

Robert Meader
Sub. HB99 Testimony
House Criminal Justice Committee
November 4, 2021

My name is Robert Meader and I submit this testimony in opposition to Substitute House Bill 99 in my individual capacity. I feel compelled to submit this testimony given my unique qualifications as a law enforcement trainer and as someone devoted to protecting the safety of Ohioans—including our school children. Among my credentials for submitting this testimony is my long and distinguished career in law enforcement. I am a Commander for the City of Columbus Division of Police. I led the Columbus Division of Police Training Bureau from 2015 to 2020. Over the course of my tenure, I have overseen the law enforcement training of thousands of police personnel, including training on firearms and use of deadly force. I am also a U.S. Air Force veteran and lawyer.

This bill is dangerous. In its current substitute version, HB99 would allow school districts to authorize teachers, principals, cafeteria workers, and other school staff—those who are with our children all day, every day at school—with only 20 hours of training, including only two hours of handgun training. That is woefully inadequate training. It is reckless. It will cause harmful accidents and potentially even needless deaths.

Arming Teachers Introduces Fatal Risks Into The Classroom

This Committee must recognize that arming teachers and other school staff introduces safety risks into schools. Early in their training, rookie police officers are taught that every situation they respond to always involves a firearm: the officer's firearm. An officer's mere presence introduces a firearm to every situation. And, undeniably, the presence of a gun creates serious safety risks for each person involved or nearby. To mitigate these inherent serious safety risks—to keep us, law enforcement, and everyone else safe—officers undergo extensive firearms training.

Arming schoolteachers and staff also introduces inherent serious safety risks, with the risks falling almost entirely on children. This Committee does not need to be reminded of the near-miss situation where first graders got an administrator's gun in Sparta. The tragedy that could have befallen if those two first graders, who were pointing the gun at one another after finding it left behind by the administrator, should haunt each Committee member. But it's not an aberration. In the last five years, there have been more than 90 publicly-reported incidents of armed adults mishandling guns at school.¹ Guns left in locker rooms, including a loaded weapon found by a sixth grader.² Guns left in a bathrooms, including a loaded pistol

¹ K. Drane, Giffords Law Center, *Every Incident of Mishandled Guns in Schools* (Mar. 2, 2020), available at <https://bit.ly/2IbOCOW>.

² Associated Press, *No charges after Isabella Co. sheriff accidentally leaves gun at school* (Apr. 3, 2018), available at <https://bit.ly/2GtNfeb>.

found by four kids ages 6 to 8.³ Guns stolen by students, including one from a teacher with a concealed carry license who forgot to take the gun out of her purse before coming to class.⁴ These are just some reported incidents. It is fair to assume there are so many unreported. Police departments spend so much time training officers on weapons retention, and have strict weapons retention policies to avoid these problems. This bill says nothing about weapons retentions policies nor does it concentrate on weapons retention training.

There are dozens of reported cases of adults' guns being discharged unintentionally at schools, adults' guns being mishandled during discipline, or adults' guns being used in times of personal stress or conflict at school. For example, in 2018, during a firearm safety demonstration, a high school teacher accidentally fired his gun into the ceiling. The shooting injured three students, including a boy who ended up with bullet fragments lodged in his neck.⁵ Elsewhere, a third grader was able to get his finger onto a school liaison officer's holstered gun and pull the trigger, firing the weapon.⁶ But most disturbing are the incidents of teachers or staff pulling guns on students as a disciplinary tactic.⁷ Again, the presence of guns—even in the hands of highly-trained staff, such as school resource officers—increases the risk of shootings at school; accidental shootings that could end up in tragedy.

Even considering active shooter situations, where this bill contemplates that armed school personnel could use their weapons, there is severe risk with having inadequately trained armed personnel. Active shooter situations cause extreme stress, which decreases “hit rate.” The physiological effects of acute stress are well-documented, and emergency situations are quite different than target practice on the firing range. The body's responses to an active shooter situation decrease handgun shooting accuracy, or “hit rate.” For example, in 2008 the New York City Police Department—which has some of the most highly-trained officers in the United States—studied the hit rate of its officers. Between 1998 and 2006, the average hit rate of NYPD officers in situations where gunfire was not returned was just 30 percent. When there

³ B. Metrick, USA Today, *Ex-teacher charged for leaving gun in school bathroom, policesay* (Sept. 13, 2016), available at <https://bit.ly/2G9jlfF>.

⁴ D. Harten, Arkansas Democrat Gazette, *Police: Jacksonville High student steals gun from teacher* (Jan. 17, 2012), available at <https://bit.ly/2V3psWX>; see also R. Madden, Fox 2 Now, *Police find teacher's stolen gun with student* (Oct. 25, 2018), available at <https://bit.ly/2S9hqy7>; R. Danielson, Patch.com, *Central Middle Teacher Brought Gun to Class, Students Stole It* (Oct. 26, 2018), available at <https://bit.ly/2RaznZq>.

⁵ A. Larson, KSBW8, *Seaside High teacher accidentally fires gun in class, students injured* (Mar. 14, 2018), available at <https://bit.ly/2Be9cub>.

⁶ Minnesota Public Radio News (Feb. 5, 2018), available at <https://bit.ly/2PBbXKk>.

⁷ See, e.g., Z. Koeske, Daily Southtown, *Dolton high school security guard threatened to kill student, held gun to his chest: police report* (Dec. 4, 2018), available at <https://bit.ly/2RaAuZ6>; R. Atkins, KRQE, *APS custodian arrested for pulling gun at elementary* (Dec. 22, 2018), available at <https://bit.ly/2IcXWlq>; S. Ash, 47ABC, *Del. Wrestling coach*

was a gunfight, the hit rate dropped to 18 percent.⁸ If that is the hit rate of NYPD officers, who receive extensive and ongoing training and whose sole job is law enforcement, what can we expect of school teachers? Even if a teachers' discharge is not accidental, even if they have appropriately perceived a threat, under stressful situations like active shooters, there is still huge concern that a teacher or other armed staff would shoot an innocent student. Those concerns cannot be trivialized.

Extensive Training Is Necessary To Mitigate The Risk Of Armed School Personnel

It is possible to mitigate some of these risks—of children accidentally getting the firearm, of misperceiving threats, of misfiring in stressful situations, etc.—but only through extensive training. It is often said that police officers in high stress, high stakes situations “fall back on their training”—that is, the strategies and responses baked into their muscle memory. This muscle memory is critical in high stress, high stakes situations, such as an active shooter at school, because it allows the “good guy with a gun” to react automatically. Police trainers like myself know this from decades of experience. “[U]nder stressful conditions a person needs to rely upon reflexive actions. This is one of the keys to tactical shooting—to instinctively react and shoot when (and only when) the situation warrants the use of this type and level of force.”²⁶ Reacting reflexively, relying on muscle memory, makes a person more likely to avoid the errors, biases, and risks that extreme stress causes in humans. As explained by the Director of the Advanced Law Enforcement Rapid Response Training Center at Texas State University, the natural response to high-stress situations includes “‘tunnel vision, audio exclusion and time dilation,’ and one would expect people who weren’t trained in these situations to ‘freeze up or not know what to do, and to have difficulty performing actions correctly.’”⁹

There is no short-cut. Training, and repeated training to keep it fresh, is critical to avoid fatal accidents. Muscle memory is achieved only through time and repetition. Training—extensive, repeated training—is the only way to avoid fatal accidents during everyday instruction, kids becoming collateral casualties during active-shooter scenarios, and deadly crossfires between armed staff and law enforcement responding to reported threats.

The 27-Hour FASTER Training Is Not Enough To Eliminate These Serious Safety Risks

HB99 would allow teachers and other civilian school staff members to go armed with only 18 hours of general training and 2 hours of firearm training. Based on my expertise law enforcement trainer, this is woefully inadequate.

If the Legislature wants to amend the law about training armed teachers in school, it should let the experts come up with the training. Right now, Sub. Bill 99 asks OPOTA to adopt rules about training armed civilian staff in school, but then it handcuffs that expertise because it

⁸ B. Rostker et al., Rand Corporation, *Evaluation of the New York City Police Department firearm training and firearm-discharge review process* (2008), available at <https://on.nyc.gov/1KQwfZL>.

⁹ J. Holland, *The Nation*, *Tactical Experts Destroy the NRA’s Heroic Gunslinger Fantasy* (Oct. 5, 2005), available at <https://bit.ly/2SuWFKW>

caps that training at 18 hours general training and two hours for firearms training. This bill must eliminate those handcuffs and let the experts design a real training course, with sufficient hours, to keep our children safe.

Rather than basing this legislation on the expertise of firearms experts and the wisdom of the Fraternal Order of Police (which opposes this legislation), it appears drafted to allow a single private company to profit from doing a quick and insufficient training for school districts. Buckeye Firearms runs the 27-hour FASTER program. FASTER stands for Faculty/Administrator Safety Training & Emergency Responses. FASTER training is just as it sounds—fast. But doing something fast does is not doing it right. The premium should be on *safety*, not *speed*. It should be universally accepted that it is never okay to sacrifice safety of kids for speed.

Using a firearm in a crisis is about more than just pointing the gun and squeezing the trigger. Anyone can shoot a gun at a shooting range at a piece of paper. Using a firearm in an active shooter situation forces an individual to fall back on their training or experience. To be able to “fall back” on that experience, you need way more than the two hours of handgun training this law requires. As the Greek poet Archilochus said, “We don’t rise to the level of our expectations; we fall to the level of our training.” I encourage this Committee to vote against HB99 because it does not require sufficient training for armed school personnel.

Thank you.