



Contra
Costa
County

To: Board of Supervisors
From: David Twa, County Administrator
Date: August 7, 2018

Subject: RESPONSE TO CIVIL GRAND JURY REPORT NO. 1807, "Minimizing School Casualties During an Active Shooter"

RECOMMENDATION(S):

Acting as the Governing Board of Contra Costa County and the Contra Costa County Fire Protection District:

1. APPROVE response to Civil Grand Jury Report No. 1807, "Minimizing School Casualties During an Active Shooter", and
2. DIRECT the Clerk of the Board to forward the response to the Superior Court immediately following Board action.

FISCAL IMPACT:

No fiscal impact. This is an informational report.

BACKGROUND:

On May 25, 2018 the 2017/18 Civil Grand Jury filed the above-referenced report regarding funding of the East Contra Costa Fire Protection District.

The Report was referred to the County Administrator by the Board of Supervisors on June 12, 2018 for response. The County Administrator has prepared a response for consideration by the Board of Supervisors, which clearly specifies:

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/07/2018** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Candace Andersen, District II Supervisor

Contact: Timothy Ewell, (925)
335-1036

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: August 7, 2018

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

cc:

BACKGROUND: (CONT'D)

Whether a finding or recommendation is accepted or will be implemented;

- If a recommendation is accepted, a statement as to who will be responsible for implementation and by what definite target date;
- A delineation of the constraints if a recommendation is accepted but cannot be implemented within a six-month period; and
- The reason for not accepting or adopting a finding or recommendation.

CONSEQUENCE OF NEGATIVE ACTION:

In order to comply with statutory requirements, the Board of Supervisors must provide a response to the Superior Court within ninety days of submission of the report.

CHILDREN'S IMPACT STATEMENT:

No impact.

ATTACHMENTS

Grand Jury Report No. 1807, "Minimizing School Casualties During an Active Shooter Incident"

Response to Grand Jury Report No. 1807, "Minimizing School Casualties During an Active Shooter Incident"



CONTRA COSTA COUNTY CIVIL GRAND JURY REPORT NO. 1807

"Minimizing School Casualties During an Active Shooter"

JOINT RESPONSE OF THE CONTRA COSTA COUNTY BOARD OF SUPERVISORS & CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT BOARD OF DIRECTORS

FINDINGS – *California Penal Code Section 933.5(a) requires a response to the designated findings of the Grand Jury.*

- F1. The County has supported training to coordinate law enforcement and paramedic response to an active shooting incident at a school.**

Response: Agree.

- F2. Fire District paramedics are unable to operate in Warm Zones because not all paramedics are thoroughly trained in joint operations with law enforcement.**

Response: Partially Disagree. In 2016, the District, representing all fire agencies in Contra Costa County, met with representatives of several law enforcement agencies to express concerns about the varied expectations of fire district personnel by law enforcement agencies during "active shooter" incidents. Some law enforcement agencies expect fire district personnel to enter into the Hot or Warm Zones (defined as areas where potential danger exists) in order to provide treatment to victims. During recent events, some fire agencies were considering this type of operation and others were not; however, none were prepared to enter Hot or Warm Zones. The District and neighboring fire agencies agreed that it would be best to establish a consistent level of response to these types of incidents in order to avoid confusion during such events. At the time of the 2016 meeting, representatives from law enforcement agencies agreed to a consistent level of expectation of fire agencies throughout the county: all fire district personnel will wait in Cold Zones (defined as an area where there is little to no danger from the assailant) and treat victims who are brought to them. It was also agreed that once that new expectation reached a level of operational consistency, that the District and neighboring fire agencies would begin to

consider how best to provide treatment to victims located in Warm and Hot Zones.

The District and neighboring fire agencies have completed a significant amount of training with law enforcement agencies throughout the County. During these training sessions, best practices have been documented and reinforced to assure that if and when operational procedures are changed to allow firefighters to operate in the Warm or Hot Zones, the operation will be performed in a careful, calculated, and strategic manner in order to provide as much safety as possible to all public safety personnel and victims. Additional training is still needed to ensure that all potential issues are identified and mitigated prior to implementing these new operations.

F3. Fire District paramedics are unable to enter Warm Zones because they lack ballistic protection equipment.

Response: Partially Disagree. While it is true that one of the limiting factors that keeps fire district personnel from operating within the Warm or Hot Zones at an active shooter incident is the lack of ballistic personal protective equipment (BPPE), there are more considerations that must be recognized.

1. Entering into an area where an armed and dangerous person is present is a major change to a firefighter's scope of work. Although firefighters are accustomed to operating in dangerous environments, working in and around areas with armed criminals and terrorists has traditionally been a law enforcement-only operation. Sending unarmed personnel into a Warm or Hot Zone where there may be an armed assailant would not be appropriate without proper procedures in place. As such, fire and law enforcement agencies must meet, confer, and train before a new operational strategy can be deployed.

2. This type of operation is evolving, and tactics are changing very quickly. Fire and police must ensure that the benefits outweigh the risks before moving forward.

3. BPPE has traditionally been designed for use in typical law enforcement operations, but not for fire district personnel when treating and moving victims. Because the purchase of this type of equipment is a significant expense, careful research must be completed to assure that the purchased equipment will be both useful and effective when added to the equipment that a firefighter is currently outfitted with.

F4. Deaths during active shooter incidents can be minimized if paramedics reach victims quickly.

1. Response: Agree. Statistics indicate that treating gunshot victims as quickly as possible provides the best possible chances for survival. This data is driving the

development of new procedures for firefighters at “active shooter” incidents and other Intentional Multi-Casualty Incidents (IMCI’s). Through training sessions and after action studies of real active shooter incidents, the District intends to determine exactly how to work alongside law enforcement agencies in a safe and efficient manner. District subject matter experts are working with experts from around the country to determine the best way for firefighters to provide medical treatment as quickly as possible while providing for their own safety.

RECOMMENDATIONS - *California Penal Code Section 933.05(b) requires a response to the designated recommendations of the Grand Jury.*

- R1. The County Fire Protection District Board of Directors should consider seeking funds, in time for the FY 2019/20 budget cycle, to finance ballistic protection gear for Fire District paramedics.**

Response: **The recommendation requires further analysis.** As previously stated, the District and other fire agencies continue to work with law enforcement to identify the safest way to provide emergency medical services to victims in Warm and Hot Zones with maintaining the safety of unarmed fire district personnel. The county fire agencies, including the District, and law enforcement will continue to work together to determine how best to deploy emergency medical services to victims in Warm and Hot Zones. This includes comprehensive discussions about training, equipment and response strategies. Purchasing BPPE prior to developing a comprehensive approach to fire agency medical response to “active shooter” incidents may be premature.

- R2. The Board of Supervisors should consider continuing to fund the training (provided by the Office of the Sheriff) of all Fire District paramedics to operate in Warm Zones.**

Response: **This recommendation requires further analysis.** The County budget process begins in January and concludes in May of each year. Although the Board is supportive of the continuation of providing funds for the training of District paramedics in Warm Zones, we cannot formally commit to funding expenditure appropriations until a vote is taken on the budget each year.