

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SANDY HOOK ADVISORY COMMISSION

JANUARY 24, 2013

10:30 AM

Legislative Office Building

Hartford, CT

SCOTT JACKSON, Committee Chair

ADRIENNE BENTMAN

RON CHIVINSKI

ROBERT DUCIBELLA

TERRY EDELSTEIN

KATHLEEN FLAHERTY

ALICE FORRESTER

EZRA GRIFFITH

CHRIS LYDDY

PATRICIA KEAVNEY-MARUCA

DENIS McCARTHY

BARBARA O'CONNOR

WAYNE SANDFORD

HAROLD SCHWARTZ

BRANDON SMITH REPORTING & VIDEO SERVICE LLC

249 Pearl Street

Hartford, CT 06103

860.549.1850

AGENDA

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

- I. Welcome by Chair Scott Jackson
- II. Issuance of Charge by Governor Malloy
- III. Introductions by Commission members
- IV. Update on Investigation & Timeline by Danbury State's Attorney Stephen Sedensky
- V. Presentation by former Colorado Governor Bill Ritter Former Denver District Attorney and member of the Columbine Commission
- VI. Presentation by Prof. Richard Bonnie Director, Institute of Law, Psychiatry and Public Policy, University of Virginia, Chair of the Virginia Commission on Mental Health Law Reform and consultant to the Virginia Tech Review Panel
- VII. Other Business
- VIII. Discussion
- IX. Closing Remarks

1 (The proceedings commenced at 10:30 a.m.)

2 CHAIRMAN JACKSON: Thank you all for coming out
3 this morning for this initial meeting of the Sandy Hook
4 Advisory Committee. We do have an agenda for today's
5 meeting and I would ask our esteemed Governor Dannel Malloy
6 to provide to this committee its charge.

7 GOV. MALLOY: Thank you, Mayor, and I want to
8 thank all of you for the time and effort that you will put
9 forth over the coming weeks and months. I also want to
10 especially thank the mayor, Scott Jackson, as serving as
11 chair of this commission. I put a great deal of faith in
12 the mayor, and I think he deserves all of it. He's done
13 outstanding work in his own community and has served on
14 other commissions that I've established previously, and I
15 was very grateful when he accepted my invitation to lead
16 this important and historic commission.

17 I know that serving on this commission is taking
18 you away from other obligations, including from your
19 families, but I believe that together, once our work is
20 done, we will have made our children, and indeed, our
21 entire state safer. That's our goal.

22 The further away we get from December 14th, 2012,
23 the more apparent it is to me that the entire country was
24 shaken to its core by the tragic events that occurred at
25 Sandy Hook Elementary School. This was brought home to me

1 particularly during the time that I was in Washington this
2 past weekend where people would stop me on the street and
3 want to talk about this and what could be done to make sure
4 that this sort of thing doesn't happen again. And rather
5 than losing its impact, I would say, or its immediacy over
6 time, the desire for changing our policies and our laws to
7 prevent another incident like this one I think is
8 increasing on a daily basis, not decreasing. That may be
9 one of the great differences between this mass shooting and
10 others.

11 We must bring about change through a thoughtful
12 and comprehensive debate, one that looks at not only how we
13 can prevent gun violence, but how also we can fix our
14 mental health system. We must take a serious look at
15 public safety, particularly school safety, so that our
16 children can grow up and go to school without the fear of
17 violence in a culture that does, in fact, glorify violence.
18 We need to have a discussion about stopping that.

19 The recommendations you will craft over the
20 coming weeks and months will no doubt take us towards the
21 goal, that goal, better mental health, better safety in our
22 schools, and a system that is set up to stop the
23 glorification of violence, but before you get started,
24 there are a few things that I want you to consider.

25 I believe that responsible law-abiding citizens

1 of our state have a right to bear arms, but that right
2 cannot come at the expense of public safety. We need to
3 develop a common sense way to regulate access to guns. We
4 need to make sure that our mental health professionals have
5 access to the resources and information they need to get
6 treatment to those who need it. We must make sure the
7 public has better information about what to do when they
8 suspect someone may be battling mental illness.

9 It's a sad fact that shootings like this are
10 becoming all too common occurrences in our country. It's
11 also a fact that in almost every one of these cases there
12 were warning signs. That's why we need to come up with
13 ways that we as friends, as family, as a society or a
14 school system can better respond to those warning signs and
15 hopefully reduce the stigma of mental illness. I want to
16 say here that reducing that stigma is extremely important.
17 There is a certain reality about mental illness that is not
18 properly accounted for in the public's mind. There's a
19 reality that many citizens, perhaps a majority of our
20 citizens, at some point will experience as mental illness
21 challenge, but with treatment, almost all of those
22 incidences will be overcome. A very small portion or a
23 portion won't be resolved, but yet, we attach so much
24 stigma to reaching out, to sitting down, to speaking and
25 getting help or medication that will help a person through

1 that battle. I said in a speech at the U.S. Conference of
2 Mayors last Saturday that we live in a society that has
3 destigmatized violence at the same time that it has refused
4 to destigmatize mental treatment.

5 And last, we must make sure that our schools are
6 both safe and welcoming places where our children can reach
7 their full potential, and teachers can practice their craft
8 without fear.

9 Let me also add that while this tragedy happened
10 in a school, we must take steps to ensure that the next
11 time it doesn't happen in a movie theatre, at a shopping
12 mall, at a ball game or on a street corner in any of our
13 cities where street crime, including using guns that were
14 purchased under loopholes have become a constant problem in
15 our society.

16 This is a monumental task that you take on. I
17 want to thank you again for the work that you are going to
18 do. I know how seriously each and every one of you takes
19 it. I can think of no better way to honor those that we
20 lost in Newtown just a few short weeks ago than for you to
21 do your hard and good work and come forward with the
22 recommendations that will accomplish our common goals.
23 Thank you very much for allowing me to be with you.

24 I want to say that you will have additional
25 speakers today. I'm well aware of that, but I am in the

1 presence of one of those speakers who is a former governor.
2 I want to recognize Governor Ritter, who I know will be
3 speaking to you. He will speak as someone who has gone
4 through the process that each and every one of you is now
5 going through. As a former District Attorney for Denver,
6 he served on the Columbine Commission that was established
7 by their governor at the time. His service as governor
8 came after that incident. I think he has keen insight to
9 the work and challenges that you will face in the coming
10 months, and I want to express my personal gratitude that he
11 was able and willing to join us.

12 Scott, any questions you want me to handle?

13 CHAIRMAN JACKSON: Thank you, Governor. Can you
14 confirm timelines for receipt of legislative
15 recommendations?

16 GOV. MALLOY: Sure, I will do that. We in
17 Connecticut as the situs of this most recent and heinous
18 event have an obligation to make sure that voices are heard
19 on this. And this is not a race. On the other hand, I
20 can't appear before you without having in mind that we have
21 a legislative session underway that began. There are many
22 legislative ideas, and they have the right and obligation
23 to put those ideas forth.

24 To the extent that you reach any early
25 recommendations, sharing them on an interim basis, not on a

1 daily basis or a weekly basis, but at some point you think
2 you've reached a set of conclusions that you want to opine
3 on, I would urge you to feel free to do that understanding
4 that there, I will imagine, will be a final report and
5 final recommendations.

6 This session goes until June. The legislature
7 wants to conclude its work on these matters, at least
8 preliminarily or round one, during this session I would
9 assume. So you have some pressure. On the other hand,
10 I'll cover for you. Thoroughness and the ability of all
11 voices to be heard is extremely important to the people of
12 the State of Connecticut. So I'm not going to put you
13 under any pressure. In fact, I'll protect you from that
14 pressure should that be required. On the other hand, I
15 think you all need to be mindful that the legislature is in
16 session, and some of the things that you undoubtedly
17 recommend will require legislative action. I think that's
18 the best way to answer it.

19 I know that you'll be hearing from the Chief
20 State's Attorney who is conducting his own investigation.
21 That is an ongoing criminal investigation. He will share
22 what he can with you. I believe he will make a proposal on
23 sharing additional information as it becomes appropriate to
24 share it with you. I think he's going to ask a system to
25 be set up for that to be done. You know, we were hoping

1 when I established this commission that it would be
2 possible to have a preliminary report from the State's
3 Attorney on this matter in mid-March. Whether that
4 deadline will be met or whether that's the current deadline
5 or thinking, I think he'll address subsequently.

6 CHAIRMAN JACKSON: Thank you, sir.

7 GOV. MALLOY: Okay.

8 CHAIRMAN JACKSON: Are there any other questions
9 from committee members for Governor Malloy?

10 GOV. MALLOY: So I'm going to absent myself from
11 much of your deliberations unless you require that I come
12 back. I'm happy to come back at any time. I urge you to
13 do the good job that I know that you will do. Folks from
14 my office will continue helping to staff you all in this
15 endeavor.

16 This is not Dan Malloy's report. This is an
17 extremely important commission report that each and every
18 one of you will own for the rest of your lives, and as I
19 said just a little while ago, the State's Attorney's report
20 is a report that is going to be extremely important, not
21 just in the State of Connecticut, but in future endeavors
22 and will be looked to in great seriousness.

23 So I want to again thank you, and any resources
24 that you have, any resources that you might require that
25 you don't currently have at your disposal, please

1 communicate that to my office, and then we'll attempt to
2 address that.

3 CHAIRMAN JACKSON: Thank you very much.

4 GOV. MALLOY: Thank you very much.

5 CHAIRMAN JACKSON: As we have just heard from the
6 governor, we have a broad charge and many items to come
7 before this commission. We have a lot of work to do in the
8 coming weeks and months, but we also cannot forget that we
9 are here because of a tragedy, and as such, I would request
10 that we take a moment of silence now to remember those lost
11 in Newtown.

12 (Pause.)

13 Thank you. Moving on to item three, we are going
14 to commence with some brief introductions of who we are.
15 Many of us have not worked with many others. So getting to
16 know each other as we will be spending a lot of time
17 together I think is important and valuable. I'd like to
18 remind everyone that we are being recorded today so please
19 use your microphones. And we'll go right to left.

20 COMMISSIONER BENTMAN: How do you do? My name is
21 Adrienne Bentman. I'm the mother of two almost sort of,
22 kind of grown children. I am employed at the Institute of
23 Living as the psychiatry residency program director. I
24 bring to this experience prior work as an internist, as an
25 emergency room physician of medicine, as a psychiatrist in

1 charge of an adolescent and family treatment unit, and as
2 someone who has co-led a group for counselors of
3 independent schools.

4 CHAIRMAN JACKSON: Thank you.

5 COMMISSIONER FLAHERTY: My name is Kathy
6 Flaherty, and I'm a staff attorney at Statewide Legal
7 Services of Connecticut, and I also am a volunteer with
8 NAMI of Connecticut. And I bring to this Panel my
9 experience as a person living with bipolar disorder and an
10 advocate for people living with psychiatric disabilities,
11 and I'm very honored to be part of this Panel. Thank you.

12 COMMISSIONER DUCIBELLA: Good morning. Excuse my
13 cold. I'm Bob Ducibella. I'm the founder of a forty-year
14 practicing security consulting and engineering firm. We
15 focus on the creation and development of safe environments,
16 including schools.

17 Over the past forty years, and in large part over
18 the past decade, I've worked with the Port Authority of New
19 York, the governor of New York and members of the federal
20 DHS community in developing the design of and the creation
21 of safe and secure environments for locations like the
22 World Trade Center site where I'm the lead security
23 consulting engineer.

24 It's a challenging circumstance, and I've agreed
25 to serve on the committee for really one reason. We have a

1 number of safe institutions throughout the United States.
2 I think our schools are in a great position to become a
3 member of that community, and I'm proud to be here, and
4 thank you for attending.

5 COMMISSIONER GRIFFITH: Good morning. My name is
6 Ezra Griffith. I have been in Connecticut for a number of
7 decades, and I serve on the faculty of the Department of
8 Psychiatry at the Yale School of Medicine.

9 COMMISSIONER FORRESTER: Good morning. My name
10 is Alice Forrester. I'm the executive director of Clifford
11 Beers Clinic in New Haven. It's an outpatient mental
12 health clinic for children and families. We serve about
13 1,600 children in eighteen regions -- cities throughout New
14 Haven and greater New Haven region.

15 I'm also on the board of Connecticut Community
16 Providers Association and the chair of the Child Mental
17 Health and Substance Abuse Division.

18 COMMISSIONER EDELSTEIN: I'm Terry Edelstein.
19 I'm Governor Malloy's nonprofit liaison, and I bring to the
20 table a long understanding of the nonprofit community
21 provider world as well as many contacts with the advocacy
22 community. I also have a long-standing background in
23 mental health and addiction treatment issues and welcome
24 the opportunity to assist with input in this process.

25 COMMISSIONER SCHWARTZ: Good morning. I'm Hank

1 Schwartz. I want to say first that my heart goes out to
2 the people of Newtown, and I feel privileged to be able to
3 serve on this commission.

4 I'm the psychiatrist-in-chief at the Institute of
5 Living and vice-president for Behavioral Health Services at
6 Hartford Hospital. The Institute of Living is the major
7 tertiary psychiatric center in northern Connecticut and
8 certainly, the one closest to the Newtown disaster.

9 I have a long-standing interest in issues at the
10 interface of psychiatry, law, public policy and hope to
11 bring that interest to this work.

12 CHAIRMAN JACKSON: My name is Scott Jackson. I
13 am in my second term as mayor of the Town of Hamden,
14 Connecticut. Prior to that, I served as chief of staff to
15 the previous mayor and worked in community development in
16 the town. I also served as an aide to Senator Joe
17 Lieberman for about a decade. In addition to that, I am a
18 father of two. I did very happily drop my youngest son off
19 at preschool this morning, and my oldest son off for
20 another day of first grade. Thank you.

21 COMMISSIONER SANDFORD: My name is Wayne
22 Sandford. I am a professor at the University of New Haven.
23 My expertise there is in emergency management. My entire
24 career has been in the fire service or emergency management
25 related, and I also served under Governor Rell as the

1 deputy commissioner of Emergency Management and Homeland
2 Security. So I'm extremely hopeful that somehow my
3 experience and my career can bring to light how we can
4 manage these incidents and how we can be better-prepared
5 for them, and I hope that that's my role here. And I bring
6 the resources of the University of New Haven to the table.

7 COMMISSIONER O'CONNOR: Good morning. I'm
8 Barbara O'Connor, the Chief of Police at the University of
9 Connecticut. I have thirty years or thereabouts of law
10 enforcement experience both in municipal, environment and
11 university policing. Of course, we all know after 2006,
12 the Virginia Tech incident, our world changed pretty
13 significantly as university police officers. We've been
14 dealing with this for quite a few years.

15 I too am honored to serve, and hope that I can
16 bring that experience and add some value to our work. I'm
17 honored to serve, and I too pray for the families at Sandy
18 Hook. Thank you.

19 COMMISSIONER McCARTHY: Good morning. My name is
20 Denis McCarthy. I'm the fire chief and emergency
21 management director in the City of Norwalk. I'm the
22 immediate past present of the Connecticut Career Fire
23 Chiefs and currently serve on the advisory Panel to the
24 Department of Emergency Services and Public Protection in
25 the State of Connecticut. Thank you.

1 COMMISSIONER KEAVNEY-MARUCA: Good morning. My
2 name is Patricia Keavney-Maruca. I'm a life-long
3 Connecticut resident having raised my two children here. I
4 spent 33 years as a special education teacher in the
5 Connecticut Technical High School System working with
6 children with learning disabilities and social and
7 emotional disabilities. Most recently, I serve on the
8 Connecticut State Board of Education, and I am honored to
9 be part of this committee and look forward to the results
10 of our work ending in life-lasting changes in our schools
11 and more safe schools for our children.

12 COMMISSIONER LYDDY: Good morning. My name is
13 Christopher Lyddy. I am the former state representative
14 from Newtown. My term ended this past January. In
15 addition, I'm a licensed clinical social worker here in the
16 State of Connecticut, and I'm a program manager, trainer
17 and consultant with Advanced Trauma Solutions in
18 Farmington, which is a Connecticut based company that
19 disseminates a model of therapy for adults and children
20 with psychological trauma. In addition to that post, I'm
21 also an adjunct professor at the University of St. Joseph
22 and have recently been appointed to the Child Fatality
23 Review Panel housed in the Child Advocate's Office.

24 COMMISSIONER CHIVINSKI: Good morning. I'm Ron
25 Chivinski, 8th grade social studies teacher, Newtown Middle

1 School, former president Newtown Federation of Teachers,
2 current second vice-president American Federation of
3 Teachers Connecticut. I'm also the proud father of two
4 wonderful children ages six and eight. Last time I was
5 asked to be on a committee, it was by a late friend and
6 wonderful colleague, the late Don Hoxbrong (phonetic). I'm
7 hopeful that I'll be able to contribute to this commission
8 at a very high level. Thank you.

9 CHAIRMAN JACKSON: Thank you everyone. Clearly,
10 there is a breadth of experience around the table as well
11 as what will be delivered to us in testimony.

12 Item IV on our agenda is an update on
13 investigation and timeline by Danbury State's Attorney
14 Stephen Sedensky. Obviously, quality public policy
15 requires separating fact from fiction. It requires data,
16 and it requires analysis of that data. As the governor did
17 mention earlier, this is still an ongoing investigation.
18 So we understand that we will not have access to the full
19 array of facts yet, but certainly, beginning the process of
20 separating fact from fiction in what occurred in Newtown is
21 critical to our endeavor.

22 Attorney Sedensky, the floor is yours.

23 MR. SEDENSKY: Good morning. Chairman Jackson,
24 members of the Sandy Hook Advisory Commission. My name is
25 Stephen Sedensky. I am the State's Attorney for the

1 Judicial District of Danbury, whose jurisdiction includes
2 the Town of Newtown. I live in Newtown.

3 I would like to thank the commission for inviting
4 me here today to speak. By state constitutional law, the
5 State's Attorney for the Judicial District of Danbury is in
6 charge of the investigation and prosecution of all criminal
7 matters within the district.

8 On December 14th with the tragic shootings in
9 Newtown, an investigation began. Over the past month and a
10 half, we have been fortunate to have the Connecticut State
11 Police spearheading the police aspect of this
12 investigation. It encompasses the shootings of the 26
13 children and adults at Sandy Hook Elementary School as well
14 as the shooting at 36 Yogananda Street, both of which are
15 in Newtown. That first week, local, state and federal law
16 enforcement worked around the clock on this investigation,
17 not only at the school and the house on Yogananda Street,
18 but intensively behind the scenes.

19 This is an ongoing criminal investigation for
20 which I have obtained extensions of time from the Superior
21 Court to keep documents sealed so that the investigation
22 may continue unencumbered by distractions. The rules of
23 professional responsibility for prosecutors require that I
24 take steps to prevent publicity that would have a
25 substantial likelihood of materially prejudicing a

1 potential prosecution. At the same time, I am also mindful
2 of the important work that this commission is charged with.

3 For example, the description of the weapons that
4 were seized in and around Sandy Hook Elementary School that
5 Lieutenant J. Paul Vance of the State Police released last
6 week. I met with the State Police on Tuesday. The law
7 enforcement resources that are working on the investigation
8 continue to be called to work on other serious crimes
9 occurring throughout the state. Our current estimate is
10 that it will take several months for the State Police
11 portion of the criminal investigation to be completed. We
12 are hoping for some time this summer, perhaps in June,
13 though this is certainly subject to change depending on how
14 the investigation progresses and other demands on the
15 investigation team.

16 My role, in addition to working with the State
17 Police and other agencies as they continue their
18 investigation, will be to review that investigation once it
19 is completed, ensuring that all avenues have been explored.
20 Thereafter, assuming no prosecutions are warranted, it will
21 be to issue a report regarding the crime or crimes
22 committed or not committed. The report will be similar to
23 those issued by other Connecticut State's Attorneys in the
24 past.

25 Of necessity, there will be a review of the

1 circumstances of the incident. It will be based on the
2 investigation, the investigative reports and statements.
3 Of course, if the investigation reveals that there should
4 be a criminal prosecution, then that prosecution would take
5 precedence over any report. Though no such prosecution
6 currently appears on the horizon, I am sure that you can
7 appreciate that all leads need to be investigated and
8 evidence examined before final decisions and statements are
9 made. The families and the public deserve nothing less.

10 Given the confidential nature of the
11 investigation, if there is specific information that the
12 commission believes it needs from the investigators, I will
13 be glad to speak with someone designated by this
14 commission, by the Chairman, and see if that information
15 can be provided to you. Anything that would not encumber
16 or somehow hinder the investigation, we will try to provide
17 you with. At the same time, we may have limitations based
18 on the confidentiality, but we will strive to get you what
19 you need.

20 I appreciate your consideration. Thank you.

21 CHAIRMAN JACKSON: Thank you for your time. I
22 just have one quick question --

23 MR. SEDENSKY: Absolutely.

24 CHAIRMAN JACKSON: -- if I may.

25 MR. SEDENSKY: I'm sorry.

1 CHAIRMAN JACKSON: And then we can see if anyone
2 else does as well.

3 Is there a -- as you mentioned, some information
4 about weapons was released.

5 MR. SEDENSKY: That's correct.

6 CHAIRMAN JACKSON: Can we look to one entity to
7 release information along the way? Would that be
8 Connecticut State Police or are there -- is there a
9 specific channel for release of information?

10 MR. SEDENSKY: What I would prefer, Mr. Chairman,
11 is if someone -- perhaps designate someone, and I will
12 certainly -- they can speak with me directly.

13 CHAIRMAN JACKSON: Okay. Okay. Any questions?

14 COMMISSIONER SCHWARTZ: With regard to the any
15 mental health history of Adam Lanza, the shooter, I presume
16 you're not able to discuss that with us at present?

17 MR. SEDENSKY: There are privileges that go along
18 with regard to the mental health history, and that is
19 correct.

20 COMMISSIONER SCHWARTZ: Is that one of the areas
21 that you would be able to talk with a liaison to the
22 committee about?

23 MR. SEDENSKY: I would certainly speak with them
24 about it. It may not be something that we would be able to
25 provide given the privileges that are available on mental

1 health histories.

2 CHAIRMAN JACKSON: Thank you, sir.

3 MR. SEDENSKY: Thank you. I appreciate it.

4 CHAIRMAN JACKSON: Sadly, this is not the first
5 time a body like this has been convened. Our recent
6 history has had far too many of these circumstances. As
7 you have heard, our charge is broad. There is a lot to
8 grapple with here, and we are extremely fortunate to have
9 someone who has sat in this seat before to come before us,
10 to give us some insight on organization of this broad
11 effort, and how we can make sure we are both efficient and
12 effective in delivering a set of policy recommendations.

13 I'd ask Governor Bill Ritter from the great state
14 of Colorado to join us. Thank you, sir. Welcome.

15 GOV. RITTER: Thank you, Mr. Chair. I am Bill
16 Ritter. I'm the former governor of Colorado.

17 In April of 1999 when the Columbine shooting
18 occurred, I was the District Attorney of Denver because
19 Denver police officers were involved in exchanging gunfire.
20 Even though it wasn't in my jurisdiction, we had a protocol
21 that required me or my first assistant to respond any time
22 Denver officers were involved in firing their weapon.

23 So I actually went to the scene of Columbine. I
24 was there very early in the day, probably at a time when
25 the shooters were themselves still alive. I remained at

1 the scene for the next three days, and then ultimately,
2 within the next year when a commission was formed to
3 investigate the aftermath of Columbine, I was appointed by
4 the governor to the Columbine Review Commission and served
5 as a member of that commission until we finished our
6 business, which culminated in the issuing of a 139-page
7 report.

8 As the governor of Colorado, I also was present
9 in my office on a day when a man with terrible mental
10 health issues visited my office looking for me, and
11 ultimately was shot and killed by a state trooper outside
12 my office. So both as a prosecutor of twenty years, twelve
13 years as the elected DA, as a member of the Columbine
14 Commission, and certainly, even as governor, I'd had my
15 experiences and intersection with tragedies of this sort.

16 I'm privileged, actually, to be here today, and I
17 consider it to be a great privilege on my part just to be
18 able to lend whatever insight I can. I think you
19 understand, yourselves as commission members, what a
20 privilege it is, even though it is that you are
21 intersecting with an awful and horrific tragedy to be able
22 to lend some of your own professional subject matter
23 expertise at the request of the governor is certainly, like
24 I said, a privilege, and I feel that way today.

25 I know there are a lot of differences between the

1 Columbine High School shooting and the Sandy Hook shooting
2 that occurred in December 2012. I just reread our entire
3 report to just refresh my own recollection about our
4 findings and about how we went about our business, and
5 there are certainly differences and will be differences
6 ultimately in any report that you issue because of the
7 nature of the Columbine shooting and the fact that the two
8 shooters were from the school. We focused a lot of
9 attention on how to really address this issue that the
10 shooters came from inside the school and what might have
11 been done to prevent it.

12 But there are also a number of similarities, and
13 that's where I'll focus my attention today and sort of,
14 again, lending some insight as a former commissioner on the
15 Columbine shooting.

16 It is a school shooting. It is horrific. The
17 Sandy Hook massacre is another form of domestic terrorism
18 that we looked at when we looked at the Columbine shooting.
19 As you referenced, Mr. Chair, there have been others since
20 then. Some have been shootings, some outside, but there
21 are incidents that we can look to where innocence is lost,
22 and we as a nation really have to come to grips with
23 understanding how and why these things happen.

24 And so a commission is convened, and you as a
25 commission have a variety of roles. You're placed in the

1 role of an investigator in a sense, and it is important,
2 even though you might bring your own sense, your own
3 subject matter expertise, your own advocacy, you are here
4 as an investigator. Your role is broad in scope. It's
5 broader than a law enforcement investigation or, you know,
6 an investigation that looks at an emergency response or how
7 the healthcare system in Newtown responded; how the mental
8 health system did or did not respond to both the
9 perpetrator's issues and to those issues that are
10 occasioned by an event like this that are community-wide
11 and statewide. You have all of those responsibilities sort
12 of tied in together, and so I really do encourage you to
13 understand the breadth of the scope that you undertake here
14 today.

15 I also encourage you to think a little bit about
16 your audience because as much as our investigation at
17 Columbine was about a high school shooting in Littleton,
18 Colorado, the audience wound up being the community of
19 Littleton, the state of Colorado, the nation, and I venture
20 to say even beyond that, and again, because of just the
21 horrific nature of this. I think you can expect that your
22 audience will be the people of Newtown, certainly, the
23 people of Connecticut, but the nation watches, and the
24 nation asks questions, and wants to understand why and how
25 these kinds of tragic events continue to occur. And so

1 when you speak in a report or verbally at the conclusion of
2 your work, you'll be speaking to the United States of
3 America and to the people of America.

4 I think there are three different purposes a
5 commission like this is brought together, and I want to
6 just talk about those purposes for a moment. The first of
7 those is to try to understand this incident in a way that
8 might help prevent incidents like it in other places, and
9 the prevention role is really critical.

10 The second is to understand if another event like
11 this were to occur, are there lessons that we can learn
12 from this that help us react to respond in the immediacy of
13 the event, in the sort of aftermath of the event, whether
14 short-term, medium-term or long-term.

15 And third is to really ask the question about
16 long-term healing coming out of an event like this, and I
17 think it really reflects the governor's understanding of
18 mental health issues, that he has such a wide diversity of
19 people on this commission, but that so many of you are
20 people with some sort of a mental health background or a
21 psychiatric, psychological background because I think it is
22 part and parcel to the work of you as a commission to look
23 at -- well, we'll talk about that in a moment.

24 I want you to understand as well that your work
25 actually can make a difference. This isn't something

1 perfunctory. This isn't something that a governor does
2 because it looks like they have to do that. You know, the
3 rest of the nation is watching so let's appoint a
4 commission. We actually, I believe, did some really good
5 work. I just reviewed our 139-page report for Columbine
6 and was impressed at how many of the things we made
7 recommendations about really have been done.

8 And when I say it's important, it's important
9 enough that you should understand as well, you could wind
10 up saving lives at some point in the future. One of the
11 things we at Columbine looked at was the police response,
12 and at the time in 1999, the police response around these
13 kinds of tragic or crisis events had to do with sort of
14 contain and control response on the part of the police, and
15 then really wait for the special weapons and tactics folks,
16 the SWAT teams to show up and enter the scene.

17 But after Columbine, and even really while we
18 were doing our own report, law enforcement around the
19 country was asking the question about whether that was the
20 appropriate response. We had a very robust discussion as a
21 commission about engaging the active shooter, and I
22 remember watching an aerial view of the police as they
23 entered Sandy Hook Elementary School and understanding that
24 what they were doing was really something that had changed
25 as a tactic, and in part, we think, was born of a

1 recommendation and a study by the Columbine Commission that
2 understood when you don't have any ability to contain or
3 control inside a building where there are multiple innocent
4 lives at risk, then engaging the active shooter became sort
5 of the new tactic that police must utilize to respond to
6 the scene. And not knowing all that can be known about the
7 police investigation and the State's Attorney's
8 investigation, I do understand that I think engaging the
9 active shooter as the police and the law enforcement first
10 responders did that day saved lives.

11 And it's really in a sense, in a tragic sense,
12 gratifying to know that other commissions may have informed
13 police tactics to that extent, but that you as
14 commissioners as you sit here and as you begin sort of
15 looking at this can understand that your work can make an
16 impact. It can make a difference, and there may be a
17 moment in time in the future where you can look to
18 incidents and know that you work as a commissioner really
19 impacted in a positive way another outcome.

20 As commission members your role is chiefly to
21 listen and it's, again, interesting to look at your resumes
22 and to understand just what great professionals you are.
23 And many of you are in a listening profession, some of you
24 may be less than others, but as commissioners, you really
25 have to become that way. You know, like Sandy Hook

1 Elementary, the Columbine incident, the two perpetrators
2 both took their own lives as the events unfolded, and
3 really the end of the shooting events, it culminated with
4 Klebold and Harris both committing suicide very much as the
5 Sandy Hook Elementary School incident seemed to also
6 culminate. That meant for the purposes of Columbine the
7 perpetrators were not there to hold them accountable.

8 And we as a commission, we listened to a lot of
9 different input from victims, from community members and
10 from law enforcement, from a variety of other professional
11 places, but when there's no criminal trial, when the
12 perpetrators have taken their own life, in a sense, the
13 commission becomes a place where people air their
14 grievances, where they publicly grieve. You'll find
15 victims along the spectrum of thought and grieving.
16 Anybody who has sort of looked at victimization and looked
17 at the traumatization that comes with victims or victim
18 family members understands that grief. There's no one-
19 size-fits-all on how people grieve, and that you'll find
20 them along the spectrum and you as commissions are really
21 tasked to just listen and just understand that they may be
22 at a place where they're very angry. They may be at a
23 place where they're very vulnerable. They may be at a
24 place where they're still wrestling with why and how. And
25 that's just the way it is, and you as commissioners are

1 tasked to sit here and to really do all you can to extend
2 comfort, to extend your own sort of condolences and
3 thoughts and feelings about it, and then try and put it all
4 together at the end, but to allow victims to be victims.
5 And it's really an important part of your work.

6 I'd say that's true as well of the Newtown
7 community. This kind of an incident, the impact from it
8 has such a significant ripple effect. It's like something
9 that's dropped. Sort of a big rock dropped in the middle
10 of a very calm, calm body of water and that ripples out and
11 out and out, the deepest impact felt by the victim family
12 members, the impact of the people in the school, the people
13 who were there and first-hand observers of it. Certainly,
14 an impact and a traumatic impact by all of the first
15 responders, by all of the criminal investigators who had to
16 walk back in that school and conduct a crime scene analysis
17 in spite of the kind of horrific tragedy that happened
18 there. The community members who live in proximity, or
19 even outside, but again, it ripples throughout, you know,
20 the community, throughout the state and throughout the
21 nation.

22 There's a lot of re-traumatization of people who
23 had been part of the Columbine incident when Newtown
24 happened on December 14th, and again, having some sense
25 about that and understanding that as a commission member is

1 extremely important. The traumatic effect of this kind of
2 an event on everybody is one that you, as a commission, I
3 think are tasked to try to understand and try to ask, you
4 know, have we responded? Have we responded adequately?

5 And understanding sort of the long-term
6 consequences of this is also a very important part of your
7 work. Healing can happen. It happens at a different pace,
8 at a difference rate for a lot of different people, but it
9 can be an extremely long-term process and keeping in place
10 the ability to still sort of intersect with those who need
11 healing, and I mean the victim family members, community
12 members, the first responders, and certainly, law
13 enforcement.

14 And again, as a prosecutor of twenty years, a DA
15 of twelve years, even the most battle-hardened, you know,
16 the street veteran, the officer, who really can be sort of
17 just on his exterior such a tough, tough, tough person is
18 going to be impacted in a very significant way, and
19 typically can benefit in a very significant way from the
20 right kind of interventions. It's important for you as a
21 commission to ensure that there's a culture of that for the
22 first responders.

23 We're doing better as a nation than we ever have,
24 I think, in thinking about victimization, but there's still
25 a lot of places where the culture of healing and the

1 culture of trying to intersect with trauma probably could
2 use some work, and I would say inside law enforcement
3 circles is one of those places.

4 I think it's important for you to look at the
5 response, the law enforcement response, the emergency
6 medical response, the health community response, to look at
7 the planning that had gone into sort of school safety
8 beforehand at that elementary school at the district. We
9 at Columbine made a variety of recommendations about what
10 schools could do to improve upon sort of the safe culture.
11 I think you're probably familiar with some of this work,
12 sir. The Columbine commission made a specific statement
13 about not recommending to try and further sort of harden
14 the target and put in place, you know, put in place metal
15 detectors and other kinds of things. To instead really try
16 to focus on establishing safe cultures within schools, and
17 we looked at some of the different options for doing that,
18 but I think that certainly is all a part of your work.

19 And listening to the governor today, it sounds
20 like your work as well will involve looking at issues
21 around gun control, perhaps, mental health services, mental
22 health treatment, mental health response. Those are issues
23 that really seem to intersect in almost every one of these
24 very significant tragedies that we as a country have
25 experienced even before Columbine High School, but you know

1 certainly as the Aurora theatre shooting from my home
2 state, my home town, and also the Newtown Sandy Hook
3 Elementary School.

4 So you have your work to do that. I would tell
5 you that you can look to other work that a lot of other
6 people have done, a lot of other commissions and look to
7 what legislatures are doing. We in Colorado and the
8 Columbine Commission, there was a tandem process where
9 there were legislative measures that were happening and
10 ongoing as we, as a commission, met. We wound up not
11 dealing with them much in our report but had some
12 discussions about them. We went to the ballot in Colorado
13 and closed the gun show loophole where there was no
14 background check required for people who had made purchases
15 at gun shows. So people of the state of Colorado in the
16 aftermath of Columbine closed the gun show loophole.

17 There were some other things that happened in the
18 legislatures, some of which interestingly eased our gun
19 restrictions and some which tightened them. So it's one of
20 your tasks it sounds like, from the governor's perspective,
21 to look at that issue, but also really to look at this
22 issue of mental health.

23 My wife, the first lady of Colorado when I was
24 governor, made mental health her primary agenda item. She
25 continues today to do public will building around mental

1 health treatment, around parity and funding for mental
2 health and does that really because of the governor's
3 statement. The ongoing stigmatization of this, and our
4 inability to really think of this or our inability as a
5 country to think of this as a healthcare issue. You, as a
6 commissioner, are tasked with this. There's a lot of
7 people in this country working on this, and you should
8 really do all you can to utilize other resources.

9 I would say as well that it's important -- just
10 this is sort of a Technical piece about commission work --
11 it's important that you have a reporter, somebody sitting
12 here who's not one of you, tasked to try and listen to all
13 of the things coming before you, listen to your comments
14 and your deliberations and then from that draw out of that
15 the narrative that becomes your report that the rest of the
16 world will read. It's pretty important that that happens
17 and that it happens early in the process. If you haven't
18 selected or hired a reporter, I really suggest you should
19 because it was really beneficial to us.

20 So I'll close by saying, again, that I thank you
21 for your service. There's no doubt that this will have an
22 impact on your lives, and some of that impact can be very
23 difficult, quite frankly. Some of it hopefully will be
24 positive, but you're giving a little bit of yourself to
25 this very important effort, and I for one recognize that,

1 acknowledge that and thank you for that.

2 With that, Mr. Chair, I'll conclude my comments
3 and open up to any questions you might have.

4 CHAIRMAN JACKSON: Thank you very much for your
5 time and for your testimony.

6 Are their questions for Governor Ritter?
7 Chief?

8 COMMISSIONER O'CONNOR: Governor, first as a
9 chief of police, I want to say and confirm your statement
10 that your work saved lives. There's no question about it,
11 and it tremendously enhanced our law enforcement response
12 across the world, and your words were very eloquent and
13 weigh heavy on our minds, and they remind us of the
14 importance of our work.

15 And you mentioned one procedural issue as you
16 went about your work, the reporter, which I think is
17 important. And so I guess I have two questions for you.
18 If you would be willing to share a little bit about how you
19 organized yourselves as a committee, how you built rapport
20 so that you could do your best work with folks that are
21 formerly strangers and now have this work ahead of us?

22 And procedurally, you know, if you could share
23 some of those experiences and, you know, how you then went
24 about sort of laying that out if that makes sense. Thank
25 you.

1 GOV. RITTER: It was interesting, and not all
2 commissions will behave like this, but our chairman was a
3 former Chief Justice of our Supreme Court. It was Bill
4 Erickson. He's since deceased, and he's one of the great
5 human beings I've had the benefit of knowing in my
6 lifetime, but he treated the rest of us like we were
7 justices, and he was the chief justice. So Mr. Mayor, you
8 may have to sort of think about how that happens. And so
9 he really organized it.

10 The reporter that we initially hired worked for
11 me, and we didn't really hire him. We just -- I just lent
12 him to the commission. He was the chief deputy for the
13 Denver District Attorney's Appellate Session, and then he
14 went to the Supreme Court himself. He's now on the Court,
15 and so we, in turn, went to a law professor at the
16 University of Colorado, and he was assisted by another
17 person who was a colleague of Justice Erikson's. So we
18 really sort of were -- we had this Chief Justice who really
19 understood how to bring together a report.

20 And we didn't organize ourselves into committees.
21 We didn't do committee work. We worked as the body of the
22 whole, and together made decisions about sections of the
23 report. I think if you look at it, we have probably nine
24 or ten significant sections we were divided into. We made
25 a decision early on about the kinds of things that we

1 wanted to look at and investigate and report on, and then
2 we let that form sort of our decision about how to call
3 witnesses, whom to call, and there were some requests to
4 appear in front of the commission. We certainly allowed
5 that. There were some requests, one request, by the
6 sheriff and his employees to appear without -- not in the
7 open, in a closed meeting, and we allowed for that, and yet
8 our decisions were pretty much the body of the whole, not
9 in committee structure.

10 COMMISSIONER CHIVINSKI: Good morning, Governor.

11 GOV. RITTER: Good morning.

12 COMMISSIONER CHIVINSKI: Governor, you referenced
13 in the Columbine Commission's report your recommendation on
14 security devices. You know, when I was doing my homework
15 last night reading the report, it came across me as well,
16 and I printed it out here. It says, "The Commission does
17 not recommend a universal installation of metal detectors,
18 video surveillance cameras and other security equipment as
19 a means of forestalling school violence. Generally, for
20 the present, such security devices can serve only to offer
21 transient solutions at specific solutions at individual
22 schools."

23 I've got two questions for you. As you reflect
24 back to Columbine, do you feel that was the right
25 recommendation still at the time, and looking at it now in

1 2013 and the work before us and what has occurred at Sandy
2 Hook, what are your personal as well as professional
3 thoughts on what we might recommend in its place?

4 GOV. RITTER: So the rest of that statement,
5 that's most of the statement, but there's a part of it that
6 says there may be places where it actually is important to
7 try and -- we called it hardening the target, right, to
8 install surveillance or install metal detectors or do other
9 things. There are actually schools where that may be the
10 appropriate response, but we didn't want to make a
11 recommendation saying this is the response, and instead --
12 and this was in part based upon experts who appeared in
13 front of our panel and talked about the inadequacy of
14 focusing on hardening the target, that there was a far
15 better direction in establishing a culture of school
16 safety, both in the school, in the district, in the state,
17 doing things that integrated with both teacher and
18 administrators at the school level.

19 And so I want to make it clear that, first of
20 all, it was a product of expert testimony in front of the
21 commission and, secondly, that we did say there may be
22 instances where because of a circumstance or a variety of
23 circumstances that the installation of metal detectors
24 would be appropriate. I mean, we put metal detectors in
25 the State Capitol after the shooting at the Capitol. It

1 was in response to that specific incident that we did so,
2 and so I think that we have to view it sort of in that
3 context.

4 My sense is it's still -- what our recommendation
5 was is still the appropriate recommendation; that we really
6 need to do everything that we can to give schools the
7 ability to develop sort of a culture of safety; that it's
8 important to do what you can to minimize the public's
9 ingress and egress from schools to ensure that they're, you
10 know, that when visitors are coming into school that
11 they're required -- and there's some method of keeping
12 track of that -- are required to check into the office or
13 whatever. But to think that we're installing metal
14 detectors in every school around America, and that that's
15 going to make our schools safer -- just that will make our
16 schools safer is still, I think, the wrong direction.

17 Now, there are people for whom this is their
18 expertise, and I would encourage the commission to sort of
19 ask those kinds of questions, but I'm still in a place that
20 I was as a Columbine Review Commissioner thinking that we
21 made the appropriate recommendation, and I would stay with
22 it.

23 COMMISSIONER LYDDY: Good morning, Governor.

24 GOV. RITTER: Good morning.

25 COMMISSIONER LYDDY: I do have a few questions as

1 well, and do your best to answer them.

2 About how long did it take for the commission to
3 convene after the shooting, and how long from that point
4 forward did it take to author and publish that final
5 report?

6 GOV. RITTER: So the governor -- the incident
7 happened in April of 1999. The governor began assembling
8 the commission in September of 1999, and then our formal
9 executive order that sort of authorized us to go forward,
10 there was funding for it, was in January of 2000. I think
11 that was a lot longer timeframe actually than what's
12 happened here in Connecticut, and I would actually applaud
13 you for going forward -- and applaud the governor for going
14 forward quickly.

15 I can't speak for Governor Owens and why it may
16 have taken longer than it's taken here in Connecticut, but
17 it was January of 2000 when we really began our work. It
18 was September of 1999 when he began putting together the
19 commission itself.

20 COMMISSIONER LYDDY: Thank you. And about how
21 many members were selected and how were they selected?

22 GOV. RITTER: So I think there were 10 or 11
23 different members. It was the governor who asked us to
24 serve. There were a variety of ex-officio members, people
25 who sat as commission members, but were not voting members,

1 and from the governor's staff, the attorney general's
2 staff, and I think from other parts of state government
3 that were ex-officio, but I think there were 10 or 11 of us
4 that were voting members.

5 COMMISSIONER LYDDY: And you alluded to this a
6 little bit earlier, but how public were your meetings, and
7 did you travel the state? Did you have public hearings?
8 How -- what did that process look like?

9 GOV. RITTER: Our hearings were all in Littleton,
10 Colorado. They were all public except for an hour and a
11 half long session that involved the sheriff's chief deputy,
12 or undersheriff testifying before the commission in a
13 closed session. It was pretty brief, an hour and a half,
14 and everything else was open.

15 The deliberations, we had a variety of
16 deliberations that were closed. So our commission hearings
17 were open, but when we sort of wrestled with the report and
18 what we wanted to say at the end of the day, those were
19 closed hearings still in Jefferson County.

20 COMMISSIONER LYDDY: I think that's all I have
21 for you right now.

22 GOV. RITTER: Thanks.

23 COMMISSIONER LYDDY: Thank you so much.

24 GOV. RITTER: You bet.

25 COMMISSIONER LYDDY: Thank you, Mr. Chair.

1 COMMISSIONER McCARTHY: Governor, thank you very
2 much.

3 Your perspective was very helpful. One of the things that
4 we struggle with I think as a commission is in looking back
5 at Columbine, although not unique, it was relatively rare,
6 and since Columbine, it has become less-rare, the tragedy
7 that occurs from gun violence.

8 From your perspective, should that change our
9 deliberations in a substantial way from how you approached
10 it after the Columbine shootings?

11 GOV. RITTER: Well, I do think that as a
12 commission, you should do something we did not do. In
13 Columbine, we specifically did not deal with the issues
14 around guns or gun access or background checks or assault
15 weapons, even though assault weapons were involved as part
16 of the Columbine shooting. That was I think a decision
17 made in sort of giving the charge to the commission, but I
18 think this is this important conversation in the United
19 States of America. And so I would encourage you to look at
20 that and to think about that.

21 I think we did in Columbine in the report look at
22 mental health as an issue, look at, you know, the kinds of
23 things that could be preventative in terms of access to
24 care or just people identifying individuals, like the two
25 perpetrators at Columbine who might be in need of some

1 care. But the fact of the matter is, the need, in my mind,
2 is if anything has only expanded, and you know, there are
3 the advocates out there that want to make it about mental
4 health, and there are the advocates that want to make it
5 about gun or gun control issues, and quite frankly, if you
6 look at incident after incident after incident, it's so
7 much the intersection of those, and what we don't want is a
8 policy debate in this country, I think, or in Connecticut
9 that gets, you know, locked down around the polar opposites
10 around gun control or the polar opposites around mental
11 health or mental health funding. Part of it has to be this
12 broad discussion and a discussion about the intersection.

13 And I think since 1999, if you look back at the
14 variety of things that have happened like this that are
15 tragic and that -- or the occasion of that intersection, it
16 would be helpful as a commission to really try to
17 understand that and to ask what public policies could
18 ultimately address.

19 Thank you.

20 COMMISSIONER SCHWARTZ: Governor, thank you for
21 sharing your insights with us. A couple of questions.

22 We heard how your commission got started and when
23 it got started, but it wasn't clear to me how long did it
24 continue; over what period of time were you working; how
25 many meetings did that involve, et cetera.

1 GOV. RITTER: You know, and I don't remember. I
2 looked at the report and tried to find the date of the
3 report when we dated it, but I didn't do much research on
4 this. I didn't do any research. I know it was a year or
5 more, and I think we met on a monthly basis, and sort of
6 every month had meetings. So it felt to me like it was 12
7 to 15 meetings, a year or more, and then the writing of the
8 report.

9 COMMISSIONER SCHWARTZ: Thank you. Can you share
10 with us what the take home messages may have been or what
11 most stood out for your commission with regard to
12 prevention, screening, mental health services, and how they
13 may have intersected with what happened?

14 GOV. RITTER: So again, this take home message
15 was very much a result of having shooters who were from the
16 school and where there were a variety of red flags that had
17 been ignored, or just people didn't pay attention to them,
18 didn't understand them to be the red flag they were. We
19 had the benefit as a commission to look in hindsight.
20 We're very careful not to try and second guess what might
21 have appeared in the aftermath to have been neglect.

22 But the fact of the matter is that there were red
23 flags, and so we did a variety of things. We, in trying to
24 think about what would be prevention, we really asked the
25 question, how do you encourage other students to report a

1 fellow student for whom they see really significant and,
2 you know, behavior signs that are warnings of something bad
3 to come, and there were some of those kinds of warning
4 signs.

5 And we've established in Colorado a hotline.
6 It's out of the Attorney General's office. We used to call
7 it "Safe to Tell." It's now a different kind. I think --
8 I don't know that it's still called "Safe to Tell." It's
9 still in the Attorney General's office and you can now text
10 the line, and you can do it anonymously so that a student
11 doesn't have to worry about being identified, and that line
12 will take those calls and hopefully utilize the information
13 there in an appropriate and confidential way, but
14 investigate in the aftermath of that. That was a really
15 important part of that.

16 Another thing that came out of the Columbine
17 investigation, which was fascinating because it was in a
18 sense a bit tangential, was this sort of incidence of
19 bullying in high schools in America, middle schools and
20 high schools. And really as a result of that we began to
21 begin bullying prevention programs in schools in Colorado.
22 Our Attorney General is now the Secretary of Interior, Ken
23 Salazar, became sort of the leader of that particular part
24 of it, and is to be credited with having established a very
25 important anti-bullying program that exists still today.

1 The other part of it is we created a safe school
2 center, a resource center, and actually it was a
3 recommendation, but we didn't fund it until I became
4 governor. We started it as a limited number of employees,
5 a limited budget, but it at least provides the kinds of
6 resources that schools and school districts can look to to
7 understand what are the kinds of things that they need to
8 do in a preventative sense to ensure that their building is
9 safe, and you know, what do teachers need to do to be
10 involved in that; what to administrators need to do;
11 what's the relationship with law enforcement. We found, as
12 Columbine commissioners, that there were some places where
13 that relationship was tense and not good and not -- they
14 didn't work together as well, and we made specific
15 recommendations around that.

16 So those really were things that happened, some
17 that are more generally applicable to schools where the
18 shooting actually is -- the shooter is within the school,
19 but some that were specific to the Columbine situation
20 where the shooters had come from there, and people inside
21 the building had seen red flags and ignored them.

22 COMMISSIONER EDELSTEIN: I had a question for you
23 about the extensions into the mental health and behavioral
24 health system. I understand from my former colleagues in
25 Colorado that you have a very robust behavioral health

1 system throughout the whole state and wondered whether your
2 commission engendered funding concepts policy that
3 strengthened the broader community beyond the school-age
4 population.

5 GOV. RITTER: Well, I'm glad to hear people think
6 it's a robust system, but I think it still, you know, needs
7 work, and even as a governor, we -- I served as governor
8 during this awful recession, the great recession. We tried
9 to hold mental health funding harmless, but were unable to
10 do that. And yet I think we did as well as we could under
11 the circumstances. The governor, the present governor,
12 Governor Hickenlooper, has just committed another \$18
13 million to behavioral health in an effort to make it more
14 robust. I would not -- I would say that's absolutely
15 appropriate on his part to do.

16 Our recommendations coming out of it, if you read
17 the Columbine report, there are a variety of references to
18 mental health and mental health treatment and mental health
19 services and trying to integrate mental health services in
20 the criminal justice system, but it wasn't as much of a
21 focus as it might have been. Sort of thinking about mental
22 health issues as a governor has given me sort of another
23 ability to look at this and understand, yeah, there's such
24 a big intersection here, and we might have said more and
25 done more.

1 So I'm glad that Colorado is viewed that way, but
2 I would really encourage you as a commission to try to
3 understand this intersection as I talked about and where we
4 might do more. I think at a minimum, mental health
5 background checks as part of the background check should be
6 strengthened in laws across the country.

7 Thank you.

8 COMMISSIONER FORRESTER: Thank you, Governor, for
9 your report and the influence that you pointed out from
10 1999 to now and, you know, including the first responder's
11 time into the building and also around bullying.
12 Connecticut has adopted a lot of the practices, maybe with
13 less funding around bullying, but certainly we've been
14 paying attention to that I think for the last ten years
15 here in the state.

16 The question that I had, in reading your report,
17 it was mentioned quite a few times that the prosecution
18 records were sealed or, you know, during the process you
19 weren't allowed to have insight into some of those records
20 due to lawsuits, and I just wondered how that affected your
21 work on the commission and was there any advice you would
22 have around that process.

23 GOV. RITTER: Well, that, I think, first of all,
24 it's one of the reasons you should take as much time as
25 necessary because obviously there's an ongoing

1 investigation and the more you know as a commission the
2 better informed you are, and I think the more capable you
3 are of making informed recommendations.

4 We did not have the cooperation of the lead law
5 enforcement agency. The Jefferson County Sheriff's
6 Department did not cooperate with the commission. As I
7 said, we had one one and a half hour closed hearing, and it
8 was a little -- there were bizarre parts to it. It's
9 referenced in the commission that the sheriff appeared in
10 Time Magazine holding the weapons that the shooters had
11 used, but would not appear in front of the commission and
12 report to the commission about their ongoing investigation
13 or even at a time where, you know, most of the
14 investigation had been concluded -- about those parts of
15 the investigation had been concluded. There was an issue
16 around whether they might get sued. There was a litigation
17 in this, but even with that, you know, that information
18 ultimately became public, but there was just no desire on
19 their part to cooperate with the commission.

20 I think it limited us, quite frankly, in our
21 ability to be fully informed. There were a lot of other
22 avenues that we could get to. It was a multi-
23 jurisdictional response. So we knew a lot about the
24 immediate aftermath because other jurisdictions did
25 cooperate. They did talk. We talk in the report a lot

1 about sort of incident command, tactical command and
2 communications issues, and I, again, I was there. I was
3 able to observe sort of firsthand what I felt were some of
4 the failures on the part of the immediate command structure
5 and the incident command at Littleton, but we were able to
6 sort of get at that issue not because we had the
7 cooperation of the sheriff, but because we had all these
8 other agencies come in.

9 So I would just recommend as a commission that
10 you do all you can to secure the cooperation of law
11 enforcement and that you be patient around that. Patience
12 wasn't our issue. It was just that they -- he decided he
13 wasn't going to cooperate. But that you do all you can to
14 get -- to be fully informed about this, and part of that
15 may require you just taking enough time to allow them to
16 complete their investigation.

17 COMMISSIONER DUCIBELLA: Governor, I want to
18 compliment you on the report. It's well-organized and
19 thorough, which means it's very helpful.

20 My perspective to work with the commission is on
21 matters other than gun control or mental health, but
22 working with the commission to create great schools that
23 foster great education, but to try to do so without the
24 educational mission being interrupted. It truly means
25 creating a safe school environment. And this is a little

1 bit of a spin on the question that you were just asked.
2 You know, you start off in the report talking about the
3 evaluation and the law enforcement response, a little bit
4 of background on the perpetrators and then really going
5 through the chronology of the Columbine event. And I think
6 one of the things we try to do as human beings is look back
7 at the past and see what has happened and then create
8 environments that don't allow that to happen again with the
9 same level of success or failure.

10 The chronology of the Columbine event was really
11 a fascinating read in a very morbid sort of way because by
12 reading that one came to understand how the complexity of
13 the school environment really limited the law enforcement
14 response.

15 GOV. RITTER: Right.

16 COMMISSIONER DUCIBELLA: And the notion that when
17 law enforcement showed up, no matter how well their
18 emergency response plans were, they were hindered by not
19 knowing where to go, how to get there and where the
20 unfortunate people in the school were at risk.

21 I know this is very similar to the question that
22 was just asked, but what we have is always a first
23 responsibility to make sure that what happens before
24 doesn't happen with the same success again, which really
25 means understanding the event in great detail, and I know

1 we have our judicial system in the process of investigating
2 and I think you've answered this already. I think you're
3 recommending that the higher fidelity response comes about
4 as a result of having a greater understanding of exactly
5 what happened, what happened and when. Is that generally
6 true?

7 GOV. RITTER: Yeah, I think that is true. That
8 you -- I mean, the law enforcement investigation is going
9 to allow you to understand a lot of that, but there are
10 other parts of it that you as a commission have the ability
11 to sort of try and understand because of your subject
12 matter expertise. There are now people in law enforcement
13 that probably share your own understanding about how to
14 build out secure buildings, and so you can ask questions
15 specific to that and really ask, you know, was there
16 anything more that could have been done at Sandy Hook
17 Elementary that wasn't done, or was everything done, and we
18 just, you know, didn't prevent it anyway.

19 In Columbine it was a fairly different situation
20 in many respects because of the complexity of the layout of
21 the building, a massive high school built in, you know,
22 suburban Colorado very much like a lot of the big high
23 schools have been over the last twenty years, and really
24 not planning around this kind of an emergency and emergency
25 response. There was emergency response planning, but it

1 was pretty narrow in scope, you know, a fire, a fire alarm.
2 Nobody thought about a massive evacuation with a tragic
3 shooting happening, and you know, there's a lot in that
4 report that says, listen, Columbine broke the mold.

5 COMMISSIONER DUCIBELLA: Yeah.

6 GOV. RITTER: And we have to think differently
7 about this, and so I think not just on engaging the active
8 shooter but how schools and law enforcement agencies can
9 work together to ensure there's a lot of knowledge going
10 into a crisis on the part of law enforcement and on the
11 part of the first responders and some of it very technical
12 like the layout of the buildings where the fire alarms are
13 concerned. How do you turn them on? How do you turn them
14 off? You know, where different alarms are, where locked
15 buildings will be, where keys will be. We make a specific
16 reference in that report --

17 COMMISSIONER DUCIBELLA: Yeah.

18 GOV. RITTER: -- about keys because it was such
19 an important part of -- it really operated in a sense as a
20 barrier of our evacuating students in the immediate
21 aftermath.

22 COMMISSIONER DUCIBELLA: Yeah, I think that one
23 of the things we're going to be looking at very carefully
24 is having the emergency community much more active in the
25 influence on how we create our physical environments and

1 how we use them because if you look at your report, it's
2 terribly clear that that's important.

3 This is a more difficult question, and I can
4 appreciate having been in your position on a couple of
5 other occasions being asked questions where the answers are
6 difficult. So I'm sort of creating an advance there for
7 you.

8 In having worked with a number of institutions
9 all around the United States of various types, we're always
10 -- we always have a fiduciary responsibility to not ignore
11 what's happened in the past and learn from it, and your
12 report is certainly very, very much helpful in that regard.

13 When you were working as a commission and you
14 realized that in this particular instance we had two
15 individuals who came in with ill-intent, this is one kind
16 of crisis that can happen, but there are others. There is
17 a responsibility for the law enforcement, emergency
18 responder design school communities to say, well, this
19 happened, but there are other things that could happen.
20 One could create a very, very difficult arson event. One
21 could create an air quality event. How much did the
22 commission feel it was its responsibility to focus on
23 preventing the kind of event that happened specific in
24 Columbine, and did you as a group agree that you needed to
25 look at a broader perspective of potential events and

1 include those, or was that something you simply felt was
2 beyond the commission's responsibility?

3 I want to try to bracket what we have to do with
4 some insight from you so that we don't focus on a single
5 event knowing that others that could be perhaps as
6 catastrophic could also occur.

7 GOV. RITTER: I think we talked a lot about
8 lessons learned from Columbine. We referenced that in the
9 report, but as a commission that's what we talked about.
10 And so I think it was about school shootings. It was about
11 Columbine as a school shooting that varied from other
12 school shootings. There had been other significant school
13 shootings before Columbine.

14 COMMISSIONER DUCIBELLA: Yeah.

15 GOV. RITTER: And we actually went back and
16 looked at those and asked the question, were there some
17 things we could do, sort of in our recommendations, that
18 were lessons learned from, you know, the combined number of
19 school shootings. But it was really a lot about Columbine.

20 I don't think we felt that we had a mandate to
21 ask broader questions about, you know, about culture, about
22 violence within the American culture, and so I think we
23 limited ourselves more to just Columbine, and if we were
24 general at all, it was about school shootings, and in a
25 sense in part of that report we were about engaging the

1 active shooter. I would say that's the place where we were
2 perhaps most general, but everywhere else, I would say, is
3 fairly specific to school shootings, and specific even to
4 Columbine.

5 COMMISSIONER DUCIBELLA: Did you get any pushback
6 about that? Did people bring up this all hazards risk
7 concern and say this is an enormously insightful report
8 with great opportunity for perspective in the future, but
9 did folks come back and say, yeah, but what about this and
10 that?

11 GOV. RITTER: No, I don't want to say that there
12 was not pushback, right?

13 COMMISSIONER DUCIBELLA: Yeah.

14 GOV. RITTER: This is something that you'll
15 perhaps encounter. There can be controversy around sort of
16 your own findings and the way you report it out. There
17 were critics of things that people felt we didn't do or
18 didn't look at, but there was not a criticism about an all-
19 hazards response.

20 You know, as a governor that had to think about
21 all-hazards response --

22 COMMISSIONER DUCIBELLA: Right.

23 GOV. RITTER: -- I'm not sure that there's any
24 good way to do that as a commission with the mandate that
25 you have or that we had in Columbine. It's a good thing,

1 right, for homeland security purposes for us to think about
2 an all-hazards response, but we certainly didn't think
3 about that. We didn't have pushback for not doing it as a
4 Columbine commission.

5 COMMISSIONER DUCIBELLA: Thank you so much for
6 your time here today.

7 GOV. RITTER: You bet.

8 COMMISSIONER DUCIBELLA: Yeah.

9 COMMISSIONER BENTMAN: I have two questions,
10 maybe one question, one comment, and it really pertains to
11 the breadth of the attention of the commission in another
12 venue and that has to do with there's a sort of a growing
13 juxtaposition in the room at the moment about guns versus
14 mental health, and there are other folks who shoot guns
15 besides those with mental illness. And so I guess my
16 question has to do with the breadth of the locations that
17 we should think about folks involved in these sorts of
18 shootings, the breadth of the kinds of folks who shoot guns
19 and injure others, and the ages of the shooters since we
20 got a -- one of the videos -- one of the pieces of
21 information we got had a list of all of the school
22 shootings since 1966, and you know, most of the folks were
23 young, under 30, some very young, and I'm just wondering
24 how you would help us define our mission with -- regarding
25 its breadth?

1 GOV. RITTER: That's a very difficult question,
2 and you -- I mean, we know, right, this is this controversy
3 that has a national scope to it. Congress has set about to
4 debate gun legislation, states around the country are
5 debating it, there's a variety of different places --
6 Colorado Springs, I know the El Paso County Commission for
7 Colorado Springs has passed some type of a resolution
8 yesterday. It basically says they're going to ignore any
9 kind of federal gun laws that are passed. They will not
10 enforce them. Their law enforcement is kind of tasked to
11 not enforce them. So there's huge controversy.

12 I'm a gun owner. I was raised on a farm. I
13 probably had my first gun -- owned my first gun when I was
14 in third grade, and so I feel very passionately about the
15 right of Americans to be able to own guns. I'm a hunter.
16 I'm not a good hunter. I find a lot of times where I just
17 take a gun for a walk. But having said that, I think that
18 it's, you know, there's a lot of reasons that we as a
19 Americans hold dear our Second Amendment right.

20 Having said that, both as the District Attorney
21 of Denver and as a person who has sort of been an observer
22 to this, I think too often we get into this political
23 stalemate that's really a debate about, you know, guns
24 where there's a lot of sort of false debates, right? That
25 we ignore rational gun control legislation or gun

1 legislation that could actually make an impact, make a
2 difference because we've got this sort of false dichotomy
3 set up that it's either all guns or no guns, and it's not.

4 I do think that there are ways to look at, you
5 know, different kinds of legislations that can address
6 situations where assault weapons are used, but I also think
7 that background checks are a part of this. Whether it's a
8 universal background check or something that enhances our
9 ability to know more about a person's mental health, either
10 for purchasing purposes or ownership purposes, that those
11 are really things that we should have a rational debate
12 about. We shouldn't get locked into this side saying, you
13 know, if we do these three or four things that it's going
14 to impact really our Second Amendment rights in this very
15 significant way, but I also recognize that it's hugely
16 controversial and that there are a lot of, you know,
17 interest groups in states around the country that very much
18 get locked in on one place and don't want to hear sort of a
19 rational debate about this.

20 I just hope that you as a commission can find a
21 way to be rational in your discussion about this, and to
22 again look at this and think about this very important
23 intersection of mental health issues and access to guns.
24 It is in my mind still the place that we should focus on
25 when we're thinking -- you know, if we're not thinking

1 about sort of school culture and secure buildings or safe
2 buildings, but just thinking sort of what are the other
3 things that are at work here, whether it's a school
4 shooting or a theatre shooting, I think your ability as a
5 commission to spend some time saying there is this
6 intersection, and how can we address it. What's the best
7 way of thinking about how to address it as, you know, the
8 State of Connecticut, but even think maybe more broadly you
9 might have an audience out there watching and listening to
10 your work hoping for some answers.

11 COMMISSIONER SCHWARTZ: You said at the
12 intersection of gun control and mental illness (inaudible)
13 culture of violence (inaudible) media, video games, et
14 cetera. I also have a couple of questions.

15 UNIDENTIFIED SPEAKER: Can you use the mic?

16 COMMISSIONER SCHWARTZ: What did your commission
17 -- a couple of questions. What did your commission do
18 about issues related to the culture of violence? What were
19 your recommendations? And second, specifically, did any
20 gun control laws emanate from the work that your commission
21 did in Colorado, and what is the status of gun control in
22 your state now?

23 GOV. RITTER: So to answer sort of that last
24 question and then talk about the culture of violence, the
25 commission did not make specific recommendations around gun

1 control legislation, in part because while we were meeting
2 in the year 2000, there was an effort to put on the ballot
3 a measure that wound up being a constitutional measure,
4 amended our constitution and that required background
5 checks at gun shows. That had not happened before, and it
6 was sort of one of the things that I think there was some
7 agreement across the aisle that the people of Colorado were
8 willing to do, and the political and the elected leaders
9 were willing to get behind. And so that did sort of come
10 out of it.

11 It was interesting. At Columbine, the NRA
12 National Convention was set to meet in Denver on April the
13 30th of 1999, ten days after Columbine. They had their
14 meeting, but there were gun control, I'm sorry, gun
15 measures that were sponsored by the gun lobby that were
16 legislative in nature and were on their way sort of being
17 passed, and I think the NRA Convention was in a sense going
18 to look to those as examples of a state that was acting in
19 a way favorable to the gun lobby.

20 Those measures got pulled because of Columbine,
21 but in the aftermath of that there were a variety of
22 things, let's say, you know, in the years 2003, 2004, there
23 were measures that were passed that loosened restrictions
24 on guns. We have a measure in Colorado that is a statewide
25 preemption on any gun restriction passed by locality, a

1 municipality that if it's more restrictive than state
2 statute then it basically is preempted. And for instance,
3 the city of Denver had an assault weapons ban as a city.
4 That assault weapons ban went away when the state
5 preemption was passed, and that was in 2003, 2004.

6 So we've done a variety of things that actually
7 have loosened restrictions that even were in place at the
8 time of Columbine. We have a carry and conceal law that
9 was discretionary. The sheriff or chief of police could
10 issue a carry and conceal permit. It was discretionary on
11 their part to do that. The chief of police of Denver
12 happened not to like carry and conceal so he didn't issue
13 permits, and there was a mandatory issue statute that was
14 passed saying you must issue unless someone fails the
15 background check, and the background check basically is a
16 pretty simple thing to pass and doesn't require much in the
17 way of mental health information. The only thing you have
18 to ask is whether you've ever been adjudicated to have an
19 incompetence around mental health disease or disorder.

20 And so we relaxed our carry and conceal laws in
21 the aftermath of Columbine. So as a state we did one thing
22 that was more restrictive, maybe one or two things, but
23 certainly that ballot measure that tightened the gun show
24 loophole, closed the gun show loophole was one thing, but
25 then we did a variety of things that also eased

1 restrictions.

2 I would say, you know, that as a commission we
3 did not take on the culture of violence so much. We looked
4 at the backgrounds of Klebold and Harris, as much as we
5 could know about them, understood that there were some
6 influences in their life that probably, you know, created
7 even in them a sort of violent persona. There was an essay
8 by one of the two that had been written and never flagged
9 by a teacher who had seen the composition, but never really
10 used it as a red flag, and so we dealt with that on a
11 pretty limited basis. But we didn't do more with the
12 culture of violence than as I said before, just talk pretty
13 specifically about Columbine and then a little more
14 generally about school shootings.

15 COMMISSIONER DUCIBELLA: I'm sorry to bother you
16 again.

17 GOV. RITTER: It's okay.

18 COMMISSIONER DUCIBELLA: The report has up front
19 a number of really -- what seem now to be common sense
20 recommendations. They just are so clear and concise, but
21 reports somehow from commissions get, you know, filed into
22 boxes that go back into warehouses that never get
23 implemented.

24 What was your feeling, Governor, about what would
25 be a process for eventual implementation and enforcement of

1 the findings of the commission? How did this report
2 migrate into a mature and higher fidelity process that
3 actively lead to real changes in terms of either law
4 enforcement and emergency management response tactics,
5 creation of safe environments, influence on mental health?
6 What was your strategy to take all the great work of the
7 commission and this really fine report and to make it into
8 something codifiable and legislatable?

9 GOV. RITTER: So I don't want to take credit for
10 the strategy because it was really -- I was a commission
11 member.

12 COMMISSIONER DUCIBELLA: Okay.

13 GOV. RITTER: And it was really Governor Owens
14 and his executive staff, people who worked within what we
15 call our Department of Public Safety who were tasked with
16 what they could do in the way of follow-up, and our
17 Attorney General, Ken Salazar. I think both Governor Owens
18 and Attorney General Salazar were to be credited for trying
19 to do as much as they could in taking the recommendations
20 of the report and trying to implement them.

21 Some of those recommendations flow to school
22 districts and you have limited jurisdiction as the governor
23 or state government to impact school districts. The same
24 is true with respect to law enforcement. You can encourage
25 training. You can make it part of your post-officer -- or

1 peace officer standards of training, but at the end of the
2 day, so much of this is going to be whether, you know, a
3 local law enforcement entity or a mayor in a city decides
4 they're going to pick this up and they're going to do this.

5 I think the things that the state was responsible
6 for, the bullying prevention that was within the Attorney
7 General's office, the school resource center that's funded
8 out of the Department of Public Safety, are examples of
9 things that we were able to do following on recommendations
10 from the report.

11 But this is this point that I made before, which
12 is in terms of trying to, you know, understand how to move
13 things once the report has been issued.

14 COMMISSIONER DUCIBELLA: Yeah.

15 GOV. RITTER: And, you know, we didn't need to
16 take this to the Major Chiefs Association and say to the
17 Major Chiefs, this is our recommendation. The Major Chiefs
18 read that report, I assure you, and said we need to think
19 differently about how we train police officers around the
20 country. The same with the Sheriffs Association, with
21 other kinds of, you know, first responders. That's the
22 kind of audience you'll have.

23 And so in terms of just codifying things within
24 the State of Connecticut, the governor and the governor's
25 staff are going to be tasked with doing all they can to

1 follow up on those recommendations, but other people around
2 the country will read this report and respond to it.

3 COMMISSIONER DUCIBELLA: Thank you.

4 COMMISSIONER O'CONNOR: This is another question
5 for you because something you said really struck a chord
6 for me, and you know in our profession, the law enforcement
7 profession, we use Columbine as our bible, you know, going
8 forward, as you've said. Virginia Tech came along, and
9 university policing. That report became a standard.

10 GOV. RITTER: Right.

11 COMMISSIONER O'CONNOR: I was the chief at the
12 University of Illinois the year after the Northern Illinois
13 shooting happened, and Illinois came out with a series of
14 recommendations and they did the carrot, which was
15 attaching, you know, following those recommendations to
16 grant money, which happened to never materialize.

17 But my question really is, you know, you said,
18 you know, the Columbine, the students were of that
19 community and they were known. Virginia Tech, it was a
20 Virginia Tech student. Northern Illinois, he was a
21 University of Illinois student who went two, two and a half
22 hours away to commit his mass murders.

23 And I wonder, have you read the Virginia Tech
24 report? Did you follow the Northern Illinois shooting, and
25 do you have any sort of, you know, kind of perspective

1 going forward, you know, reading those reports as well?

2 And then sort of a follow-up question, one of the
3 things we've been sort of charged with is who else can we
4 bring in as national experts. And just yesterday I was at
5 a training with Lieutenant Colonel Dave Grossman. I don't
6 know if you've heard him speak, but he's big in the
7 Midwest, and he happened to be doing something here. And,
8 you know, his training, I thought was fantastic. He talked
9 about it from a law enforcement standpoint and a school
10 standpoint, and one of the things he said was our
11 terminology. You know, and as a gun owner, you'll
12 appreciate this. You go shooting. You go to the range to
13 go shooting, and we call these folks shooters, and they're
14 not shooters. They're mass murderers.

15 GOV. RITTER: Yeah.

16 COMMISSIONER O'CONNOR: And you know, I guess
17 that's more of a statement than a question, but going back
18 to the questions, Virginia Tech report, NIU, other school
19 shootings, you know, any thoughts on those reports? And
20 any thoughts on any experts we could gain some experience
21 from?

22 GOV. RITTER: I haven't looked at the Northern
23 Illinois report. I remember glancing at a summary of the
24 Virginia Tech report. We actually hosted Secretary of
25 Health and Human Services Michael Leavitt. He brought a

1 group out after Virginia Tech just to talk to us about what
2 might be a federal response to Virginia Tech, and because
3 of Columbine we had some experience. So we assembled a
4 group of people to talk about that. A lot of what we
5 talked about was the sort of long aftermath of Columbine
6 and the need for services to flow to people who were
7 traumatized or victimized. That was part of it.

8 I would think that you might want to talk to
9 Secretary Leavitt because of his own thinking about -- and
10 I mean, he did a -- he went to communities around the
11 country that have been impacted by gun violence after
12 Virginia Tech and did his own study, and I have a great
13 deal of respect -- he's a physician. He and I co-chair now
14 a cost containment committee for the National Governors
15 Association. And so he's still out there. He's still very
16 involved, and I think he gained a lot of insights that you
17 may want to ask him about over time as you do your work.

18 But, you know, other than that, other experts, I
19 think it's -- I think you're all people who can sort of
20 think about the specific places you're in.

21 You know, I'm at a university now. I'm the
22 director of an energy center, a policy center at Colorado
23 State University. So I think a lot about safe schools.
24 I've got four kids, three of them are in higher ed right
25 now, and safe colleges, safe universities are very sort of

1 important to me, and I think there are, again, there are
2 some commonalities, there are some similarities, but there
3 are some real differences in dealing with the university
4 situation vis-a-vis a high school or an elementary school.

5 Thank you.

6 CHAIRMAN JACKSON: Any final questions?

7 Governor, thank you so much for your time and for
8 your candor.

9 Just to go over some of my notes that I found
10 particularly interesting. The role of the commission:
11 prevent, improve reaction and response and promote long-
12 term healing, which at the end of the day becomes a
13 circular pattern. That long-term healing is not just the
14 people who directly participated, but it is community
15 healing.

16 Some of the recommendations, have a reporter. We
17 are working with the governor's staff on that, and hope to
18 have some clarification on that just after this meeting.

19 Engage with law enforcement and be patient. It's
20 a valuable recommendation, and also look at the
21 intersection of mental health and guns. I admit I did send
22 around some topics that I expect to come before the
23 commission, and I siloed them separately. We may want to
24 look at the linkages there as well. Thank you for that
25 recommendation.

1 Sir, we really appreciate having you here, taking
2 the time to come out and see us and helping us start what
3 is going to be a long and difficult process. Thank you
4 very much.

5 GOV. RITTER: It's an honor, Mr. Chair. Thank
6 you. Thank you.

7 CHAIRMAN JACKSON: Next on the agenda, we have a
8 presentation by Professor Richard Bonnie, who was a
9 consultant to the Virginia Tech Review Panel. I understand
10 that we may need a couple of moments for the testing of the
11 technology. So why don't we take a five minute break and
12 reconvene.

13 (Recess.)

14 CHAIRMAN JACKSON: Okay. I think it's time that
15 we reconvene. Patiently waiting for us has been Professor
16 Richard Bonnie.

17 Professor, thank you so much for joining us here
18 today for our kickoff meeting and to provide us some
19 feedback and information about how the process worked or
20 did not work in your estimation at Virginia Tech.

21 Sir, the floor is yours.

22 PROF. BONNIE: Well, thank you, Chairman Jackson.
23 I am of course honored to have the opportunity to speak
24 with you as you begin this important and challenging task,
25 and my assignment, as I understand it, is to reflect on the

1 challenges of making policy in the shadow of a tragedy
2 based on the experience that we had in the wake of swing,
3 we chose murderous rampage on the campus of Virginia Tech
4 in April of 2007.

5 I agreed to spend some time with you today not
6 because I particularly have any unique insight, but because
7 like everyone else in our saddened nation, I want so deeply
8 for you to succeed. I should also say I'm quite privileged
9 to have heard Governor Ritter and to be able to reflect on
10 the things that he's said, the very sage advice that he's
11 given you. He's a great public servant, and I think you're
12 very fortunate to have had him speak with you.

13 I might, if he's still within the range of my
14 voice there say that he mentioned Bill Erikson, the former
15 Chief Justice of the Colorado --

16 (Audio cuts out.)

17 -- intersections between mental health and
18 criminal justice. Did the link break there briefly? It
19 looked like it might have done from here.

20 UNIDENTIFIED SPEAKER: It appears that it did.
21 You were speaking of Mr. Erickson when we lost the feed.

22 PROF. BONNIE: All right. So you did? All
23 right. Well, at any rate, I just wanted to say a word of
24 respect for Chief Justice Erikson and just to point out the
25 work that we focused on, which was the comprehensive

1 American Bar Association Criminal Justice Mental Health
2 Standards in the early 1980s really focused on many issues
3 that are very relevant to mental health reform of the kind
4 that you are talking about today.

5 I'm going to follow Governor Ritter's lead by
6 limiting my introductory remarks here to some comments,
7 observations and comments about how you might undertake the
8 task that you've been charged with here and how you might
9 go about it, and sort of process in organizational terms
10 and avoid comments on some of the specific substantive
11 issues that may come up, and if there's time and interest
12 later, I'm certainly willing to reflect on some of those
13 afterwards.

14 So I think the first thing to say is that the
15 greatest risk that we faced in 2008, well, in 2007 and 2008
16 at least that you face today as well, is pressure to take
17 action quickly and decisively, and as we all know, haste
18 can lead to overreactions based on erroneous suppositions.
19 And I agree fully here with Governor Ritter that obviously
20 the most important thing initially is for you to take your
21 time, wait for the investigation to process, and to conduct
22 appropriate inquiries before you reach your conclusions.

23 Of course, just as the Governor said at the
24 beginning, Governor Malloy, there may be some initial
25 recommendations that are consensus-based and that you have

1 adequate information to proceed with, and obviously the
2 legislature is waiting with interest to receive whatever
3 you might offer. And I will say, as I'll go into a little
4 bit later on, it proceeded something like that here that we
5 did feel like that we were able to come forward with some
6 recommendations to enable action to be taken in the 2008
7 legislative session by accelerating the pace of what we
8 were doing, but it was a first step in what was an
9 unfolding reform process.

10 Now, another risk of trying to take action
11 prematurely is that it can spawn what I might characterize
12 as disproportionate responses that, for example, erode the
13 privacy or liberty of people with mental illness without
14 adequate justification. And that's always a concern in
15 every one of these tragic situations when there's such
16 momentum for action, and certainly, among the advocacy
17 groups and mental health professionals in the field of
18 mental illness. There are always concerns about
19 overreaction that will just sort of reinforce the stigma
20 that the Governor called to right at the beginning.

21 Another concern about -- that anybody of your
22 kind face is that some of the steps that might be taken
23 could impose onerous new burdens on law enforcement
24 agencies, health care providers or schools that they do not
25 have the resources to carry out and that might divert

1 resources from even more important and higher priorities.
2 And again, when we had to deal with the various
3 constituencies and agencies that would be required to carry
4 out new mandates, this is a constant concern about the risk
5 of overreaction.

6 So I know that Governor Malloy is well-aware of
7 all of these risks and has directed you, for that reason,
8 to conduct a comprehensive and deliberate inquiry. I don't
9 know -- I heard some questions earlier on about what the
10 expected timeframe of your work is, and I guess that's
11 really a work in progress. I think I might have heard at
12 some point maybe a two year horizon on that. But I think
13 you will, at least in my judgment, you will need at least
14 that much time even though there might be some interim
15 report along the way.

16 So that's my first point that -- or observation
17 that tragedy can compromise thoughtful policy making. But
18 it also needs to be said that tragedy creates opportunity.
19 It creates opportunity for fundamental reforms that may
20 well have been impossible if we were to say -- tell the
21 truth about it in the absence of tragedy and that tragedy
22 is so often a stimulus for change is obviously unfortunate,
23 but it is nonetheless true that the riveting and painful
24 events in Columbine, Blacksburg, Northern Illinois
25 University, Tucson, Aurora and now Newtown represent

1 unparalleled occasions for public education, and indeed,
2 for sustained public education, which is an opportunity all
3 the more precious and useful in this time of 24-hour news
4 cycles.

5 The point was vividly illustrated, frankly, by
6 our experience in the wake of the shootings at Virginia
7 Tech. And so let me just step back at this point and
8 summarize the chronology of the mental health reform
9 effort, the school safety reform effort that has been
10 undertaken in Virginia.

11 So the timing was a little different in our
12 context because we already had a reform process that was
13 underway before the Virginia Tech shootings. Widespread
14 dissatisfaction with the large gaps in mental health
15 services, pressures on emergency departments, jails and
16 acute care hospitals because of those gaps in service, and
17 so often that people were not able to get the services that
18 they need when they needed them or to prevent crises and
19 already after things had begun to spiral out of control.
20 And we had increasing criminalization of people with mental
21 illnesses as is so often the case throughout the country,
22 and increasing complaints about just about every aspect of
23 the civil commitment process.

24 These set of concerns, and there were others as
25 well, had led the Chief Justice of Virginia State Court to

1 initiate a comprehensive reform process, which we discussed
2 in 2005, and which I agreed to chair. We began a planning
3 process during the summer of 2006 and established a 25-
4 member commission that was drawn from various branches and
5 levels of government as well as representing and including
6 various representatives of the many stakeholder interests
7 as your commission is as well.

8 The first meeting was held in October of 2006,
9 and at that point we had a two-year timeframe in mind for a
10 comprehensive report that would cover the range of
11 challenges within the mental health system that I've
12 already mentioned. And during the planning process, I had
13 had some extensive conversations with the Chief Justice as
14 we tried to think about what our objectives were and how we
15 could make this a successful effort given the amount of
16 time that we were all going to devote to it, and we had
17 identified the need to plan a public education effort to
18 create the necessary momentum for the kinds of sweeping
19 reforms that we thought were ultimately going to be needed.

20 Well, then on April 17th, 2007, the Virginia Tech
21 shootings and events leading up to it called attention to
22 the very issues that we were studying, including several
23 missed opportunities for treatment and the lack of
24 procedures for monitoring and enforcing mandatory
25 outpatient treatment orders.

1 So that took care of our public education effort.
2 There was obviously a great deal of interest that was being
3 directed to these problems as well as additional problems.
4 The Virginia Tech Review Panel was appointed by Governor
5 Kaine, which had the investigative responsibilities that
6 were carried out by Columbine Panel, and also were being
7 carried out simultaneously there under the auspices of the
8 State's Attorney as I heard earlier.

9 So our focus was on the policy-making process
10 rather than on the investigative work, but at the same time
11 they were going on in parallel as they are there. And so
12 we worked closely with the Virginia Tech Review Panel in
13 order to see whether there would be consensus both within
14 their group and in ours on some of the steps that could be
15 taken to remedy some of these problems. And the
16 commission, our commission, accelerated its deliberations
17 in order to have a report and specific consensus
18 recommendations available for the general assembly in
19 December.

20 So it was helpful that we had already begun the
21 work. We had already been focusing on many of the issues
22 particularly in terms of overhaul of the civil commitment
23 process and filling gaps in service, and with the focus
24 that the Virginia Tech shootings provided we were able to
25 move forward with a package for 2008. But as I've

1 indicated, we decided to take what originally had been
2 pieces of a comprehensive plan and focus on some of them
3 immediately.

4 So my point about this is that tragedy heightens,
5 concentrates and even sustains public awareness. In so
6 doing, it also creates conditions that nurture public
7 engagement in the policy-making process. And so let me
8 emphasize that feature of it also.

9 If you reflect on what has occurred since the
10 tragedy in December, there is a deep and pervasive sense of
11 emotional solidarity, I think, that we all have with the
12 families victimized by the shooting in Newtown. As you
13 know, every parent in Newtown, in Connecticut and in the
14 nation has shed tears, including I might recall, President
15 Obama, I suppose, as parent-in-chief for the nation.

16 In the immediate aftermath of the Virginia Tech
17 shootings it was as if the campus of the University of
18 Virginia and the other colleges across the state all became
19 part of the campus at Virginia Tech. I remember going to
20 Blacksburg in November. As we were leading up to the
21 General Assembly session, the Senate Finance Committee has
22 a retreat every year somewhere leading up to the session to
23 think about priorities for the coming year, and in this
24 particular case just entirely coincidentally in long
25 schedule to occur in Blacksburg.

1 And so there I was in Blacksburg in November, and
2 I must say, talking to the people there, including my
3 students who were Virginia Tech graduates and the students
4 that we talked to and the families in Blacksburg, I think
5 we all felt that in a sense we were on hallowed ground.
6 And I think that imposes a tremendous moral pressure, I
7 think, on everyone to try to think things through
8 thoroughly and to reach a consensus and to get it right.

9 And I came to know many of the families of the
10 victims over the years and other students who were at
11 Virginia Tech that day and escaped safely from the
12 violence.

13 Now, I mentioned the families and the solidarity
14 I think that all of us have with them because most of the
15 families of these tragedies, I think the record will show,
16 invest their own time in advocacy. Some very soon after
17 the shootings and some given the grieving process and
18 ambivalence that they might have, it happens for many some
19 time later than that. But I think the common motivation
20 here is that they want so much to ensure that something
21 useful emerges from their grievous loss.

22 As proponents of change, which is the role that I
23 was in and that you are in, I don't think you can have more
24 persuasive allies than the families of the victims, and
25 they are in it for the long-run. I mean even today, in the

1 continuing work that we are doing, the parents and the
2 families of Virginia Tech play indispensable roles in the
3 work that we continue to do.

4 So I'm thinking about galvanizing public support
5 for your efforts, and I think the opportunity to do this is
6 also enhanced by a broad public yearning for solutions and
7 for finding common ground that tends to emerge after these
8 events. The partisanship and ideological rancor to which
9 we have become accustomed in recent years seems to recede
10 in the aftermath of tragedy. The public yearning for
11 agreement in the wake of the horror at Sandy Hook
12 Elementary School I think will strengthen your chance to
13 formulate consensus reforms and to build public support for
14 them. Even in the battleground state of Virginia, a state
15 with deep partisan divisions and divided government and
16 divided government now and then in terms of the -- who
17 controls each of the houses of the legislature and the
18 governor's office, we were able to craft major mental
19 health and campus safety reforms that received unanimous
20 votes in the General Assembly three years in a row.

21 So my first suggestion based on these
22 observations is that you organize your activities in a way
23 that will take maximum advantage of this opportunity to
24 invite public participation and engagement. As I've
25 indicated, our commission itself had 25 members, but we

1 created five task forces in addition when we began, and
2 added two others. Just quickly, the task forces when we
3 began were one charged with coming up with a plan for
4 overhaul of the civil commitment process that would make it
5 more effective, that would make it more fair, and make it
6 more respectful of the human dignity of people who become
7 involved in it.

8 Another task force on the intersections between
9 criminal justice and mental health. Another one on what we
10 called empowerment and self-determination, which was
11 designed to lay a legal statutory foundation under the
12 recovery-oriented approach to the operation of public
13 mental health systems and to the associated desire to
14 alleviate stigma and to give people with mental health
15 problems control over the treatment that they received in
16 the same way that all of us would want it for any treatment
17 that we receive, whether it relates to the body or to the
18 brain and mind.

19 Another task force on the particular challenges
20 of children and adolescence and particularly the importance
21 of trying to fill the gaps in service and permit earlier
22 intervention, again, in connection with problems that
23 become so much more difficult to deal with later in life,
24 adolescence or young adulthood as we repeatedly see in many
25 of these cases.

1 Each task force had about 10 or 15 members, and
2 we were thereby able to engage about 100 additional
3 representatives and participants from all the stakeholder
4 constituencies in a process of identifying issues and
5 options, fleshing out the arguments and finding consensus
6 proposals to be presented to the commission. So a
7 tremendous opportunity to broaden the participation, I
8 think, is desirable if it is something that can be done.

9 Now, this structure turned out to be particularly
10 useful after the Virginia Tech shootings. Remember, we had
11 already begun beforehand, but after the Virginia Tech
12 shootings and the spotlight of public attention that was
13 now focused on this and this process of public engagement
14 and education that I have been talking about was enhanced
15 because the task force meetings provided a public forum for
16 informed debate about sensitive issues such as the criteria
17 for involuntary commitment, the proper role of mandatory
18 outpatient treatment, some of the issues that tend to
19 receive a lot of attention, that the issues that needed to
20 be debated and aired. We now had a focus on that process
21 of public discourse and debate even before the commission
22 formulated its proposals, and it sustained that attention
23 and educated the public about issues that eventually we did
24 make proposals about and move forward in the General
25 Assembly and helped to promote consensus.

1 Now, a complex structure of the kind that I've
2 just described requires a significant amount of advanced
3 planning as well as a specific charge to each task force or
4 work group that the parent body so to speak like your
5 commission would create. So one of the challenges here is
6 that you have to do a lot of work up front sorting through
7 the issues in order to give adequate direction to the task
8 forces and to identify the issues that are going to be the
9 ones that you are going to want to focus your attention on
10 and think about and then begin the process of deliberation
11 by engaging more people in the effort.

12 Now, the danger on that, of course, is that you
13 could make premature judgments about the things that you
14 want to focus on, and so I think at the same time, even
15 though I think it's very helpful to do what I've just said,
16 it's also important for the commission to remain nimble,
17 leaving the door open so that it can take on unforeseen
18 topics or issues that come up in the course of your study.

19 Now, in light of the disturbing number of tragic
20 incidents that we have had over the last few years, you
21 might say it's difficult to imagine that important problems
22 relating to mental health, school or campus safety or even
23 gun control have so far escaped notice and might come up
24 later without having been thought of in advance. However,
25 I will venture a prediction that the investigation of the

1 Sandy Hook shootings and your deliberations will expose
2 unrecognized shortcomings or gaps in current policies,
3 programs or practices that should be addressed. That was
4 certainly true in connection with the Virginia Tech
5 shootings.

6 So let me give you an example. When we initiated
7 the work of the commission, I doubt that many people in our
8 work, maybe even none, had ever heard of FERPA. Maybe some
9 of you don't recognize the acronym, but it's the Federal
10 Educational Records Privacy Act, which became a focal point
11 for discussion in connection with the Virginia Tech episode
12 because of the perceived constraints of that Act in sharing
13 information and allowing information that worries and
14 concerns that had come up from being communicated to other
15 people. Of course, in retrospect, people were
16 misunderstanding the act, and it didn't impose the
17 constraints that they thought it did but, nonetheless,
18 those issues kind of came to the fore.

19 More broadly, mental health issues among college
20 students and campus safety issues were simply not on the
21 screen when we were framing the commission's goal and
22 establishing goals and establishing our task forces. It's
23 kind of puzzling when you think about it. We had focused
24 on particular issues relating to children and adolescents.
25 We focused on particular issues relating to people in the

1 criminal justice system, but people -- young adults on the
2 campuses in our state were just -- we didn't even think
3 about college mental health issues when we were designing
4 our charge to the various task forces.

5 In addition, when we defined the charge to the
6 civil commitment process -- to the task force that was
7 focusing on the civil commitment process, there were
8 certain issues that, again, we were not really focusing on
9 and were not included in the charge. In particular, the
10 intersection of the emergency evaluation process, the civil
11 commitment proceedings and the healthcare privacy laws
12 including both HIPAA, the federal privacy rule, as well as
13 in Virginia, the applicable state statute, of course, every
14 state has some version of a healthcare privacy statute and,
15 again, we had a long list of bullets in terms of what the
16 charge was of the civil commitment task force, and that one
17 did not appear at all. And again, all these issues
18 exploded into public view after the Virginia Tech shootings
19 and were specifically addressed in the Virginia Tech
20 Panel's report.

21 So knowing in a preliminary fashion and knowing
22 once these issues were put on the screen that further and
23 detailed discussion was going to be needed to be addressed
24 to them if we were going to be ready for the upcoming
25 session of the General Assembly, we immediately created a

1 new task force to address the privacy issues, and they
2 were, of course, prominent features of the overhaul
3 legislation.

4 So this leads to my second suggestion to you, if
5 you do create task forces, you should be as specific as you
6 can in defining the task in their charge, but be flexible
7 enough to take on new issues as they arise. And as I've
8 said, I think there probably will be issues that will come
9 up.

10 And thirdly and finally, I want to encourage you
11 to think now, even at the early stages of your work, about
12 the challenge of implementing and sustaining whatever
13 programmatic and practice changes you eventually recommend,
14 whether they relate to school security, responses to people
15 experiencing mental health crises, efforts to increase
16 access to mental healthcare, efforts to increase public
17 awareness and understanding of mental health and issues and
18 to kind of modify the culture in some fundamental ways as
19 the governor mentioned at the beginning, or even to ensure
20 that people with mental health disqualifications are
21 reported to the background check system.

22 I noted that in some of the earlier comments from
23 some of the commission members the issues of -- that were,
24 I think addressed to Governor Ritter, questions about
25 implementation and follow-up were brought up. I think this

1 is absolutely critical, and that your commission can make a
2 very important contribution to what obviously has to be an
3 ongoing effort by thinking about how one would go about
4 monitoring change and monitoring implementation efforts,
5 and indeed, developing refinements if problems arise.

6 So after the commission has done its work, I
7 think it's important to identify or create a body or agency
8 that is responsible for implementation and oversight of the
9 reforms and for recommending refinements when needed. This
10 task, I think, is absolutely essential when resources are
11 going to be needed to implement and sustain progress.

12 So let me give one example of the point that I'm
13 making with regard to the experience that we have had now
14 over, as you can tell, about six years so far in Virginia.
15 A number of the proposals that were made by the panel, the
16 Virginia Tech Panel, and by the commission, which were
17 subsequently adopted by the General Assembly, sought to
18 reduce the risk of violence and suicide on campus by
19 increasing mental health awareness, removing barriers to
20 information sharing and requiring public colleges to
21 establish threat-assessment teams. Three years after this
22 initial body of legislation had been adopted, one which as
23 I've indicated required the creation of threat-assessment
24 teams as a best practice at the public colleges and
25 universities. Interestingly, all of the private colleges

1 did so as well because it had been identified as a best
2 practice even though they had not been required to do so.

3 So three years after this legislation went into
4 effect, the General Assembly commissioned a study on actual
5 practices on the state's campuses to see how this set of
6 changes and requirements -- of which this was just one,
7 there were several others -- were being implemented and
8 whether there were any problems or impediments that were
9 arising.

10 Now, there was good news when we did the study.
11 I think the best practices had been widely embraced in the
12 resident colleges across the state, both public and
13 private, and they were in the habit of sharing information
14 about their process with each other, which helps to
15 reinforce the best practices and fidelity to the model as
16 it's developing.

17 Barriers to communication had been removed.
18 Sensible thinking about what to do in terms of intervening
19 with troubled students were being undertaken. But some
20 obstacles remained, particularly in the lack of
21 coordination between the colleges and the mental health
22 service providers and hospitals. So further
23 recommendations were made about designating appropriate
24 contact persons in order to -- and have memoranda of
25 understanding and working agreements between each of the

1 colleges and the relevant acute care hospital or in many
2 instances with -- in most instances with the public health
3 service provider agency for that particular locality.

4 So because of the oversight and review, important
5 suggestions were made. I think some of these things can be
6 implemented administratively, but the General Assembly is
7 looking at proposals along this line now.

8 Most worrisome in this review was the lack of
9 mental health service capacity in the state's community
10 colleges. Not only do they lack counseling services -- and
11 of course, many of them are not in a position to have full
12 counseling services anyway. I mean obviously there's a
13 tremendous amount in terms of the size and geography of the
14 community colleges. So I'm not saying this is a one-size-
15 fits-all issue. But even in the large urban community
16 colleges, which have large enrollments, there are no
17 counseling centers available for the students.

18 Not only do they lack the counseling services,
19 but they lack the clinical expertise to staff the threat-
20 assessment teams that all of them by law had been required
21 to establish, and they lacked the capacity to screen and
22 refer possibly troubled students. Because of the lack of
23 all the expertise, I think there's also inadequate
24 attention to the whole issue relating to mental health
25 awareness that have already been mentioned in your work,

1 and that I think are important challenges for all of us
2 going forward in terms of enhancing mental health awareness
3 and giving people an understanding of how you intervene
4 appropriately if there is concern about a disturbance or
5 that somebody may -- an emotional disturbance that they may
6 be experiencing.

7 Obviously the schools are critically important.
8 It comes up, of course, in each one of these cases and
9 tragedies that we're talking about, but also obviously in
10 other settings, and to help families who obviously may be
11 struggling and don't know what to do.

12 So these concerns that we were developing and
13 presented a new -- eventually a new report to the General
14 Assembly, particularly including this focus that I've
15 mentioned on community colleges, these concerns were
16 accentuated even as we were doing this by the events in
17 Tucson when Jared Loughner, an obviously troubled community
18 college student, and again with some of these issues that
19 we still don't have the full story about in terms of who
20 was aware and the steps that were or were not taken,
21 attempted to assassinate Congresswoman Giffords, killed a
22 federal judge, five other people, wounded twelve others. I
23 think that every state should look carefully at the mental
24 health service capability and campus safety programs and
25 practices in community colleges. So there's a substantive

1 observation that I'm making, but for my present purposes I
2 simply want to highlight the scope of the challenge and the
3 need for a long-term strategy for implementing reform that
4 then requires this kind of ongoing review that I've just
5 illustrated in terms of what we were able to do in
6 Virginia.

7 So I want to close by observing that, as you can
8 imagine, I'm often asked these days something along the
9 lines of, so, you went through this in 2007, what has been
10 accomplished since the Virginia Tech tragedy and reports
11 and so on that were developed in its wake. Have things
12 improved? Have the reforms been implemented? I don't want
13 to try a full answer to this. It would simply exhaust your
14 patience with me, but I will give you the short answer.

15 I think we actually did a good job in laying a
16 strong legal foundation for important reforms in many of
17 the areas that you are investigating. Much of this is in
18 the nature of enabling legislation, but genuine progress
19 depends on filling the gaps in the community mental health
20 services system. For almost every one of these areas that
21 ultimately that needs to be done. The General Assembly
22 made a down payment in its activities in 2008 beginning --
23 which were relevant to the budget in fiscal year 2009, but
24 then the recession hit, and we have just been holding on
25 since then. Much remains to be done, and I hope it does

1 not take another tragedy to generate the political will to
2 sustain the effort in Virginia. It kind of makes the point
3 that reform is a process, not an event. And I'm sure that
4 it won't take too much encouragement to reflect that
5 understanding in your own work.

6 So I thank you very much, again, for the
7 opportunity to address you as you launch your important
8 task, and if you want to have some conversation about this
9 before you go to lunch, I'm welcomed to remain here and
10 speak with you.

11 CHAIRMAN JACKSON: Thank you very much,
12 Professor.

13 Are there questions?

14 MS. KEAVNEY-MARUCA: Professor, you mentioned the
15 gaps in the mental health service provision in the
16 community. Do you have any specifics, what you would
17 recommend to fill that gap?

18 PROF. BONNIE: Specifics about the gaps in the
19 services system?

20 MS. KEAVNEY-MARUCA: Yes, and yes.

21 PROF. BONNIE: Yeah, well, okay. I mean
22 obviously this is a big story with a lot of detail to it,
23 but I'll -- just let me in terms of priorities emphasize
24 that our first priority was to provide intensive service
25 alternatives, outpatient service alternatives or crisis

1 response alternatives to acute hospitalization and to have
2 what we call here -- I don't know whether they're called
3 this elsewhere -- crisis stabilization units or facilities
4 that were available. Other intensive alternatives that can
5 help people become stabilized when they're experiencing a
6 crisis that might be just having the staff to provide
7 assistance in people's homes or other locations.

8 So I think sort of filling the intensive
9 alternatives to hospitalization aspect of this is really
10 important and has been a priority since the mid-2000s and
11 even during the recession I think we've gradually been
12 trying to take further action. A lot of the money in
13 fiscal 2009 was devoted, the down payment was devoted to
14 this. So I think this is important.

15 Also, in terms of crisis evaluation, we
16 definitely need more efforts to provide intensive
17 evaluation opportunities that can relieve law enforcement
18 of the obligation to be heavily -- and emergency department
19 to be carrying such a load in acute evaluations. And so we
20 need to kind of fill in that part of the continuum also,
21 and we need have available psychiatric expertise for
22 medication evaluations as quickly as we can get them, kind
23 of on a 24/7 basis. That doesn't exist in many, many, many
24 parts of the state. So even at the intensive, urgent care
25 end of the continuum, we have a lot of gaps to fill.

1 But of course, over the long run, we also need to
2 do something more on the preventive end in terms of
3 outpatient services to prevent people from spiraling into
4 crisis, and that has again -- we've repeatedly been
5 emphasizing this. There are long waiting lists across the
6 state. There are still large, of course, numbers of people
7 who have no insurance and depend entirely on the public
8 health services system. When we did a study in 2007 about
9 people who basically were evaluated for an emergency
10 evaluation, 40 percent of them were not even engaged in
11 mental health services of the people who were being
12 evaluated acutely. So a lot of people are untreated and
13 uninvolved in the system.

14 And so the overhaul that we want to make of the
15 services system to transform it in terms of its culture
16 also means we've got to do something to fill in the gaps in
17 outpatient services, and now even in the jurisdictions that
18 have at least some capability, the waiting lists are
19 extremely long, and obviously many, many people and
20 families are going without the treatment that they need.

21 So I mean that's just a snapshot. I mean
22 obviously there's a lot more that could be said.

23 COMMISSIONER LYDDY: Good afternoon, I believe.
24 I just have a quick question to follow up on your statement
25 regarding the alternatives to hospitalization and crisis

1 response initiatives.

2 What role, if any, did the insurance industry
3 play in your conversations in building those programs and
4 talking about how to form them and how to build from the
5 bottom up community wrap-around services for people who are
6 not seeking them?

7 PROF. BONNIE: Well, at least as far as the
8 commission process is concerned, we have always been
9 working closely with the Virginia Hospital and Healthcare
10 Association in all of these matters, and we did have
11 private providers that were involved in -- I think, if I
12 remember at least when we began, there was someone from the
13 insurance industry, and so a lot of issues about financing
14 of healthcare were -- mental healthcare were on the table
15 during the commission's process.

16 Now, getting into kind of the details I think, of
17 the kind that you're thinking about in terms of planning
18 and cooperating with regard to building a services system,
19 we've had a moving target, as you well know, with regard to
20 the creation even of something that we call a system which
21 of course is not a system, and coordinating in some
22 systematic way, and clearly events in terms of overall
23 healthcare reform and mental health reform and the
24 financing of mental healthcare a lot of things have
25 happened, and I must say since the commission did its work,

1 and the commission basically came to an end in 2011, I have
2 not been myself personally involved in the kinds of
3 conversations that you are referring to, but I assume that
4 they are going on.

5 COMMISSIONER LYDDY: Great. And one just quick
6 follow-up
7 question. What role did the legislature play with the
8 commission or independent of the commission through the
9 discussions that you had and through the life of your work?

10 PROF. BONNIE: Well, this is a somewhat -- well,
11 let me answer it in two ways. First of all, there were
12 legislatures that were from both parties, both houses, that
13 were involved in the commission's work, and that that was I
14 think very important. Now, again, what the experience in
15 Virginia might suggest in terms of the -- what you might do
16 or need to do in Connecticut, I do not know. I mean the
17 political situation is very different. The politics, the
18 political culture may be very different. In this context
19 it was clear from the beginning to us that we wanted to try
20 to create a bipartisan consensus process, and so involving
21 the legislators in our work was absolutely essential.

22 I think, and here is when I kind of paused at the
23 beginning about how to respond to your question, there was
24 also a bit of a delicate question here about what, at least
25 from the outsider's view, might seem related to a kind of

1 separation of powers concern. I think the as I mentioned,
2 and this is different from your situation. Your commission
3 is being established by the governor. Ours was established
4 under the auspices of the Supreme Court. I think there
5 were always some tensions involved in this because this was
6 the judiciary was king of the titular, sort of convener of
7 this process, but as I said I think we did have a lot of
8 support within the legislature. We certainly had
9 legislative participants. The governor, Governor Kaine at
10 that time, was supportive of our work. Our current
11 governor, Bob McDonnell, was then the Attorney General and
12 he was supportive of our work. He devoted -- I have
13 nothing but praise for everything that Bob McDonnell did
14 during this process because he made resources available
15 from his office, and of course, we had support from the
16 Behavioral Health and Developmental Services Department at
17 the state level and the Department of Public Safety.

18 I mean, we had all the support from the executive
19 branch. We had the involvement of the legislative branch
20 as well and the Attorney General is an independent office
21 in Virginia, and we had support from him as well. So I
22 don't think we could have been better-poised in terms of
23 this effort to develop a consensus and to move successfully
24 through the legislature.

25 Now, beyond that, I think after the kind of

1 initial raft of legislation, the commission did continue
2 its work. Obviously legislative attention at that point
3 was not as concentrated on mental health reform after the
4 legislation that was enacted in 2008, that initial overhaul
5 of the commitment process that I mentioned, but we had
6 additional work that we had come forward with, which of
7 course needed to be revenue-neutral during the period of
8 the recession, and we had great reception in the General
9 Assembly for all of that work, and the commission members
10 of course were helpful in carrying the bills within the
11 legislature.

12 So it was actually a very -- notwithstanding
13 these kind of institutional tensions that I've mentioned, I
14 think we had very strong connections with the legislators.

15 Finally, I mentioned that some process needs to
16 be put in place to ensure that there is some monitoring and
17 oversight of what happens later, and I think that is a key
18 issue which we discussed a great deal. Clearly, this was
19 not something that could remain in the Supreme Court and
20 under the auspices of the Supreme Court. I think the
21 effort to undertake it was driven so much by, you know, the
22 commitment that the Chief Justice, which who I'm sorry to
23 say passed away, you know has had or had for mental health
24 reform.

25 But there has to be a locus somewhere, and I do

1 think it needs to be in the General Assembly for ongoing
2 review and scrutiny, and I mentioned earlier that we did
3 undertake that kind of review in connection with the
4 college mental health issues. That was done under the
5 auspices of the Joint Commission on Healthcare, which is
6 joint between the Senate and the House of Delegates and
7 includes executive members as well. That was the auspices
8 -- it was the legislative auspices for the steps that I
9 mentioned to you then.

10 In addition, the kind of habits of collaboration
11 that we think are helpful emerged from the commission's
12 work between the executive branch agencies and the courts
13 in connection with a lot of these issues relating to
14 criminal justice, mental health interactions and civil
15 commitment, those kinds of collaborations still continue,
16 and the same players are involved.

17 So we think we have a structure for ongoing
18 oversight although it does take resources in order to be
19 able to do it. What worries me is that if the players
20 change you lose the benefit of having, you know, having had
21 -- well, the opportunity to accomplish what you need to
22 accomplish, I think is significantly reduced. So that sort
23 of leads me to think that there needs to be some entity
24 with a greater institutional grounding and political
25 commitment to carry this thing on in the future, and I

1 think that really needs to be in the legislature.

2 COMMISSIONER LYDDY: Great. Thank you so much.

3 COMMISSIONER GRIFFITH: Professor Bonnie, this is
4 Ezra Griffith. Thank you very much for your comments and
5 your contributions so far. I wanted to ask you -- it's
6 still not clear in my mind how you combined the work of the
7 Virginia Tech Review Panel with the commission. In other
8 words, was there an integrated report in the end or did you
9 all have discussions? That still is not clear to me.

10 And then my second question, which is related in
11 some sense, is how do you -- how did you contemplate the
12 consideration of input from the Department of Mental
13 Health? Because you haven't mentioned that at all, and it
14 seems to me that your commission, the commission did a
15 restructuring, the contributions were so significant. How
16 did you handle that sort of a discussion with the
17 Department of Mental Health?

18 PROF. BONNIE: Okay. Let me just have the second
19 question first. So the commissioner of the department was
20 a member of the commission. We also have an independent
21 office of the Inspector General. The Inspector General was
22 on the commission. So we had all the leadership that we
23 wanted in order to really accomplish this. I mean, again,
24 I just want to emphasize how important it was that
25 everybody was on the same page in terms of the need to

1 undertake these comprehensive reforms and very enthusiastic
2 about doing it. And particularly also that it was being
3 done in this kind of, you know, through this kind of
4 independent body that drew all these offices in.

5 I should also say that in terms of the Department
6 of Behavioral Health and Developmental Services, their work
7 and their staff had been absolutely indispensable all along
8 the way in doing this, and I should have mentioned -- well,
9 I could have mentioned every detail, but I will mention now
10 that the Department put up a substantial amount of money
11 for the research capability of the commission, and we
12 conducted major studies. You know, I referred to a study
13 of -- we did a study of every emergency evaluation done in
14 the state in June of 2007. We did a study of every hearing
15 conducted in the state in May of 2007. We did a broad
16 stakeholder survey of people's attitudes and concerns very
17 early on in the process to gather information.

18 And very importantly in terms of one of the
19 things that the commission's work accomplished when we took
20 a look at the available data is that we actually created a
21 database of outcomes, dispositions in the commitment
22 process, and so we have a record of every hearing and the
23 outcomes that are held throughout the state since fiscal
24 year 2009. And it gives us tremendous information about
25 different commitment rates, different rates of using

1 coercion in the various localities around the state, and
2 you will not be surprised to learn that we have done
3 research, published research, peer-reviewed research that
4 shows, as you would predict that the greater the
5 availability and perceived availability of these
6 alternative services and the richness access to services in
7 the various localities is related to the rate of temporary
8 detention orders and use of coercion. So you can reduce
9 the need for coercion if you, of course, can fill in the
10 service gaps.

11 So were it not for the department we would not
12 have been able to do that, and the Department even now
13 after the commission continues to support the building of
14 this data infrastructure that I think is absolutely
15 essential if you're going to continue to this reform
16 process in the future and monitor what is going on. And
17 particularly, just as I just alluded to, this is such a
18 localized process in terms of practice and resources and
19 judicial engagement that you have to study it at the local
20 level, and you need to have the resource base in place in
21 order to be able to do that. So the Department was
22 absolutely critical. I could say more about that.

23 With regard to the relationship between the
24 commission and the Tech Panel, so there we were at work,
25 and the Tech Panel was established. Ours, of course, was a

1 reform commission focusing on policy making. We didn't
2 really -- I mean obviously we had a big data collection
3 task but we were not doing an investigation of the Cho case
4 and the Virginia Tech, the various aspects of what happened
5 at Virginia Tech. The Panel did have that investigative
6 responsibility just as the Columbine Commission did, and
7 apparently you don't. So you are more like what we were
8 doing.

9 So we had to obviously defer to the Tech Panel in
10 order to await their findings with regard to the
11 investigation.

12 (Audio skip.)

13 -- their activities and deliberations, and so
14 there was a flow of policy ideas back and forth between the
15 panel and particularly the mental health people that were
16 on the panel. They obviously had a campus security issues
17 and studies of the aftermath and what happened, whether
18 lives could have been saved even after the shooting
19 started. They had other things on their plate that were
20 not in the space of our reform, our charge for reform, but
21 it was a very close sort of relationship.

22 So their report then came out in August and,
23 again, just for your benefit I will say I am even today
24 amazed about what a tremendously thorough job the Virginia
25 Tech Panel was about to do in about four months in terms of

1 all the bases that they needed to cover. I think that that
2 report has stood the test of time pretty well even though
3 it obviously needed to be done fairly quickly. But we were
4 aware of what they were doing, and so it was coordinated in
5 that way with our report and our preliminary report was
6 issued in December, and even during that time the
7 legislation was being drafted in the late fall so that it
8 would be ready for the General Assembly in early 2008, and
9 I will certainly want to observe and give credit where it's
10 due that once, of course, the legislative committees became
11 involved, I mean they didn't just take what we handed them,
12 and it was -- when I say we handed them, the governor and
13 his staff had obviously played a role in that as well. The
14 legislature exercised of course its responsibilities and
15 prerogatives to draft the ultimate legislation.

16 But nonetheless, I think they were pleased at the
17 end of the day that this process had worked the way I just
18 described with this convergence of the Tech Panel, the
19 commission and then eventually we did have unanimous
20 support in the legislature.

21 COMMISSIONER SCHWARTZ: Professor Bonnie, thank
22 you for your excellent testimony. I have three related
23 questions.

24 You referenced issues with the enforcement of
25 mandatory outpatient treatment. You may know that

1 Connecticut does not have a mandatory outpatient treatment
2 statute or regulation. But you examined it in the Virginia
3 Tech instance or above and beyond Virginia Tech how it was
4 implemented in the state prior to that and made some
5 recommendations. Question one is, what recommendations did
6 you make, and how effective have any implementation -- any
7 changes implemented been?

8 Number two, you referred to the commitment
9 process in general. I took away from that the possibility
10 that you made some recommendations about criteria for civil
11 commitment, and I'd be interested to know what those were.

12 And lastly, you referred to privacy and
13 confidentiality and highlighted issues with privacy and
14 confidentiality. I'm wondering specifically what
15 recommendations you made in that regard, and how a state
16 can address those issues when they're guided by federal
17 HIPAA regulations.

18 PROF. BONNIE: Dr. Schwartz, I'm going to try to
19 give fairly brief responses to each of the three questions
20 in the interest of time today, but let me say to the extent
21 that the commission is interested, I'm more than happy to
22 discuss these matters individually or to the commission,
23 later on in your work in much greater detail. I mean
24 obviously I've been living with these issues for some years
25 now, and it may very well be that the Virginia experience

1 could be quite pertinent to you, particularly in light of
2 the fact that we've got lots of interesting data about what
3 actually is happening out there in the world.

4 But specifically with regard to mandatory
5 outpatient treatment, when the Cho shooting -- the Virginia
6 Tech tragedy occurred, there was -- mandatory outpatient
7 treatment essentially was a less-restrictive alternative
8 for potentially less-restrictive alternative for people who
9 met the commitment criteria for inpatient admission, but if
10 this alternative looked like it could be effective and
11 useful, the judges had the authority to use it, and that's
12 what the judge that was sitting in the Cho case actually
13 did. I think he was concerned that Cho might have been
14 suicidal at some point and determined that he was
15 sufficiently concerned, let me just put it that way, to say
16 that he met the commitment criteria but he didn't think
17 that hospitalization was indicated, and he thought what was
18 really important was for Cho to get engaged in treatment,
19 and so he committed him, quote/unquote, to outpatient
20 treatment, and as I think you know, probably everybody
21 knows there was no follow-up, and Cho never really reported
22 to the Cook Counseling Center at Tech, and that was one of
23 the missed opportunities for intervention that I mentioned.

24 So that called attention to the fact that we
25 didn't have any procedures in the code. It was just one

1 paragraph that didn't say anything about how do you
2 monitor, who's responsible for monitoring, and what should
3 be done if somebody doesn't comply with what is required.

4 So the first step that the commission took, I
5 mean, the same debates as I'm sure that you are having and
6 will continue to have about whether there should be
7 broadened criteria or looser criteria for mandatory
8 outpatient treatment, we set those aside initially, and
9 basically in that first overhaul we just provided the
10 procedural mechanisms and so on for monitoring and
11 enforcing these orders and specifying the procedures for
12 the courts and so on. So what used to be a paragraph is
13 probably now ten pages in the code for doing this.

14 And deferred further consideration about whether
15 there should be somewhat looser criteria either for
16 committing people up front who are at liberty at the time,
17 or should loosen the criteria for what we call a step down
18 form of mandatory outpatient treatment when people are
19 stable enough perhaps to be discharged from the hospital
20 but aware that opportunity for supervision under court
21 auspices could be therapeutically useful and successful.

22 In the subsequent years the step down version of
23 commitment -- there are now additional pages in the code
24 about the step down form of commitment. We have not
25 adopted up front a preventative form of commitment.

1 Now, having said all that -- so that's the legal
2 foundation. The issue is, you have to have the resources.

3 (Audio skip.)

4 -- using these mandatory outpatient procedures,
5 and I don't -- you may have lost me somewhere along the way
6 there, but I'll keep talking.

7 COMMISSIONER SCHWARTZ: Excuse me. We did. We
8 lost you
9 at the point where you said that we have to have resources.

10 PROF. BONNIE: So the mandatory outpatient --

11 COMMISSIONER SCHWARTZ: We did lose you at the
12 point where you were saying first you have to have the
13 resources.

14 PROF. BONNIE: Yeah, okay. Well, you have to
15 have the resources. So you can't successfully implement
16 mandatory outpatient treatment unless you begin to work on
17 the gaps in the services system, and that has been one of
18 the reasons for reluctance to adopt the upfront version of
19 mandatory outpatient treatment, and in connection with the
20 step down version of commitment, obviously there's close
21 coordination with the community services agency when the
22 person is ready for discharge, and this is part of the
23 discharge planning process and it can be implemented if
24 it's agreed to and if the particular agency has the
25 resources to do it.

1 So it is happening, but it is happening only as I
2 said in the step down version in one place, and -- I don't
3 want to say only. There are occasional cases around the
4 state, but in terms of most of the cases, which is way less
5 than 1 percent of all of our commitments, it is happening
6 in the step down version in one part of the state and in
7 the upfront version as a least-restrictive alternative in
8 another part of the state.

9 We are working hard to try to encourage the local
10 agencies to begin to implement outpatient commitment by
11 trying to take some of these, what we think are good
12 practices that are developing in a couple of places and
13 trying to disseminate them more widely, but still mandatory
14 outpatient treatment is not a frequent occurrence. Maybe
15 over the longer term it can become a more widespread, it
16 can go into more widespread use, but that's going to take
17 the investments that need to be made as part of the overall
18 overhaul.

19 That was longer, actually, than I intended to go
20 on about that. The commitment criteria, we loosened the
21 commitment criteria in various ways and tried to make them
22 a bit more specific. The main example is we used to have
23 imminent risk of, or imminent danger to self or others, and
24 now we require something like presents a substantial risk
25 of harm to himself or others in the near future. So it's

1 somewhat looser. It actually probably hasn't made that
2 much difference in terms of the actual sort of rates of
3 commitment at all. It is probably the case that there were
4 always local variations in how the language was interpreted
5 and there were a few places that the previous language was
6 being interpreted too narrowly, and that probably has
7 modified practice in some of those states. So there's more
8 that could be said about the criteria. There was a lot of
9 change in the procedures and particularly the evaluation
10 procedures of civil commitment.

11 Finally, with regard to the privacy issue, the
12 HIPAA sets the floor but it doesn't set the ceiling, and so
13 the states have a great deal of additional prerogatives to
14 protect confidentiality more than HIPAA itself does. In
15 addition, HIPAA itself includes exceptions for requirements
16 that are imposed by state law typically relating to kind of
17 public health related requirements, but in our case also
18 those that relate to sharing with the judicial system. So
19 state law plays a critical role in this notwithstanding
20 HIPAA.

21 CHAIRMAN JACKSON: Thank you. I think we might
22 have time for one more. I think we've already kept Dr.
23 Bonnie or Professor Bonnie a little longer than we thought
24 we would, not to say we can't have you back, but final
25 question.

1 COMMISSIONER FLAHERTY: Okay. Thank you
2 professor. I have one question. You had mentioned one of
3 the task forces was about looking at the recovery-oriented
4 treatment approach and empowerment and self-determination -
5 -

6 PROF. BONNIE: Yes.

7 COMMISSIONER FLAHERTY: -- and that's really
8 something we focus on here in Connecticut. And I'm just
9 wondering, you talked about one of the studies was looking
10 at civil commitment and that when there's access to
11 treatment there's less use of civil commitment in those
12 areas, and I'm wondering if there have been any studies
13 from the opposite side where you use more recovery-oriented
14 treatment models and people have that empowerment and self-
15 determination, they get more engaged with the system and
16 voluntarily use services and those services are available
17 to them. Thanks.

18 PROF. BONNIE: Well, I'm sure you are aware of
19 the work that's been done at Duke with regard to the very
20 hypothesis that you just stated. It was a premise for our
21 appointing the task force on empowerment and self-
22 determination, for making the achievement of the recovery
23 orientation and particularly the use of advanced directives
24 and self-determination through advanced directives.

25 One of our major objectives to try to create the

1 kind of services system that people that provide the
2 services and give the people the control they want so that
3 they are drawn into the services system by what it offers
4 rather than having to be pushed into the services system,
5 and that was an entire total central premise of the
6 commission's work. It's in all the charging documents and
7 we also have the report of the task force.

8 So this was a keystone of what we were trying to
9 do, and we did eventually adopt a comprehensive amendment
10 to our Healthcare Decisions Act, which also the task force
11 wanted this to be an integrated change to the Healthcare
12 Decisions Act rather than a stand-alone sort of psychiatric
13 advanced directive statute. You can obviously see there's
14 an important point that's being made there about
15 integration of mental health care into healthcare more
16 generally, and giving people control over all of their
17 care. So this is absolutely critical.

18 We are now trying -- the legislation was passed
19 and went into effect in July of 2010. We made some
20 amendments to perfect it afterwards, and so the current
21 version went into effect, if I'm getting the years right,
22 in July of 2011. We had been trying to implement the use
23 of advanced directives on a widespread basis in making it
24 part of routine care and working very closely with the
25 Department of Behavioral Health and Developmental Services,

1 the community services providers in order to be able to put
2 this into practice.

3 It's a large story and we're still working at it.
4 It still remains a very important aspiration, but I will
5 tell you that there are probably -- there are a lot of
6 impediments to doing this, not the least of which is the
7 problem of inadequate resources in the community system.

8 CHAIRMAN JACKSON: Thank you very much,
9 Professor. You have been very generous with your time.
10 Might we at some later date forward to you some additional
11 questions that may arise?

12 PROF. BONNIE: Absolutely. I'd be glad to help
13 in any way that I can. You're doing important work and
14 it's definitely my pleasure to help you out.

15 CHAIRMAN JACKSON: Well, thank you very much.

16 One of the things that Professor Bonnie did say
17 or did advise us was to be nimble, and I do want to
18 reiterate that. It's going to be critical to our success.

19 Thank you very much, sir.

20 It is 1:30 now. We don't have that much left to
21 do outside of talking about our organization. So I'd like
22 to push through, and as people get hungrier, it will make
23 this a shorter part of the meeting.

24 I do have a proposal, and I want to frame it
25 based upon the experience that Terry Edelstein and I had in

1 the Two Storm Panel, which was a smaller panel, but it had
2 a similarly broad scope. How did public and private
3 institutions prepare for and respond to Tropical Storm
4 Irene and the October Nor'easter. We went in a lot of
5 different directions that we did not anticipate going in, I
6 think walking in the first day, which is why I want to
7 reiterate that notion of being nimble.

8 We organized ourselves -- there was kind of a
9 general principle, and I think the principle continues to
10 exist today for this commission. We wanted to create fair,
11 rational, common sense public policy recommendations and
12 wherever the dialogue led us that is where we went. We
13 were consensus-based. We did not raise our hands to take
14 votes. That is the same structure that you heard from
15 Governor Ritter. I would suggest at this point we proceed
16 along those same lines.

17 At some point, it may become incumbent on us to
18 create the task forces or subcommittees that Professor
19 Bonnie just identified, but at this early stage of the game
20 I would caution against that, and my reason is I believe
21 that the sixteen of us have been called here to essentially
22 serve as the reasonable man or woman. So we do not need to
23 hyper-focus on our areas of expertise because in those
24 areas where we are not expert, we provide the check and
25 balance in terms of rational public policy. So I don't

1 think that we should start to put ourselves into silos for
2 -- or at this point -- or avoid doing it too deeply because
3 we are all experts, but we are all human beings, which
4 gives us input into every area that we're going to discuss.

5 Does anybody have any thoughts on that structure
6 for right now?

7 Good. We can continue that way.

8 Now, we have the hardest job is organizing the
9 schedule of the room, the members and the experts. What
10 I'm going to ask to the extent possible is that for the
11 next two weeks let's check our calendars and see if
12 Thursday and Friday of the next two weeks, that is, January
13 31st and 1st and February 7th and 8th we might be able to get
14 together to talk about some thematic areas. There are some
15 that I would propose. I would propose trauma response
16 because it's timely. We are still living with trauma
17 response.

18 I would propose physical plant security because
19 we do have a national expert in that on the panel who has
20 already put some thoughts into how to organize a day around
21 that. And I believe that I also need to speak to Speaker
22 Brendan Sharkey about trying to set up a joint meeting with
23 the Select Committee looking at Sandy Hook at the
24 legislative level so we can identify some opportunities for
25 collaboration, specifically around at the outset a briefing

1 on the status of gun and ammunition laws in the State of
2 Connecticut.

3 Does anyone have anything that they want to add
4 for immediate action?

5 Thank you.

6 A couple of closing remarks.

7 COMMISSIONER SCHWARTZ: I'm sorry. I just -- I
8 did have a --

9 CHAIRMAN JACKSON: Okay.

10 COMMISSIONER SCHWARTZ: So you're suggesting that
11 these

12 four days, we would meet for these four days?

13 CHAIRMAN JACKSON: That we look at the ability to
14 get the people together on those four days, maybe we do
15 two, maybe we do one, maybe we do four, but we start to try
16 to hammer out a schedule that works and which we can do
17 essentially via email tonight. I'll be sharing mine by
18 about 5:00 o'clock tonight.

19 COMMISSIONER SCHWARTZ: And the focus of these
20 early meetings would be trauma response and physical plant
21 security?

22 CHAIRMAN JACKSON: That's correct, as well as
23 trying to get a meeting, if appropriate, with the Select
24 Committee at the legislature.

25 COMMISSIONER SCHWARTZ: With regard to the Select

1 Committee at the legislature, they have scheduled hearings?

2 CHAIRMAN JACKSON: Yes.

3 COMMISSIONER SCHWARTZ: Any interface between
4 commission members and those hearings?

5 CHAIRMAN JACKSON: Not officially, but that's the
6 subject matter of my conversation with Speaker Sharkey.

7 Certainly, we will be invited, as all are invited, but at
8 some point I think we need to have a little bit more
9 opportunity for interaction.

10 I want to first of all thank you all for coming
11 today and being part of this process. Another thing that
12 Professor Bonnie said was that we should nurture public
13 engagement, and I agree with that entirely.

14 I want to say a thank you to the Council of State
15 Government, the Justice Center and the Department of
16 Justice for the work that they did in helping to get our
17 speakers to us today. Obviously, we had some national
18 experts, and it's an excellent way to kick off this
19 program.

20 We will be accepting written testimony. There is
21 a website available. It is ct.gov/shac. Again, that's
22 ct.gov/shac. It stands for Sandy Hook Advisory Commission.

23 There are two members who could not be with us
24 today, Bernie Sullivan and Dr. David Chanfeld (phonetic).
25 They have both been engaged by email, and will certainly be

1 active participants, but their travel schedules did not
2 allow them to be here today.

3 I want to also thank First Selectman Pat Llodra
4 of the Town of Newtown. She has been available to me, and
5 the Town of Newtown will be actively engaged in the
6 processes that we set forth.

7 In closing, there are many different schools of
8 how to deal with grief. At the end of the day, most of
9 them involve the person doing something. You have to do
10 something to get over the event or to help get over the
11 event. That's why there are 125 letters at Newtown Town
12 Hall. That's why teddy bears and snowflakes line the
13 streets of Newtown. People wanted to do something.

14 I wanted to do something too, and I am honored by
15 the governor that he chose me and chose us. This is our
16 way of doing something and doing something that resonates.

17 Friends, thank you so much for spending the day
18 here. Thank you for your participation, for your
19 thoughtful commentary, and I look forward to working with
20 you as we work through this process.

21 Thank you. This meeting is adjourned.

22 (Proceedings adjourned.)
23
24
25

CERTIFICATE

I hereby certify that the foregoing 117 pages are a complete and accurate transcription to the best of my ability of the electronic sound recording of the meeting of the Sandy Hook Advisory Commission (SHAC) held on January 24, 2013 at 10:30 a.m. at the Legislative Office Building, Hartford, Connecticut.

Suzanne Benoit, Transcriber

Date