is no preconditioning of that right for EVERY CITIZEN (emphasis intended)!*

So, in terms of citizens who comprise school staff, may I ask you each to answer this question, "why laws subordinate to the "Supreme Law of the Land" and the Connecticut Constitution deny the rights of those citizens to keep and bear arms in defense of their classroom?" I realize it's terribly inconvenient, these Constitutional Edicts that seem to not be so respected in Connecticut by some legislators I'll not name in this testimony, but I respectfully will offer this speculative observation:

Would that most courageous principal have had something more than her bare hands to defend with, people would still have died, but most likely the toll would have been far less. (Lanza would have gone down, fewer victims would have perished).

Please keep this in mind and consider what the State of Texas is doing. I'm told their model, in reports available from 2006 and later, are considered best school security practice. There needs to be some consideration of this as an alternate or in addition to the cost of additional, armed and trained security staff. We all want children to be safe. But the expense to do so can't be unlimited, and the sad reality is, regardless of what disarmament/anti-firearm laws are passed in conflict with the Constitution; nothing can with 100% certainty stop a psychotic sociopath from improvising a way to do great harm to innocent people (be it with an explosive device, mechanical devices or a firearm).

But you can reduce the risk; I hope you will focus solely on what measures are truly effective, and disregard what's not.

Sincerely,

Bill Hillman

86 Walnut Hill Rd.  
Bethel, CT 06801