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OPEN LETTER

VIA ELECTRONIC MAIL

Orange County Board of County Commissioners
201 S Rosalind Ave
Orlando, FL 32801

Orange County Public Schools
School Board
445 W. Amelia St
Orlando, FL 32801

Orange County Mayor Jerry L. Demings
District 1 Commissioner Nicole H. Wilson
District 2 Commissioner Christine Moore
District 3 Commissioner Mayra Uribe
District 4 Commissioner Maribel Gomez Cordero
District 5 Commissioner Emily Bonilla
District 6 Commissioner Michael "Mike" Scott

Chair - Teresa Jacobs
District 1 - Angie Gallo, Vice-Chair
District 2 - Maria Salamanca
District 3 - Alicia Farrant
District 4 - Pam Gould
District 5 - Vicki-Elaine Felder
District 6 - Karen Castor Dentel
District 7 - Melissa Byrd

RE: IMMEDIATE PUBLIC SAFETY RISK REQUIRING OVERSIGHT AND ACTION

Dear Elected Officials:

As a parent and a retired law enforcement officer, with over two decades of law enforcement experience and a graduate degree in Security Management, I tend to view security risks through a different lens than most. I cannot, with good conscience, sit idly by and not sound the alarm on a public safety risk that impacts parents, residents, and visitors in Orange County. It's now crucial for every member of both the Orange County Board of County Commissioners and the Orange County School Board to thoroughly examine the concealment of this risk to public safety that has remained unnoticed, by the public and elected officials, for over four months.

On September 26, 2023, Orange County Sheriff John Mina approved the recall of every duty rifle issued to deputy sheriffs because of repeated malfunctions. Orange County Deputy Sheriffs were ordered to turn in their duty rifles and be issued an older Remington 870 shotgun to serve as an alternative long-gun option. It is apparent now,

there was no plan to replace the recalled duty rifles with a comparable duty rifle or new duty rifle at that time or immediately thereafter. This flawed strategy significantly hinders a deputy sheriff's capacity to safeguard the public and themselves during an active shooter incident taking place at 'soft target' locations such as schools, religious facilities, shopping malls, or tourist attractions.

On January 5, 2024 Orange County Deputy Sheriffs were advised, via an email, their respective duty rifles would be re-issued after modifications were made but no time frame was given. Modifying or repairing a part on a rifle may create a liability issue as it relates to the rifle's functionality, dependability, and may even cause deputies to lose confidence in the rifle itself.

An additional concern has evolved as a result of the January 5, 2024 email. This email ordered Orange County Deputy Sheriffs to turn in their duty rifles, if they had not already, by January 12, 2024. This indicates a degree of failure in Inventory Controls of Firearms for these duty rifles. It now appears an unknown number of duty rifles have not been accounted for by agency personnel, necessitating an additional order in the January 5, 2024 email to turn in duty rifles by January 12, 2024. Otherwise, noncompliant deputy sheriffs would have been contacted directly after reviewing records of duty rifle assignments.

Orange County Sheriff Mina's primary responsibility is to safeguard the public and enforce the law. Likewise, one of the primary responsibilities of the Orange County Board of County Commissioners is to ensure the overall safety and security of our communities. Additionally, the Orange County School Board has the responsibility for planning and maintaining school facilities along with ensuring a safe and conducive learning environment and leveraging Orange County Deputy Sheriff School Resource Officer assignments to safeguard Orange County schools. Collectively, these government entities must work together to overcome what appears to be a systematic administrative failure at the Orange County Sheriff's Office that continues to impact public safety overall and especially safety at our Orange County schools.

In the event the Orange County Sheriff's \$353.9 Million 2023/2024 budget does not have adequate funds remaining to purchase new duty rifles, it seems the only viable option would be for the Orange County Board of County Commissioners to step in and provide the necessary financial support. This would enable an urgent acquisition of new duty rifles for each Orange County Deputy Sheriff affected by the recall of their assigned duty rifle. I estimate this cost to be approximately \$3 Million.

While the re-issuance of shotguns may seem like a fix to some; a shotgun does not afford a deputy sheriff precise engagement ability to satisfactorily protect the public and successfully engage an active shooter targeting individuals from a distance. In fact, should a deputy sheriff fail to transition to proper ammunition, for example from 00 Buckshot (.330 Caliber for each of nine pellets traveling down range) compared to one 1 oz Slug (.729 Caliber), an innocent bystander(s) could sustain substantial injury. The transition from one type of ammunition to another is a qualification drill; however, many law enforcement officers cannot pass the shotgun qualification course without remedial training.

Please consider the importance of ensuring that Orange County Deputy Sheriffs have immediate access to a duty rifle to neutralize threats effectively. It's essential for Orange County Deputy Sheriffs to be equipped with firepower that matches or surpasses that of an active shooter, who frequently favors rifles as their weapon of choice. For these factors, and in light of the increasing malfunctions of the duty rifles, it was imperative to anticipate, prepare, and implement one or more of the following strategies to maintain public safety:

- Demand the manufacturer replace the rifles - one for one - at no cost
- Obtain "loaner" rifles from the manufacturer at no cost
- Obtain "loaner" rifles from local law enforcement agencies
- Request Florida Governor approval to obtain "loaner" rifles from the Florida National Guard
- At a bare minimum, purchase one replacement duty rifle per OCSO squad
- Purchase new duty rifles for all impacted Orange County Deputy Sheriffs

Moreover, consider the following historical FBI Report and testimony from FBI Director Wray, which further justifies the immediate purchase of replacement duty rifles.

- The Federal Bureau of Investigation's *2022 Report on Active Shooter Incidents in the United States* revealed that in 50 such incidents, shooters used a total of 61 firearms: 29 handguns, 26 rifles, three shotguns, and three of unknown type. The FBI categorized 50 shootings in 2022 as active shooter incidents, defining an active shooter as an individual or individuals actively involved in killing or attempting to kill people in a populated area.
- On October 31, 2023, FBI Director Christopher Wray testified during a Senate Homeland Security and Governmental Affairs Committee hearing, "We are in an environment where the threats from international terrorism, domestic terrorism,

and state-sponsored terrorism are all simultaneously elevated.” Moreover, FBI Director Wray warned, “The greatest terrorism threat to our homeland is posed by lone actors or small cells of individuals who typically radicalize to violence online, and who primarily use easily accessible weapons to attack soft targets.”

See

<https://www.hsgac.senate.gov/library/files/mayorkas-2023-10-31/testimony-wray-2023-10-31/>

- On November 15, 2023, FBI Director Wray's Opening Statement to the House Committee on Homeland Security warned, “On top of the so-called “lone actor” threat, we cannot—and do not—discount the possibility that Hamas or another foreign terrorist organization may exploit the current conflict to conduct attacks here, on our own soil.” See <https://www.fbi.gov/news/speeches/director-wrays-opening-statement-to-the-house-committee-on-homeland-security-111523#:~:text=Bottom%20line%3A%20We're%20going,and%20every%20day%20is%20enormous.>

Given the persistent warnings issued by the Director of the Federal Bureau of Investigation about the heightened risk of both foreign and domestic terrorism coupled with the inability for Orange County Deputy Sheriffs to adequately engage an active shooter, it is reasonable to believe that Orange County is in a particularly vulnerable state at the present time.

I urge each of you, as a duly elected official, to start asking tough questions and now that you are aware of the problem, take affirmative steps to ensure the public’s safety and the safety of the deputy sheriffs who protect us.

Sincerely,



Bill Moore