HB 1788

HOUSE COMMITTEE ON JUDICIARY & CIVIL JURISPRUDENCE

Hearing Date: March 24, 2021 8:00 AM

Christina Puentes

Texas Gun Sense

Austin, TX

I am Christina Puentes, representing Texas Gun Sense, in opposition to HB 1788. Texas Gun Sense is a nonprofit, nonpartisan organization that advocates for common sense, evidence-based policies that reduce gun injuries and deaths. We respectfully oppose HB 1788 because it poses a greater risk to student safety than does the current system.

I am a former tenth grade English teacher and first grade teacher in Texas. I know firsthand the importance of rigorous training for adults to understand not only childhood development, but also the way that trauma and mental health can affect students in a school environment. I have seen teachers without guns handle heated situations better than trained police officers.

Consider how the broad definition of security personnel under HB 1788 come from many different backgrounds and sets of skills and training that, while valuable in their profession, are not necessarily so with children in schools. That they would receive immunity from liability under HB 1788 without the degree of training as teachers, social workers, and other school staff on how to deal with children under duress seems like an extraordinary double standard -- especially because these individuals would be armed.

Allowing individuals to operate in a school with a firearm and without accountability under HB 1788 runs the risk of:

-subjectivity in classifying an action as “reasonable...to maintain the safety of the school campus” as defined by HB 1788.
-insufficient training process.
-lack of motivation to be properly trained to work with children without the threat of lawsuits from improper conduct with the firearm and/or students.
-friendly fire in a shooting situation, which could recklessly injure bystander school staff and children.
-allowing individuals with mental health issues to enter a vulnerable space with a deadly weapon.
-directly or indirectly harming students’ mental and physical wellbeing without repercussion. Violence and language don’t have to be intentional misconduct or gross negligence in the eyes of the volunteer or the law for it to permanently harm a child.

When examining the bill for its direct intention of school safety, note the fact that simply because someone has worked in a security capacity does not mean they know how to handle security situations or can still shoot a gun accurately. Police departments have internal affairs investigations for a reason -- why should security personnel in schools be an exception? All police officers are human beings and they can also commit crimes.

Research shows that schools continue to be safe places for children. Accountability for adults in the building is just as much a part of student safety as the threat of potential intruders.

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In a recent study published by the Journal of American Medical Association at the end of 2020, researchers looked at 133 shootings where one or more people were intentionally shot in a school building, or where someone came to school armed with the intent of firing indiscriminately. The study found that there were three times as many people killed when there was an officer

on the scene who was armed.

An armed officer on the scene was the number one factor associated with increased casualties after the perpetrators' use of assault rifles or submachine guns.

Given these findings, I believe it would be a mistake to extend immunity from liability to security personnel employed by private and public schools. Indeed, it is a mistake to have armed personnel on school grounds at all. Without high standards for regular, rigorous, dynamic training which includes stress inoculation for active shooter interventions involving deadly force, very few people, if any, have the skills to adequately protect school children and staff from those interested in causing chaos by initiating a mass shooting event.