

## **2019 ISBA RESOLUTION NO. 12**

### **THREATENING VIOLENCE UPON SCHOOL GROUNDS — FIREARMS AND OTHER DEADLY OR DANGEROUS WEAPONS**

**WHEREAS**, Idaho schools value a safe environment for all students and staff within their care, and understand safety is the number one priority when parents entrust their children to the school district or charter school; and

**WHEREAS**, threats to schools, and the people within the schools, has become a national problem, to which Idaho is not immune; and

**WHEREAS**, community panic has been demonstrated within communities when a school threat has taken place, especially when the perpetrator has not been placed in custody; and

**WHEREAS**, Section 18-3302I, Idaho Code allows a peace officer to only issue a misdemeanor citation but does not allow for the arrest of any person who threatens to use a firearm or deadly or dangerous weapon to do violence to any person on school grounds or to disrupt the normal operations of an educational entity; and

**WHEREAS**, Section 19-603, Idaho Code, sets out criteria for a peace officer to make an arrest and it does not allow for an arrest for threatening violence upon school grounds;

**WHEREAS**, the current law does not adequately reduce the concern and fear of students, staff, and community due to the perpetrator's ability to be free;

**NOW THEREFORE BE IT RESOLVED** that the Idaho School Boards Association research, draft, and submit legislation, or support legislation that proposes an amendment to Section 19-603, Idaho Code when someone threatens violence on school grounds. This will allow a peace officer to place the perpetrator in custody to be evaluated.

### **STATEMENT OF PURPOSE**

Even the threat of school violence can cause panic in a community. Peace officers need to have the ability to arrest a perpetrator rather than issue a misdemeanor citation in these cases. This would allow a community to have a sense of security for their children, decrease the fear of the students and staff targeted, and reduce the long term impact on the learning climate.

**Submitted by Moscow School District No. 281**

**RECOMMENDATION OF THE ISBA EXECUTIVE BOARD: DO PASS**

Katie Taylor of the ISBA Executive Board will address the Executive Board's recommendation to the membership at the Business Session of the Annual Convention.

**PASSED**  
**TABLED**  
**FAILED**

**AYES**  
**NAYES**  
**TOTAL**