

March 18, 2013

Dear Governor Malloy:

On behalf of the Sandy Hook Advisory Commission, I would like to submit this interim report. It is a product of testimony shared and information received since its establishment on January 3, 2013.

I must stress that this is an interim report. The findings found within are key elements of any policy reform or changes that must be undertaken in response to the tragic events that took place on December 14, 2012.

I realize that you may agree with some of our interim recommendations, and disagree with others. In any case, I am grateful for your support for the Sandy Hook Advisory Commission as we examine policies and issues that require extensive deliberation, and for allowing us to take the time to incorporate a variety of perspectives. There are principles which we will address in our final report, but which we did not take up in this document as we plan for a long-term study in crafting meaningful recommendations for thoughtful legislative and policy changes. It is important to note that the Commission postponed discussion of mental health issues until after the interim report in order to develop a strategy to call upon the vast research and the many experts who would want to provide input.

We believe there are common-sense principles upon which short-term change is possible and action should be taken. We understand the necessity for the legislature to make progress this session, and we hope that this report will serve as an endorsement of general areas upon which change is within reach, and as a guidepost for future deliberations.

Following this submission, we will continue our efforts through the end of this year to learn from state officials, experts or practitioners, concerned advocates, and the general public. We will then synthesize that information and produce our final account of the Sandy Hook tragedy, the lessons that must be learned, and the reforms that must be made to address key policy areas in violence prevention.

The work in the coming months will focus on: mental health services, a deeper investigation of best practices in issues addressed in this report, and reaction to any new findings as a result of the State's Attorney investigation, as well as responding to the directives in your February 21 letter on gun violence prevention.

Thank you again for your support for the work of the Sandy Hook Advisory Commission, and we look forward to getting back to work.

Regards,



Scott Jackson

Mayor, Town of Hamden
Chairman, Sandy Hook Advisory Commission

Sandy Hook Advisory Commission

Interim Report of Findings

March 18, 2013

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Sandy Hook Advisory Commission Membership

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Terry Edelstein (Vice-Chair): *Nonprofit Liaison to Governor Malloy*

Kathleen Flaherty: *Staff Attorney, Statewide Legal Services of Connecticut, Inc. / Facilitator and State Trainer, National Alliance for Mental Illness in Connecticut*

Dr. Alice M. Forrester: *Executive Director, Clifford W. Beers Guidance Clinic, Inc.*

Dr. Ezra Griffith: *Professor Emeritus of and Senior Research Scientist in Psychiatry, Deputy Chair for Diversity and Organizational Ethics, Department of Psychiatry, Yale University*

Patricia Keavney-Maruca: *Member, State Board of Education / Former technical high school teacher*

Christopher Lyddy: *Former State Representative, 106th Assembly District of Newtown / Program Manager, Trainer & Consultant, Advanced Trauma Solutions, Inc. / Former Program Director, Youth Equipped for Success!, Forensic Health Services, Inc. / Former Clinical Supervisor, Juvenile Risk Reduction Center, Community Solutions, Inc.*

Denis McCarthy: *Fire Chief, City of Norwalk*

Barbara O'Connor: *Director of Public Safety and Chief of Police, University of Connecticut*

Wayne Sandford: *Professor, University of New Haven, Henry C. Lee College of Criminal Justice & Forensic Sciences / Former Deputy Commissioner, Connecticut Department of Emergency Management & Homeland Security / Former Fire Chief, Town of East Haven*

Dr. David J. Schonfeld: *Director, National Center for School Crisis and Bereavement / Professor, University of Cincinnati Department of Pediatrics*

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Introduction and Background

On December 14, 2012, the world's eyes turned to Newtown, Connecticut. This quiet town became the epicenter of an unimaginable tragedy. We cannot and will not forget the loss of 20 precious children and six heroic adults at Sandy Hook Elementary School. But if we are to truly honor their memory, we know that our grief must be turned into thoughtful change as we evaluate our laws and policies. The state and national debate is underway as officials seek to evolve and determine what actions, laws, policies, and cultural changes are necessary to reduce gun violence, secure our schools, and improve the way in which we provide mental health services. Our response to these issues will speak to the lessons our society has learned from that unspeakable tragedy.

On January 3, 2013 Governor Dannel P. Malloy established the Sandy Hook Advisory Commission (henceforth referred to as the Commission) to review current policy and make specific recommendations in the areas of public safety and mental health policy, with a focus on children and schools. With a public debate focusing on individual issues, the Commission has been committed to comprehensively evaluating all of the charges issued by the Governor. This Commission is comprised of experts in different areas, including education, mental health, law enforcement and emergency response. Commission members have taken the lead in developing the Commission's roadmap and agenda to shape conversations within their respective fields of expertise. The Commission was tasked with delivering an interim report on March 15th.

This initial report was to deliver early consensus recommendations in order to be included in the regular session of the Connecticut General Assembly; as well as identifying major issues or concern, areas for review, and a process to evaluate the standards by which the state could and should respond to the Sandy Hook tragedy. This interim report also strives to provide a roadmap by which the Commission will operate to develop a thorough understanding of the events that occurred in Newtown, and what changes can be made to prevent such an event from occurring again.

Informational meetings have thus far focused on:

1. infrastructure design, school safety and security;
2. trauma services and responses to school crisis;
3. gun violence prevention; and
4. emergency planning, preparedness, and response.

These hearings have provided the Commission the opportunity to hear from a number of parties, including state officials directly involved in responding to the Sandy Hook tragedy, experts who have dealt with these issues through their work or during past crises, and other key stakeholders.

Their testimonies provided Commission members with an understanding of the issues at stake and provided members with objectives to strive for in final recommendations. Following these hearings, the Commission was able to develop and review an exhaustive list of items for consideration that had been raised by presenters and other interested parties. Throughout the process, the Commission has welcomed and continues to encourage testimony and suggestions from the general public as they learn about relevant issues and review possible courses of action. With consensus governing the decision-making process, the Commission approved certain findings, and agreed to move forward in other areas to produce meaningful recommendation to address certain goals.

This interim report sets forward findings in which the Commission looks to make recommendations, and through subsequent hearings members will develop a consensus in how they would recommend the state to act. As the Commission continues its deliberations, it will seek to involve stakeholders and advocacy groups on all sides of each finding to fully understand the rationale of, the impacts due to, and the purpose of the final recommendations that will be submitted. This commission recognizes that there will be issues upon which there may be great controversy and upon which there are fundamental differences in opinion; yet members believe in light of the charge issued by Governor Malloy it is the responsibility of the Commission to submit findings and recommendations in all areas of its charge. In light of the Governor's directive from February 21, 2013, the Commission will also be acting to respond to new and more precise questions in the context of gun violence prevention.

As the Commission continues to meet, it will look to build upon and fill out these initial recommendations to develop a comprehensive final report within the year. Those recommendations will be a result of examining relevant policy discussions, utilizing reputable research, and expanding upon analysis from previous task forces and advisory groups; all the while the Commission will be taking into account the views of the general public, other advocacy groups and stakeholder organizations. These recommendations will be presented in a written report that will incorporate the investigative report from the State's Attorney, in order to convey the underlying facts and principles involved in this tragedy. Based on the experiences and lessons from previous task forces, the Commission will be supported by a recorder to detail meetings and discussions. There will be a written account that can serve as a record of the Commission's activities and will detail what the Commission investigated, why it investigated issues, and how it reached consensus on recommendations. This written report is crucial to recognizing and responding to the fundamental question of how we prevent this from happening again in Connecticut or anywhere around the country.

Firearms and Ammunition

Firearm Permitting and Registration

While some firearms are required to be registered in the State of Connecticut and some require a permit to carry, these requirements are not uniform. The Commission has found that firearms of significant lethality can be legally obtained without permit and without registration. According to the Connecticut State Police, there are approximately 1.4 million registered firearms in the State of Connecticut, and possibly up to 2 million unregistered firearms. The Commission finds this discrepancy in permitting and registration to be unwarranted. Furthermore, the Commission believes that this lack of uniform control abets “straw purchases” that can be used to deliver firearms to potential criminals.

In order for law enforcement agencies to safely engage in their lawful duties, the Commission believes the State of Connecticut should carefully consider the following items:

1. Mandatory background checks on the sale or transfer of any firearm, including long guns, at private sales and sales at gun shows.
2. Requiring registration, including a certificate of registration, for any firearm. This certificate of registration should be issued subsequent to the completion of a background check and is separate and distinct from a permit to carry.
3. Requiring the renewal of firearms permits on a regular basis. This renewal process should include a test of firearms handling capacity as well as an understanding of applicable laws and regulations.

High-capacity Firearms, Magazine Capacity, and Ammunition

The Commission finds that types of ammunition and magazines currently available can pose a distinct threat to safety in private settings as well as places of assembly. Furthermore, the Commission has found that, despite the lethality of this ammunition, there are limited controls on its purchase. The Commission understands that, in a spree killing, a life could be lost every few seconds. The Commission takes seriously the rights afforded under the Second Amendment of the United States Constitution, but balances those rights against the language of the Preamble to the Constitution, which includes assurances of “domestic tranquility” and the obligation to “promote the general welfare.”

In order to maintain the safety of places of assembly by ensuring that lawful, competent firearms owners are the only individuals able to lawfully possess certain types and quantities of ammunition, the Commission believes that the State of Connecticut should carefully consider the following items:

4. Instituting a ban on the sale, possession, or use of any magazine or ammunition feeding device in excess of 10 rounds except for military and police use. The Commission recognizes that certain sporting events may at times seek to utilize higher capacity magazines, however the consensus of the Commission is that the spirit of sportsmanship can be maintained with lower capacity magazines.
5. Instituting a ban on the possession or sale of all armor-piercing and incendiary bullets, regardless of caliber. The Commission also believes that a first-time offense should be classified as a Class D Felony under Connecticut General Statutes.
6. Allowing the purchase of ammunition for registered firearms only.
7. Evaluating best practices for determining the regulation or prohibition of the sale and purchase of ammunition via the internet.
8. Evaluating the effectiveness of federal law in limiting the purchase of firearms via the internet to those who have passed the appropriate background screening.
9. Limiting the amounts of ammunition that may be purchased at any given time.

The Commission has found that the definition of “assault weapon” has allowed for cosmetic changes to military-style firearms that does not reduce their lethality but does allow them to be legally possessed. The Commission believes that, defining an “assault weapon” by form rather than function has been ineffective. It is the consensus of the Commission that gun violence is an issue that goes far beyond the tragedy at Sandy Hook, and the commonality of high-capacity firearms in violent crimes must be acknowledged. According to the 2011 Connecticut Uniform Crime Reporting Program, only two (2) of 94 firearm-related homicides in the state were committed with a rifle or a shotgun. It is the consensus of the Commission that firearm lethality is correlated to capacity, a correlation borne out not only in Sandy Hook Elementary School, but in other violent confrontations in and beyond Connecticut. Therefore, the Commission believes that the State of Connecticut should carefully consider:

10. Prohibiting the possession, sale or transfer of any firearm capable of firing more than 10 rounds without reloading. This prohibition would extend to military-style firearms as well as handguns. Law enforcement and military would be exempt from this ban.

Firearm Storage and Security

The Commission has found that, in households where firearms are present, ample care is not always given to ensuring household members or guests who should not have access to the firearms are effectively prevented from gaining access. To better ensure that only appropriate handlers have direct access to firearms, the Commission believes the State of Connecticut should carefully consider:

11. Requiring that trigger locks be provided at the time of sale or transfer of any firearm.
12. Requiring that the State of Connecticut develop and update a “best practices” manual and require that all firearms in a home be stored in a locked container and adhere to these best practices; with current minimum standards featuring a tamper-resistant mechanical lock or other safety (including biometric) device when they are not under the owner's direct control or supervision. The owner should also be directly responsible for securing any key used to gain access to the locked container.

Miscellaneous (Firearms and Ammunition)

While the Commission attests that the above items create an enhanced framework for safety in our homes, in our schools, in places of assembly, and in our neighborhoods, the Commission also concludes that other targeted actions would yield beneficial results. The Commission believes that the State of Connecticut should also carefully consider:

13. Requiring non-residents seeking to purchase a firearm or ammunition in the State of Connecticut to obtain a Certificate of Eligibility and conform to all other regulations applicable to Connecticut residents.
14. Requiring gun clubs to report any negligent or reckless behavior with a firearm, or illegal possession of any firearm or magazine, to the Connecticut Department of Emergency Services and Public Protection, Commissioner of Public Safety, and local law enforcement.
15. Requiring promoters of gun shows to receive a permit from the Chief of Police or Chief Elected Official as well as provide notice to the Commissioner of the Connecticut Department of Emergency Services and Public Protection.

The Commission understands and appreciates the role and challenges of law enforcement and the principle of “general defense,” therefore the Commission believes that the State of Connecticut should also exempt law enforcement and military personnel from proposed changes in law or regulation (as appropriate).

The Commission also appreciates the role, historic and contemporary, of firearms manufacturers in the State of Connecticut. No item of consideration identified above should be construed as a prohibition against the manufacture of any device legal for sale or possession in other jurisdictions.

The Commission also recognizes the significance of federal law as it pertains to the sale and transfer of firearms and ammunition, and believes that the series of recommendations set forth above provide a rational framework to increase the safety of Connecticut residents.

Safe School Design and Human Resource Emergency Preparedness

Minimum Classroom Security Standards

While design standards exist for a number of school features, ranging from lighting appropriateness to air changes per hour, no standard exists for the baseline of safe school design or a process to determine appropriate safe school design elements. The Commission believes that K-12 schools, licensed day care centers, and institutions of higher learning should undertake a process to determine minimum design standards for safety, although it recognizes that the implementation of a robust security program in a licensed daycare facility is very different from implementation of a robust security program at a college campus.

Each institution, depending on a myriad of physical and community characteristics, can achieve safe school design through widely divergent mechanisms. The Commission recognizes that the expense of safe school design and construction may be significant, and each school district will have different factors in its cost-benefit analysis of various design tools or retrofit opportunities.

The items of considerations set forth in this section address the built environment of facilities and training to maximize the effectiveness physical security programs and policies. Items pertaining to behavioral health and trauma response will be further developed in the Commission's final report.

Notwithstanding the Commission's endorsement of local process over required outcome, the Commission has highlighted a singular element in which it believes the potential benefit outweighs the cost in all K-12 facilities. As precious seconds matter in an episode like the tragedy at Sandy Hook Elementary School, the Commission believes that the State of Connecticut should carefully consider:

16. Requiring that all classrooms in K-12 schools be equipped with locking doors that can be locked from the inside by the classroom teacher or substitute. These doors should also be compliant with building code, fire safety code, and other regulations as required.
17. Requiring that all exterior doors in K-12 schools be equipped with hardware capable of implementing a full perimeter lockdown.

Threat and Risk Assessment/Emergency Planning and Response Standards

The Commission finds that different schools and different school districts have fundamentally different capacities in effectively analyzing their security strengths and weaknesses. Therefore, the Commission has endorsed the development of a common Threat and Risk Assessment

Security Recommendations (TRASR) tool by the State of Connecticut as well as a uniform process to develop an Emergency Response Plan (ERP). This tool would be applied to all facilities and provide a common planning and assessment baseline for all schools, public and private. In conjunction with a broader Safe Schools Plan (SSP) and with appropriate review and comment by the Connecticut Department of Emergency Services and Public Protection, Division of Emergency Management and Homeland Security, the Commission believes that school security can be appreciably enhanced. Likewise, the consolidation of information at the State (or DESPP Division of Emergency Management and Homeland Security region) would assist in effective deployment of State or mutual aid resources in time of emergency.

As such, the Commission believes the State of Connecticut should carefully consider:

18. Developing an All-Hazards Threat and Risk Assessment Security Recommendations (TRASR) tool able to be applied, in a site-specific fashion, to all schools and day care centers statewide. School districts should be required to perform a TRASR within 12 months of its availability and review/update this TRASR every three to five years, unless intelligence or events suggest a more rigorous schedule.
 - 1) The TRASR should provide a common sense approach to the identification and provision of rational and credible protective design building and site components and related security operational policies and procedures which will enhance the safety of students, teachers, staff, and others on school grounds and in school buildings.
 - 2) The TRASR should incorporate Crime Prevention Through Environmental Design Strategies, technology solutions, building hardening techniques, operational policies and procedures, and the role of school staff, emergency responders, public health officials, and other appropriate resources. The TRASR should be broad enough in scope to include neighborhood conditions to represent the true school environment ecosystem.
 - 3) The TRASR should include a phased over time implementation strategy with achievable milestones representing increasing levels of security enhancement. This should apply to pre-school programs, licensed day cares and, regardless of their size, all other schools.
 - 4) In K-12 schools, the TRASR should include a definitive analysis of whether or not to have a School Resource Officer (SRO) and address after-school access/activities as well.
19. Requiring that schools, utilizing information developed using the TRASR tool as well as through input from relevant stakeholders, develop an Emergency Response Plan (ERP). This ERP should be sure to include information-sharing protocols and off-site reunification plans should the school require evacuation. Like fire drills, the exercise of this ERP (including response by outside public safety agencies) should be mandated and an age- and developmentally-appropriate curriculum around issues of safety/security should be developed by the State of Connecticut to assist in the effective integration of security policies into all classrooms. Evidence (including after-action reports) of drills

should be incorporated in the ERP to enhance accountability.

20. Requiring that all schools develop a Safe Schools Plan (SSP) that incorporates the TRASR, ERP, security policies, building design elements, staff responsibilities during emergencies, and other critical pieces of information. The SSP shall be submitted to and reviewed by the DESPP Division of Emergency Management and Homeland Security; updates to the SSP must respond to DESPP Division of Emergency Management and Homeland Security comments regarding hazards or oversights.
21. Requiring that every school establish a Safe Schools Planning Committee charged with oversight of safety and security issues as well as ensuring compliance with timelines affiliated with the TRASR, ERP, and SSP. This Safe Schools Planning Committee should be required to meet no less than three times per year and should incorporate not only school personnel, but community members.
22. Requiring that the ERPs submitted to DESPP Division of Emergency Management and Homeland Security by institutes of higher learning be not only collected by DESPP Division of Emergency Management and Homeland Security, but also reviewed and approved by that agency.
23. Assigning a full-time emergency planner at DESPP Division of Emergency Management and Homeland Security to review and comment on submissions as well as assist schools and school districts, as necessary, with the preparation of emergency plans.

The Commission finds that, in an emergency, real-time and high-fidelity data is critical to an effective response by first responders. Such data enhances situational awareness and can help establish a common operating picture during a multi-jurisdictional response. The Commission finds that changes to first responder protocols regarding an “active shooter” instituted in the law enforcement community after the tragedy at Columbine High School have saved lives. However, the Commission feels that additional efforts to provide current data to law enforcement can further improve response to such threats. The Commission believes the State of Connecticut should consider:

24. Implementing a program which requires that each school provide local police, fire, and emergency response personnel with up-to-date copies of building floor plans, blueprints, schematics of school interiors, grounds, road maps of the surrounding area, evacuation routes, alternative evacuation routes, shelter site, procedures for addressing medical needs, transportation, and emergency notification to parents. Efforts should be made to digitize plans and schematics to assist in dissemination in case of emergency.
25. Requiring school facilities to evaluate cell phone coverage throughout the facilities and grounds and make reasonable efforts to address deficiencies while, at the same time, reinforcing school policies on cell phone usage during non-emergencies.
26. Encouraging the deployment of enhanced WiFi in schools and the usage of IP enabled

cameras (to support response capacity). Special attention should be given to perimeter surveillance and areas of assembly.

Identification and Financing of School Hardening Tactics

The Commission finds that the “hardening” of schools as targets will require additional support of the State of Connecticut, to address both a lack of full access to the array of hardening tools/techniques, as well as the financing of those improvements. The Commission also understands that the incorporation of security elements should be done at the earliest stages of design. The Commission believes the State of Connecticut should carefully consider:

27. Creating a blue-ribbon panel of design and security experts to establish, within 12 months, the toolbox of recommendations for safe design and retrofit of schools to be included in state's educational specifications.
28. Modifying State Construction Grant applications to include a new category of project: SU/Security Upgrades.
29. Requiring that the School Facility Survey (ED050) incorporate security criteria.
30. Requiring School Building Committees engaged in construction or renovation projects to seek input and comment from local first responders.
31. Requiring School Building Committees to reference a specific review of the toolbox created by the blue-ribbon commission when seeking State funding for construction or renovation.

Human Resource Training and Capacity-Building

The Commission finds that effective training of staff resources provides the most critical, timely, and effective mechanism for resisting a threat to schools based upon a human actor. The Commission notes that all adults present in the schools, be they teachers, substitute teachers, custodians, paraprofessionals, administrators, volunteers, or other staff, all play a critical role in time of emergency. The Commission also observes that, in the wake of recent tragedies and attempted efforts to destroy the sanctity of our school spaces, we must redouble our efforts to restrict access to school buildings by those who may, by effort or inadvertently, expose schoolchildren to risk. The Commission believes the State of Connecticut should consider:

32. Requiring the State Department of Education to establish a training course for school staff specifically designed to increase awareness of security policies and programs.

33. Requiring that, upon the implementation of any new security measure or change in the legislative or regulatory environments regarding school security, all relevant staff be trained in management or operation of any new equipment and instructed in their role during an emergency due to any change in policy, practice, or regulation. Such roles and responsibilities may include utility and alarm shutoffs.
34. Requiring the training of appropriate school personnel in the National Incident Management System and Incident Command System, the uniform mechanisms for emergency management response to a crisis situation. Such Unified Command Structure should specifically incorporate municipal/regional officials, school officials, and emergency response personnel.
35. Requiring, for the purposes of supervised access and controlled entry, a Trusted Access Program (TAP) to be enforced at all schools. This TAP will allow, through the visual display of credentials, the identification of staff, contractors, parents, and others authorized to be on school grounds.
36. Requiring background screening for all staff in schools.
37. Establishing a best practices guide for effective bullying and threat identification, prevention, and response to be made available to all schools.
38. Requiring that a quality assurance (QA) program be implemented in all schools to ensure that appropriate matters arising within the school are referred to local law enforcement for review and action.

Additional Required Partnerships and Support

The Commission recognizes that the resources available at the local, regional, and State levels are inadequate to establish norms, standards, and opportunities that enhance the safety of all of our public spaces. As such, the Commission believes that the State of Connecticut should consider seeking additional support from federal officials in critical areas.

The Commission understands and acknowledges that, in order to effectively weave this tapestry of safe school design and human resource emergency preparedness, additional resources will be required (including for the funding of a full-time emergency manager for preparedness at DESPP Division of Emergency Management and Homeland Security). In order to assist in the development of these necessary financial resources and technical assistance, the Commission believes the State of Connecticut should consider:

39. Seeking, through Connecticut's federal delegation, funding for:
 - 1) National Incident Management System (NIMS) training;
 - 2) Re-funding of the Safe and Drug Free Schools program at U.S. Department of Education;
 - 3) Re-funding of the Readiness Emergency Management Program for Schools program.
40. Requesting assistance from the State of Connecticut's Congressional Delegation in ending the federal ban on research into gun violence. The Commission believes that quality data in this area would support the development of quality public policy.
41. Developing, through partnerships with universities, medical groups, and other relevant parties, a Connecticut-based academic institute dedicated to providing quality research data on all aspects of gun violence and its impacts. The Commission believes that the State of Connecticut should be the national leader in providing this research data.

Miscellaneous

Commission Findings:

The Commission finds, that in the wake of an extreme tragedy, local resources are frequently overcome by the generous donations of others and the management of those donations. The Commission believes the State of Connecticut should consider:

42. Establishing best practices information for management of donated supplies and materials as well as a communications management plan for delivery of timely and appropriate material to press.