

- SUBJECT:** Increasing the number of school marshals that could serve in a school
- COMMITTEE:** Public Education — favorable, without amendment
- VOTE:** 10 ayes — Huberty, Allen, Allison, Ashby, K. Bell, Dutton, K. King, Meyer, Sanford, VanDeaver
- 3 nays — Bernal, M. González, Talarico
- WITNESSES:** For — CJ Grisham, Open Carry Texas; Alexie Swirsky (*Registered, but did not testify*: Angela Smith, Fredericksburg Tea Party; Rachel Malone, Gun Owners of America; Byron Schirmbeck, Texas Campaign For Liberty; Mia McCord, Texas Conservative Coalition; Laura Colangelo, Texas Private Schools Association; and seven individuals)
- Against — Shandelle Girdley, Moms Demand Action for Gun Sense in America; Michael Clarke, Students Demand Action; Gyl Switzer, Texas Gun Sense (*Registered, but did not testify*: Jo DePrang, Children's Defense Fund-Texas; Mary Cullinane, League of Women Voters of Texas; Vicki Altounian, Molly Bursey, Robin Carroll, Rebecca Defelice, Karen Gentry, Nicole Golden, Melanie Greene, Christine Hinkle, Melissa Holmes, Jenny Johnson, Susan Kelly, Heather Kennedy, Emma Mancha-Sumners, Susan Pintchovski, Sarah Poustovoi, Jennifer Price, Hilary Whitfield, and Jennifer Zoghby, Moms Demand Action for Gun Sense in America; and 20 individuals)
- On — (*Registered, but did not testify*: Michael Antu, Texas Commission on Law Enforcement; Megan Aghazadian and Von Byer, Texas Education Agency)
- BACKGROUND:** Education Code sec. 37.0811 and 37.0813 authorize the board of trustees of a school district or the governing body of an open-enrollment charter school to appoint up to either one school marshal per 200 students in average daily attendance per campus or, for each campus, one school marshal per building of the campus at which students regularly receive classroom instruction, whichever is greater.

Sec. 37.0813 authorizes the governing body of a private school to appoint up to the greater of one school marshal per 200 students enrolled in the school or one school marshal per building of the school at which students regularly receive classroom instruction.

**DIGEST:** HB 1387 would increase the number of school marshals a school district or open-enrollment charter school could appoint to one marshal per 100 students in average daily attendance, or for a private school, one marshal per 100 students enrolled.

The bill would apply beginning with the 2019-2020 school year.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2019.

**SUPPORTERS SAY:** By increasing the number of school marshals a school campus could appoint, HB 1387 would allow for more comprehensive campus protection and provide schools with another option for addressing the threat of potential school shooters. An increased presence of school marshals could dissuade potential shooters from attacking a campus and provide a strategy for rapidly responding if a shooter were to come onto campus.

The bill would not change the purpose or role of a marshal, which is strictly to prevent the act of murder or serious bodily injury on school premises, and would not change the rigorous requirements to become a school marshal.

HB 1387 would not require all schools to appoint or increase the number of school marshals. It simply would provide an enhanced option to prevent school shootings for those schools that felt the marshal program was a good fit for their campuses. While some have expressed concerns that this bill could inadvertently affect certain populations that are disproportionately disciplined in schools, there is no data to suggest that

the presence of a school marshal has negatively affected those students.

OPPONENTS  
SAY:

HB 1387 would further promote a school safety strategy that is not evidence-based and could negatively and disproportionately impact classroom culture, especially for certain student populations.

There is no evidence supporting the idea that the school marshal program increases safety. The bill would promote a fear-based response that has not been proven to effectively address a potential active shooter scenario. An increase in armed individuals who were not law enforcement officers could increase the risk of someone being harmed. Other evidence-based strategies could more effectively address or prevent a potential active shooter problem, including hiring more school counselors, hardening school campuses, and increasing mental health programs for students.

The bill could have adverse effects on classroom culture and student learning. Students could become easily distracted by the possibility of their teacher being armed, which would detract their attention from learning. Students of color and students with disabilities are disproportionately disciplined across grade levels, and an increased number of marshals would not contribute to a positive learning environment for them.