



Senate Bill 1519—protective orders; schools; appropriations

This bill creates the Severe Threat Order of Protection (STOP) and the Ex Parte Severe Threat Pickup Order (Ex Parte) as instruments through which the state can evaluate the mental health of potentially dangerous individuals and disarm them should they be shown to pose a threat to themselves or others. It also makes changes to school safety procedures and the AZ Department of Education's (ADE) School Safety Program, along with varying other changes. An overview of the bill is below.

STOP and Ex Parte Orders

- Enables a court to issue a STOP order and an Ex Parte order when a qualified petitioner files a petition with the appropriate court.
 - A qualified petitioner is a family member, legal guardian, household member, significant other, school administrator, teacher, resident assistant, or behavioral health professional who is at least 18 years old.
 - Qualified petitioners do not have any immunities from civil liability.
- Establishes that an Ex-Parte order requires its subject to submit to an evaluation for serious behavioral health issues based on any of the following:
 - They made a credible threat of death or serious physical injury.
 - They committed or attempted to commit an act of violence that resulted in or was intended to result in death or serious physical injury to self or others.
- Establishes that both the petition for a STOP order and the order issued can only be disclosed if the order is issued. The order and petition can be provided to the following:
 - The school or district that the subject attends or attended in the year prior to the order's issue date.
 - The parent or legal guardian of a subject who is a minor.
 - Law enforcement.
 - A juvenile probation officer.
 - A behavioral health professional.
 - A person the subject has been targeting.
- Establishes that a court will issue an Ex Parte order if clear and convincing evidence exists that the subject poses a significant danger to self or others and that they should be evaluated by an evaluation agency.
 - The order requires that a peace officer transport the subject to an evaluation agency as soon as practicable. The order has no expiration date but can be quashed or extended by a qualifying court.
 - If the court determines that clear and convincing evidence still exists, then it shall order that the sheriff immediately transport the subject to an evaluation agency. If there is no such evidence, then the order shall be quashed.
 - The petitioner of the order will be informed of the courts findings.
 - If the court finds, after reviewing the evaluation, that there is clear and convincing evidence that the subject is a significant danger to self or others, then the court shall enter a STOP order that prohibits the subject from possessing a firearm for the order's duration, which can last up to 21 days.
 - The STOP order can be quashed, renewed, or extended.

- If the subject is a minor, then their parent or legal guardian will be immediately informed of the location they are being taken to and of the right to consult an attorney.

Emergency STOP Orders

- Enables peace officers to seek an emergency STOP order if they have probable cause to believe that the subject is a significant danger of imminently causing death or serious physical injury to self or others and is likely to suffer or cause death or serious physical injury unless immediate action is taken. The order can be issued if any of the following apply:
 - Within the past 14 days the subject has made a credible threat of death or physical injury or committed or attempted to commit an act of violence that resulted in or was intended to result in death or physical injury to self or others. (Cruelly mistreated an animal taken out.)
 - The subject has exhibited a pattern of making credible threats, committing acts, or attempted to commit acts of the above nature within the past six months.
 - The subject has engaged in specific acts or behaviors within the past 14 days.
 - The officer executing the emergency STOP order will transport the subject to an evaluation agency, where they will be evaluated behavioral health issues. The agency can hold the subject for up to 72 hours, which doesn't include weekends or holidays.
 - The order expires after 14 days unless it is quashed, renewed, or extended.
- Enables a qualified individual to petition the superior court to extend an emergency STOP or Ex Parte order for up to 180 days.
- Establishes that, if the subject of a STOP order is a minor and a parent or legal guardian or household member owns a firearm, then the parent or legal guardian will be required to attest that the firearm is secured.
- Requires the subject of a STOP order to turn over all firearms in their possession to the sheriff, a federally licensed firearms dealer, or a responsible custodian within 24 hours. If they do not own or possess any firearms, then they will attest to this to the court under oath.
 - If they fail to submit evidence of compliance with the above requirement to the sheriff within 24 hours, then the sheriff shall request that the court issue a search warrant to a peace officer to seize any firearm in the subject's possession.
 - If a person who is subject to a STOP order acquire a firearm during the extent of the order, then they will be subject to a class 4 felony.
- Establishes that it is a class 5 felony to make a false sworn statement to obtain a STOP order.

School Safety

- Requires that district governing boards and charter school governing bodies prescribe and enforce policies and procedures for school personnel to report to the sheriff or local law enforcement agencies any suspected crime against a person or property that:
 - Is a serious offense.
 - Involves a deadly weapon, dangerous instrument, or serious physical injury.
 - Includes conduct that poses a threat of death or serious physical injury to employees, students, or other persons on the school property.

- District governing boards and charter school governing bodies will be required to prescribe and enforce policies and procedures that require a record to be maintained for any person who fails to report the above. Those records will, upon request, be made available to any public school, school district governing board, or charter school governing body that intends to hire that person.
- Requires that district governing boards and charter school governing bodies prescribe and enforce policies and procedures that require notification to be made to the parent or guardian of each student who is involved in a suspected crime or any conduct of a serious nature.
- Requires the Arizona State Schools for the Deaf and Blind (ASDB) and districts and charters that issue student ID cards to include the number of the Safe Schools Hotline on them, starting in school year 2018.
 - The Safe Schools Hotline will be a program within the newly established Center for School Safety, which will allow anyone to anonymously report any dangerous, violent, or unlawful activity that is being conducted or threatened to be conducted on a school campus, on school transportation, at a school-sponsored event, or at a school-related activity. Information that is submitted will be considered confidential and will not constitute a public record, however a court can order to have the information disclosed to it. The AZ Attorney General can oppose such disclosure on behalf of the Department of Public Safety (DPS).
- Requires all visitors to an LEA campus to provide their ID to any school employee upon request. If they fail to procure their ID, then a school administrator may inform them that they must leave the campus or be subject to a trespass violation.
- Requires ASDB, districts, and charters to partner with local law enforcement agencies and emergency response agencies to do the following:
 - Provide age-appropriate school safety training for students.
 - Provide professional development for teachers and staff on the district or charter's school safety policies and procedures.
 - Develop and continuously maintain an emergency response plan for each school in accordance with the minimum standards jointly developed by ADE, DPS, and the AZ Department of Emergency and Military Affairs' (DEMA) division of emergency management. The plan is critical infrastructure information and is not considered a public record.
 - The plan will contain the contact information for all local law enforcement agencies whose jurisdictions includes the school. It will also provide, if available, the contact information for the school's school resource officer (SRO) and the law enforcement agency they are affiliated with.
 - The plan may contain an active shooter training program that is developed and continuously maintained by the administrator of the district school, charter school, or ASBD.
 - The plan may include qualified reserve peace officers.
- Requires that ADE meet with representatives from districts, charters, DPS, county sheriffs, and local law enforcement agencies on a quarterly basis to discuss school safety.
- Enables ASDB, a school district, or charter school to enter into an agreement with DPS a county sheriff, or a local law enforcement agency to allow active or reserve peace officers to provide

security on school grounds if they are certified by the Arizona Peace Officer Standards and Training Board (POSTB) or qualified retired law enforcement officers.

- An agreement may also be made that allows peace officers whose jurisdiction includes a school to use its indoor or outdoor facilities and property while the school is open to complete administrative tasks while on duty.
- Adds that individuals serving as sworn peace officers in the DPS Reserve can be assigned to assist with the safety and security of districts and charters.
- Adds that ADE will coordinate with DPS to do the following:
 - Administer the School Safety Program.
 - Review Program plans submitted by districts and charters.
 - Establish data guidelines for Program participants regarding data on the impact of participation.
- Adds that POSTB will now prescribe training for all law enforcement officers and juvenile probation officers who serve as SROs. The training will at least include information on school safety and emergency response plans, threat responses, and school laws. It will also include virtual training or simulated active shooter training that is specific to school scenarios.
- Makes it so that any information concerning school safety needs or security measures that are required to be submitted with a school's School Safety Program proposal are not considered public record.
 - The proposal shall now also include:
 - Information on security measures that are currently in place at each school.
 - An emergency response plan developed by the district or charter.
 - A letter in support of the program proposal from the chief officer of at least one local law enforcement agency.
 - District governing boards, the governing body of a charter school, and the Board of Directors of ASDB must now provide information at least once each school year to employees about reserve peace officers.

Suicide Prevention Training

- Requires the Arizona Health Care Cost System Administration (AHCCS) to annually identify or develop and post on its website web-based training on suicide prevention, starting by July 1, 2019.
 - The administration may consult with other organizations that have expertise in suicide prevention when identifying or developing the training.
- Enables school districts and charter schools to require the following only for teachers, principals, and other personnel who work with 6th-12th graders, starting in the 2019 school year:
 - Training in suicide prevention.
 - Training in identifying the warning signs of suicidal behavior in adolescents and teens.
 - Training in appropriate intervention and referral techniques.
 - The training can be provided within the framework of existing in-service training programs offered by the district or charter or as part of professional development activities.

Arizona Health Care Cost Containment System Administration (AHCCCS)

- If there are sufficient funds available, then beginning on July 1, 2018 AHCCCS may make payments directly to schools or may require that a contractor in each geographic service area provide the following:
 - Evidence-based mental health first aid training for teachers and administrators in public schools that provide instruction in any combination of grades K-12.
 - Behavioral health services to eligible students in public schools that provide instruction in any combination of grades K-12 only after receiving the consent of a parent or guardian.

Appropriations and Spending

- Makes the following appropriations from the General Fund in fiscal year (FY) 2018:
 - \$392K to DPS to obtain virtual training equipment to provide training to SROs.
 - \$11M to ADE to add more SROs to the School Safety Program.
 - \$450K to AHCCCS for mental health first aid training in schools.
 - \$3M to AHCCCA for behavioral health services in schools.
 - \$125K to DPS to expand the current tips and leads portal to include a campus-specific portal for AZ schools that enables secure and anonymous reporting of information to school administrators, law enforcement agencies, and behavioral health professionals.
 - \$597,800 to DPS to establish, staff, and manage the Center for School Safety.
- Appropriates 600K from the Fingerprint Clearance Card Fund to the AZ Criminal Justice Commission in fiscal years 2018, 2019, and 2020 to coordinate with DPS, law enforcement agencies, county attorneys, and courts to develop and implement a data exchange system for criminal history record information.

This bill has an emergency clause.