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Firearms in Higher Education

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ABSTRACT

In recent years, active shooter incidents have taken the lives of many innocent students, faculty, and staff in the school system. In the past 13 years alone, there has been over 160 such incidents in the U.S. (Blair, Martaindale, & Nichols, 2014). In an attempt to combat these situations, society has started the legislature process of passing or trying to pass laws allowing for students and staff to carry firearms on college and university campuses. The process shows a hope of reducing the number of casualties and the time it takes for law enforcement to arrive.

Although the theory does seem to make sense, what is not looked at are the issues that may arise from allowing such measures to be passed. These issues include students, barely adults, now being allowed to carry guns on campus and in dorms. Society must take a closer look at these issues and understand why it would be more important to push stricter gun laws and provide more training for law enforcement to handle these situations. Officers are already in the stages of learning new techniques and strategies to combat active shooter situations, such as ALERRT training. This type of training will assist in the foundation people already have in handling these types of situations. Officers will be better equipped to respond and give training to the public, in order to better prepare citizens. If society can take more time to not react, it may better help all the issues and see that firearms should not be allowed on higher educational campuses.

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INTRODUCTION

Within the past few years, the number of active shooter incidents has risen dramatically. One article stated, “one hundred and sixty such incidents were documented from 2000 – 2013, with an 11.4 % average increase overall and 24% of these incidents occurring in public schools” (Blair, Martaindale, & Nichols, 2014, p. 1). These shootings have taken the lives of 486 people and injured 557 others (Blair, Martaindale, & Nichols, 2014). It is these types of events that strike concern for the safety of children. These acts do not limit themselves to any one age group, but have taken the lives from all ages, from children just entering into the school system to young adults continuing the educational experiences in higher or secondary levels of education.

Society has attempted to remedy these situations by adding or increasing police/security officer presence in schools. As of January 1, 2014, Texas has created school marshals positions, which allows for trained faculty/staff to be able to carry firearms on school grounds (Rostron, 2014). Society believes this will help in reducing any future such events, as well as to provide a level of “awareness” and training.

There is, however, legislation in the works, which could bring more harm than good if passed. This law would allow students to carry firearms on university campuses. This idea is a very popular one and, in certain instances, appears to make sense. This would allow young adults to carry the tools needed to protect themselves and/or the lives of their fellow students around them. An example of such comes from a 2002 incident at Appalachian School of Law, when a student came into the classrooms and began shooting. John Reeves stated that “During the chaos, two male students ran to

their cars to get their guns, and by merely brandishing them, it forced the killer to drop his weapon” (Horman, 2012, p. 43). However, by allowing such actions, a Pandora’s Box of even greater issues of safety and liability to the schools and students will be opened. There may be accidental shootings or lack of proper policies and training by the school. Any of these issues could outweigh the rewards.

These safety issues will double by the adding of more firearms into the situation, not to include those of law enforcement. Those with good intentions will unknowingly add more fuel to the fire. Society must understand that college students are already in a highly stressful situation and many are not “fit” to be able to carry firearms. A major factor that college students face entering into this new social and academic world is stress. These young adults are coping with situations never faced before and now society is considering entrusting them with deadly weapons. Many cannot fully cope with their new world and because of these stressful situations, suffer from depression, alcohol, and drug abuse. In several cases, those unable to cope with such stress have made the ultimate sacrifice by committing suicide.

By adding firearms into the hands of young adults, society has opened up to liability issues to include the schools, police departments, and the students. Greater amount of responsibility has now been placed on students, who may not be ready to handle these life and death situations. The decision for allowing firearms into the school systems seems to be a very popular one. However, being popular does not necessarily mean it is the right one. It is because of these reasons that the following be taken into consideration: firearms should not be allowed on the campuses of higher education.

POSITION

When asked what the first thing to come to mind when the words “active shooter” is mentioned, the first thought is of school shooting. It is easy to see why most would come to this conclusion with such headlines as “16 April 2007- AT LEAST 33 KILLED IN VA. TECH MASSACRE or 14 February 2008 – 5 SHOT DEAD INCLUDING GUNMAN AT NORTHERN ILLINOIS UNIVERSITY” (Birnbaum, 2013, p. 7). These are just a few of many incidents that are fresh in the minds of people today.

With such acts comes the reaction of people wanting the quick fix. Although understandable, society’s “good intentions” are to overreact and in doing so, not see what their actions may lead to. When looking into the overall number of incidents of homicides on universities and college campuses, the numbers were quite small. In an article by Thompson et al. (2013), it was noted, “The U.S. Department of Education placed the overall homicide rates at .07 per 100,000 students” (Thompson et al., 2013, pg. 244). This rate was then compared to the U.S. general rate of person’s age 17 to 29 at 14.1 for every 100,000. Thompson added, “A rate 200 times higher, than college populations in general” (Thompson et al., 2013, pg. 244). Although the numbers are small, this does not seem to affect the sense of urgency for society to push legislation for laws allowing students to carry firearms in college settings. Birnbaum (2013) wrote, “Yet by 2012, guns were allowed on 200 public campuses in six states. In 2011 alone, there were bills introduced in 23 states which would also allow for students to carry firearms” (p. 7).

Recently, Texas Bill Senate Bill 1907 was passed and came into effect September 1, 2013, which would allow for individuals to keep their firearms locked

inside their cars on college grounds to include parking lots (Senate Bill 1907, n.d.). This is just short of completely allowing students to fully carry, and it seems it is just a matter of time before this will be passed as well. However, what seems to be good intentions may lead to more unnecessary injury and death to students, faculty, staff and campus police.

First, it must be addressed that if passed, it will be a short matter of time before students begin carrying firearms. With just that reason alone, the odds increase that officers will have a run in with students carrying weapons, which automatically increases the safety risk. As previously stated by Thompson, “although the homicide rates for college students are very low, the rates for violent crimes against students are estimated accordingly at over 30,000 incidents annually” (Thompson et al., 2013, p. 244). The risk would be much greater now than ever for guns to become a factor in many of these other violent crimes, to include sexual assaults, theft, burglary, robbery, etc. Students carrying weapons may become victims because of having possession of firearms.

When focusing on just the incidents regarding active shooters, a recent study completed by the Federal Bureau of Investigations (2014) showed, “Active shooter incidents are becoming more frequent—the first seven years of the study show an average of 6.4 incidents annually, while the last seven years show 16.4 incidents annually” (FBI News, 2014, Pg. 1) In another FBI case study conducted, “officers were shot in 15 percent of events ongoing at the time of their arrival. That makes an active shooter call among the most dangerous in law enforcement” (Blair, J. P., Martaindale,

M. H., & Nichols, T. 2014, p. 1). Here lies the issue in which students with firearms will add more to the chaos.

During such incidents, there is panic all around as people attempt to flee and hide from the shooter(s). People in the middle attempt to notify 911 and overwhelm operators with misinformation. Officer's in-route to any calls rely on as much or as little of this information as possible. It would not be hard for many to give misinformation on important matters such as description, location, and number of suspects. This type of misinformation or even if none provide could be crucial when officers make location and intercept the "suspect". Even the slightest misinformation could lead to officers shooting an innocent bystander holding a weapon or in the heat of the moment be shot by the good Samaritan. Villahermosa (2008) questioned, "Will faculty and staff members accept that they may be shot by law enforcement officers who mistake them for the shooters" (p. A56)? The officer's mindset is to "stop the threat" and someone holding a firearm would appear to be such a threat. The officer, in an attempt to not shoot an innocent victim may hesitate and become a victim himself by the gunman, thus only adding to the problem by supplying the gunman with another weapon and another victim. These types of issues are ones that may be avoided by training students to be able to react faster. Instead of having a weapon, students can train to find a hiding place, barricade doors to prevent a shooter from entering, run away, or in a worst case scenario, fight.

Liability is another factor to consider when allowing students or faculty to carry firearms. Anyone who carries and discharges their firearm is responsible for where the bullets may end and in an active shooter incident, an innocent bystander may be one

such victim. Villahermosa (2008) wrote, “Will Faculty and Staff members be ready to face imprisonment for manslaughter.....if one of their bullets does in fact strike an innocent bystander” (p. A56). Because of such, what started as someone attempting to be a Good Samaritan may in fact be charged with a crime. Even if no criminal charges were filed, the student/faculty member could still face civil charges in court for wrongful death by the families of the victims. More importantly, this individual would have to live a lifetime with the idea of killing an innocent bystander or officer. Something no one would want to have on their conscious. To say a life was taken “accidentally” still took a life...but meant well.

The issue of liability is not only limited to the individual but to the university as well. Villahermosa (2008) questioned, “Are Universities...financially able and willing to drastically increase our liability – insurance premiums to cover the legal ramifications involved with allowing faculty and staff members to carry firearms” (p. A56)? Changes will have to occur in universities policies to allow such actions. Such changes may cause tuition to increase to cover premiums. Training will also have to be provided to faculty and perhaps to students. Providing training again opens the door to other forms of liability, but providing none would be even worse.

Whether looking at this from the aspect of safety for the faculty, students, and police or from a liability standpoint, both bring up key issues which should be looked at more closely before such measures are passed in congress and onto universities. All of society wants children to be safe, especially at college, but must not make hasty decisions without looking into all the ramifications which may result and cause more suffering than good.

COUNTER POSITION

Some of the issues for allowing weapons on university grounds is for self-defense in cases of an active shooter. Many believe no matter what is done to provide security or deterrence, it is simply not enough and only the ability to self-protect will work. Self-defense is an inherent right (Birnbaum, 2013). By allowing students/faculty to carry firearms, it will be more likely to stop an active shooter before the individual can hurt someone or reduce the number of fatalities. Horman (2012) wrote over an incident in 2002 the Appalachian School of Law, “where an active shooter student who had killed three was subdued because two other students went to their cars and retrieved guns, never having to fire” (p. 43). He further added, “in 204 of 208 stories which covered this incident, media failed to mention the positive aspects of guns and how they often save innocent lives in similar cases” (Horman, 2012, p. 43).

Those in support of guns on campus believe although campuses may have police departments located on or near their area, the time it takes for law enforcement to respond is crucial. The FBI case study showed “the median response time was 3 minutes—fast by law enforcement standards” (FBI News, 2014, Pg. 1). Many believe having guns on campus will provide a safer environment for all by allowing for a quicker response time by students or faculty carrying firearm. This, theoretically, would result in fewer deaths or even deter a gunman if he believes there could possibly be weapons on campus. Horman wrote that, “For many years we assumed just driving around in a marked police car would deter crime....assumptions are the opposite and wrong” (Horman, 2012, p. 43).

However, there is no current data that supports such claims. As previously stated, data compiled by an FBI case study showed, "In 21 of the 45 incidents where law enforcement had to engage the shooter to end the threat, nine officers were killed and 28 were wounded" (FBI News, 2014, p. 1). Their presence did not stop or scare off the shooter. When an officer arrives to the scene, a shooter often turned his anger onto the police. The article stated, "ASEs still were ongoing when law enforcement arrived in 51% (53) of the cases" (FBI News, 2014, p. 1). Of those cases, 21 of them (40%) had attackers who stopped themselves. There were 15 cases where the attacker committed suicide, and there were six cases in which the perpetrator surrendered to the arriving police. However, "Law enforcement officers used force to stop perpetrators 60 percent of the time" (FBI News, 2014, p. 1).

Another major argument for guns on campus is that many believe students will be able to obtain the necessary if not more training than officers, thus able to handle such situations better, than police. Currently, in order to obtain a concealed handgun license (CHL) in Texas, one needs to complete only 6 hours of training, to include classroom and range firing. Tomlinson (2012) wrote, "The CHL applicant must then attend a state approved CHL instruction course....the course must be between ten to fifteen hours in total training" (p. 7). However, there is seemingly an unlimited amount of training that can be found from books, videos, and online or personal courses. These types of training range from the basics of self-defense to firearm simulators to more advanced and tactically specialized training. Many of these courses are taught by professionals who have previous law enforcement or military experience. One article stated, "Instructors have "real" world combat trained and have seen action overseas"

(Gun Training, n.d., Pg. 1). Additionally, depending on one's financial situation, students may in fact be able to get top quality training that rivals that of police. With all these avenues for training, pro guns supporters believe students will be properly trained to handle an active shooter event.

But most training conducted in the "outside world" is not realistic base training. Villahermosa (2008) asked, "Will their training include exposing them to a great amount of stress in order to simulate a real-life shooting situation, like the training that police officers go through?" (p. A56). Officers have years of training and of real life experience dealing with situations most people will only see on television or the net. This type of experience is priceless and cannot be "trained". Officers have accustomed themselves to be able to handle most threats and in the case of an active shooter, have developed specialized training in order to assist them with dealing with such. ALERRT (Advanced Law Enforcement Rapid Response Training), which is based out of San Marcos, Texas, is an example of such. The curriculum was established after Columbine and has since been considered the standard training for active shooter incidents. This program, which was developed in 2002, has already had a major impact on training for officers all over the U.S and has already played an important role in active shooter incidents: "from the 1966 Tower shooting at the University of Texas, to the coordinated terrorist attacks in Mumbai, India in 2008, to the Fort Hood shooting in 2009 and beyond, the best lesson learned is to be prepared" (Advanced Law Enforcement Rapid Response Training [ALERRT], n.d., para 4).

Students and faculty could practice and in certain circumstances "train", but there is a difference between this and an actual life or death situation. Villahermosa (2008)

wrote, "Some faculty and staff member may be capable of learning to be good shots in stressful situations, but most of them probably wouldn't practice their firearms enough to become confident during an actual shooting" (p. A56). Training is a useful tool for civilians, but it cannot take the place of the training, experience, and real life stressful situations in which police officer have encountered. It is this combination and not training alone, which will provide the best outcome for liability and safety for everyone.

RECOMMENDATION

Everyone has the right to protect oneself. It is one of society's basic rights, which are protected by the Second Amendment. However, just as important as it is to be able to keep firearms in one's home, there are certain places in which firearms must stay out. One area is in universities and college campuses. As previously stated, recent active shooter incidents have drawn the attention of people across the world and caused an uproar that has divided students, parents, and faculty, staff, and campus police officers. However, society must not allow emotions to cloud people's judgment into making quick decisions that may have deadly outcomes.

Firearms in the hands of students and faculty may not be the wisest choice and may lead to more injury or death to innocent bystanders or officers arriving to the scene to help. Even with the emergence of training facilities, programs, no amount of "training" can prepare someone for what will occur in an active shooter incident. It is the police officers who will be able to best confront shooters because of their years of experience and training combined. Firearms in the hands of untrained professionals will only lead to further liability issues which will affect the "good Samaritans," both legally and civilly. Even if protected, civilians should consider the thought of taking a life. Officers have

already accepted all these issues this and have policies and procedures in place such as “Good Faith” clauses, in order to help protect them in their actions. This is something universities may have to take a better look at it in order to protect everyone.

Instead, society and universities should push for more training in what to do in case of an active shooter. There are some programs that currently exist that provide such information to students as young as elementary. The ALERRT program itself has developed a similar training program aimed at civilians and how to deal active shooters. It is called “CRASE or Civilian Response to Active Shooters” (ALERRT, n.d., p. 6)

More strict gun laws should be looked at in order to maintain a better control of firearms. Tighter requirements will help to screen possible unstable, mentally ill, or those who should not have access to a firearm. For those who are able to obtain CHL licenses, states should look into increasing the number of hours needed for training, as well as annual proficiency and updated training. Overall, more awareness, instead of panic, must be stressed to everyone. There is no such thing as a “quick fix” and allowing for students to bring firearms onto campuses appears to be such a reaction. More awareness and communication are key factors in assisting students to better cope, react, and assist police and students if involved in an active shooter situation. Regardless, society must recognize that firearms on campus will not solve the issue, only add fuel to the proverbial fire.

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