

Nos. 25-238 & 25-566

IN THE
Supreme Court of the United States

CUTBERTO VIRAMONTES, et al.,
Petitioners,

v.
COOK COUNTY, ILLINOIS, et al.,
Respondents.

EDDIE GRANT, JR., et al.,
Petitioners,

v.
RONNELL HIGGINS, et al.,
Respondents.

ON WRITS OF CERTIORARI TO
THE UNITED STATES COURTS OF APPEALS
FOR THE SEVENTH AND SECOND CIRCUITS

**BRIEF OF AMICI CURIAE ASSOCIATIONS OF
TEACHERS, SCHOOL NURSES, AND SCHOOL
PSYCHOLOGISTS IN SUPPORT OF
RESPONDENTS**

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INTEREST OF AMICI CURIAE¹

Teachers Unify to End Gun Violence (Teachers Unify) is a national grassroots movement of educators, school staff, and allies working at the intersection of education and gun violence prevention to advocate for safe school communities. By amplifying the voices of those on the front lines of this public health crisis, Teachers Unify empowers school communities to demand a seat at the table where local, state, and national safety decisions are made. It also supports teachers and staff navigating the fear and impact of gun violence through prevention, intervention, and in the aftermath of a tragedy.

The National Association of School Nurses (NASN) is a nonprofit specialty nursing organization, organized in 1968 and incorporated in 1977, representing school nurses. NASN has nearly 20,000 members and 51 affiliates representing 50 states and the Overseas School Health Nurses Association. NASN equips school nurses with evidence-based resources and support to be leaders in school health, and empowers school nurses to promote student health, safety, and academic achievement through advocacy, education, research, and community connections.

The National Association of School Psychologists (NASP) is a professional association representing more than 24,000 school psychologists,

¹ No counsel for a party authored this brief in whole or in part. No party, counsel for a party, or any person other than amici curiae and their counsel made a monetary contribution intended to fund the preparation or submission of the brief.

graduate students, and related professionals throughout the United States and around the world. As the world's largest organization of school psychologists, NASP works to advance effective practices to improve students' learning, behavior, and mental health. NASP's vision is that all children and youth should be able to thrive in school, at home, and throughout life.

INTRODUCTION AND SUMMARY OF ARGUMENT

School gun violence is an appalling scourge in the United States, and it is often carried out with assault weapons, including in particular the AR-15 semi-automatic rifle and its variants with enhanced military-style features and magazine capacities. But the havoc that assault weapons wreak is not limited to the violence itself, as awful as that toll is. One of our society's main responses to school gun violence has been to institute an array of active shooter drills, which are now pervasive in the nation's school systems. And research is making it increasingly apparent that active shooter drills, though meant to foster school safety, further undermine American schoolchildren's basic sense of security and well-being. Assault weapons thus do not merely kill and maim our nation's children and their teachers with numbing regularity—but one of the chief responses to the mayhem they inflict diminishes the psychological and emotional health of American youth even further by imposing on them yet another layer of trauma and anxiety.

I.A. Gun violence has reached epidemic proportions in the United States, especially for children. Although most gun deaths do not occur in schools, gun

violence in schools is itself an extraordinary public health concern. There have been hundreds of school shootings in this country since the killings at Columbine High School in Littleton, Colorado in 1999, and school shootings are now a thoroughly ingrained part of American life. In school shootings (as in other mass shootings), assault weapons are often the weapon of choice because of the tremendous carnage they can inflict in a short period of time. It is no coincidence that the perpetrators at Sandy Hook Elementary School in Newtown, Connecticut, Marjory Stoneman Douglas High School in Parkland, Florida, and Robb Elementary School in Uvalde, Texas, among many other school shootings, all used variants of the AR-15 rifle.

B. A predominant response to school shootings in school systems throughout the country has been to institute active shooter drills. More than 95% of U.S. public schools now regularly conduct such drills. Indeed, in a majority of states, active shooter drills are mandated by state law. Active shooter drills are not only pervasive, they are also big business, with for-profit companies charging school districts for trainings.

C. Research is increasingly showing, however, that active shooter drills, though intended to promote school safety, in fact can aggravate the already tragic effects of gun violence in schools by adding a new layer of trauma and anxiety resulting from the drills themselves. Especially depending on how they are conducted, active shooter drills can cause children to picture themselves in life-threatening circumstances and can also heighten the impression that an actual active shooter event is likely to occur. In surveys,

young children and teenagers acknowledge the adverse impact of active shooter drills on their sense of well-being, and school officials likewise point out that students often feel less safe after a drill than before.

II.A. The first-hand accounts of teachers, school nurses, and school psychologists illustrate the ill effects of active shooter drills. Teachers are at the front lines of school safety. Teachers are typically willing to put their own lives at risk to protect the lives of youngsters in their care, and, indeed, teachers were among those killed at Columbine, Sandy Hook, Marjory Stoneman Douglas, and Uvalde, among many other similar tragedies. Although with younger children care is often taken to mask the true intent of the drills, teachers see with their own eyes that active shooter drills can cause students to imagine themselves amidst an actual school shooting, while at the same time further desensitizing them to the reality that deadly school shootings have become commonplace in this country.

B. School-based health professionals, including school nurses and school psychologists, also play a vital role in supporting the well-being of students and staff during and after active shooter drills. Like the experiences of teachers, the first-hand experiences of school nurses and school psychologists underscore what underlying research increasingly reveals: Gun violence in schools, frequently effectuated with assault weapons, inflicts damage on our country not just via the violence itself, but also because active shooter drilling, imposed in response to the violence, independently harms American schoolchildren by undermining even further their sense of safety and security.

Of course, school active shooter drilling reflects just one way that assault weapons have transformed facets of American life, like basic school safety, that previously we took for granted.

ARGUMENT

I. Gun Violence In American Schools Is A Grievous Problem And Has Spawned Ubiquitous Active Shooter Drills Exacerbating Schoolchildren’s Trauma.

A. Firearms violence in schools, often perpetrated with assault weapons, is a serious and growing phenomenon.

Gun violence in general is a grave public health issue in the United States, including for children. “Each year, more than 100,000 individuals in the United States, including more than 17,000 children, are shot directly with firearms. Indeed, firearms are now the leading cause of death among children and teens in the United States.” National Academies of Sciences, Engineering, and Medicine, *School Active Shooter Drills: Mitigating Risks to Mental, Emotional, and Behavioral Health* 26 (Nat’l Acads. Press 2025), <https://tinyurl.com/4xu8w6uh>.

Although most gun deaths do not occur in schools, gun violence in schools is itself a serious and growing problem. “While accounting for a small portion of annual gun violence deaths, school shootings are an increasingly frightening reality in the United States.” Jeff R. Temple, Elizabeth Baumler & Christian Page

Owen, *Drills or Distress? Understanding the Psychological Effects of Active Shooter Drills on Adolescents*, 42 J. Sch. Nursing 521, 521 (2025). Indeed, “[o]ver the past several years, firearm violence in K–12 schools has increased.” National Academies, *supra*, at 26. “[N]early 400,000 students have been exposed to gun violence (specifically in K–12 schools) since the Columbine mass shooting that took place in Littleton, Colorado, in 1999. Notable upticks in school-based firearm violence have been documented since 2015.” *Id.* at 26-27 (citation omitted).

There have been hundreds of school shootings in the United States since 1999, and school shootings are now such an ingrained part of American life that several of them have been etched into our national consciousness. “The shooting at Columbine High School occurred on April 20, 1999.” *Id.* at 30. Twelve students and a teacher were killed (in addition to the two student shooters, who died by suicide), and 20 others were injured. “At the time, it was the deadliest mass shooting at a K–12 school in U.S. history. This tragic event remains one of the most infamous school shootings in the United States and is often mentioned when a new school shooting occurs.” *Id.*

“On December 14, 2012, the deadliest school shooting at an elementary school in U.S. history occurred at Sandy Hook Elementary School” in Newtown, Connecticut. *Id.* at 34. The shooter killed 20 first-grade children (ages six and seven) and six staff members, including teachers, the principal, and the school psychologist.

“On February 14, 2018, a shooting at Marjory Stoneman Douglas High School in Parkland, Florida, resulted in 17 deaths—the deadliest school shooting at a high school to date.” *Id.* Those who lost their lives include 14 students and three teachers, and another 17 victims were wounded. *Id.*

And “[o]n May 24, 2022, a shooting at Robb Elementary School in Uvalde, Texas, resulted in the deaths of 19 students and two teachers,” and injuries to 18 others. *Id.* at 35. This was “the second-deadliest K-12 school shooting recorded in the U.S., trailing only the 2012 attack at Sandy Hook Elementary in Connecticut that left 26 victims dead.” Vanessa Romo, *Texas Community Struggles with Second-Deadliest School Shooting in U.S. History*, NPR (May 25, 2022), <https://perma.cc/4NJC-JQLV>.

In school shootings (as in other mass shootings), assault weapons are often the weapon of choice because of the ease with which they can be employed to kill and inflict devastating injuries on many people in a short burst of time. The Sandy Hook shooter used a Bushmaster XM15-E2S semi-automatic rifle, which is an AR15-type assault weapon. CNN, *Sandy Hook School Shootings Fast Facts* (Oct. 2, 2026), <https://tinyurl.com/4uybsb7z>. In the Marjory Stoneman Douglas shooting, the assailant deployed a semi-automatic Smith & Wesson M&P 15, which is also an AR15-type assault weapon. Bart Jansen, *Florida Shooting Suspect Bought Gun Legally, Authorities Say*, USA Today (Feb. 15, 2018), <https://tinyurl.com/3rxzf8kw>. And the Uvalde gunman armed himself with a Daniel Defense M4 V7 semi-automatic rifle, which, again, is an AR15-

type assault weapon. Briana Koeneman, *Manufacturer of Gun Used in Uvalde Shooting Facing Backlash*, Scripps News (May 31, 2022), <https://tinyurl.com/4txzzudy>. The Uvalde perpetrator had also brought with him a Smith & Wesson M&P 15 but left that weapon behind in his vehicle outside the school. Jeremy Rogalski & Tina Macías, *Search Warrants Reveal How Much Firepower Uvalde Shooting Suspect Had in Mass Shooting*, KHOU 11 (June 2, 2022), <https://tinyurl.com/3jxwx84y>. See Conn. Resp. Br. 30-31; Cook Cnty. Resp. Br. 44-45.

B. A prominent reaction has been to mandate active shooter drills, which are pervasive and often required by state law.

Our society’s reaction to the continuing spate of school shootings has largely been one of response rather than prevention. One of the most common reactions in jurisdictions throughout the country has been to institute a range of active shooter drills.

“The term *active shooter drills* has been used to describe a range of practices including but not limited to lockdown drills, options-based drills, and full-scale simulation exercises.” National Academies, *supra*, at 1; see NASP, *Guidance for School Safety and Lockdown Drills*, <https://tinyurl.com/2pcxdprj> (last visited Oct. 27, 2026). “U.S. federal agencies define an *active shooter* as ‘an individual actively engaged in killing or attempting to kill people in a confined and populated area’ with a firearm.” National Academies, *supra*, at 39. “The FBI expands this definition to include more than one individual in an incident and omits the word

‘confined’ because the term excludes incidents that occur outside buildings. Active shooter events can take place in many different locations, including schools, movie theaters, and workplaces.” *Id.*

“[S]chool active shooter drills have become one of the most commonly implemented safety practices” in response to school shootings. National Academies, *supra*, at 27. “Given the reality of school shootings ... lockdown or active shooter drills are likely a fact of life in the United States” for the foreseeable future. Temple, *supra*, 42 J. Sch. Nursing at 522.

Active shooter drills have become a pervasive feature of American schools. “Since the 1999 Columbine shooting, active shooter drills have proliferated in America’s school systems at an exponential rate.” Everytown for Gun Safety Support Fund, *The Impact of Active Shooter Drills in Schools* (updated May 14, 2024), <https://tinyurl.com/nhkaa9y6>. “Today, more than 25 years after Columbine, 95% of U.S. public schools conduct active shooter drills as part of emergency response training.” National Academies, *supra*, at 1. See Pauline Moore, Melissa Kay Diliberti & Brian A. Jackson, *Are Active Shooter Drills in K–12 Schools Aligned with Best Practices? Insights from Recent Surveys of Educators* 4, RAND (Sep. 24, 2025), <https://tinyurl.com/fekdn8s> (“active shooter drills ... have become nearly universal in K–12 schools across the country” (emphasis omitted)).

In a substantial majority of states, active shooter drills are required by state law. “The number of school active shooter events has been increasing since the early 2000s. While these events remain statistically

rare, they have a profound impact on communities and school systems. A number of state legislatures have responded by mandating the implementation of active shooter drills in schools to prepare for the possibility of an active shooter event.” National Academies, *supra*, at 75.

“[A]s of early 2024, at least 37 states required K–12 schools to conduct school active shooter–related drills, typically on an annual basis.” *Id.* “[V]ariation in state requirements for active shooter drills ... range from zero to four or more mandated drills per year.” *Id.* at 112. “Although 13 states do not have mandates for such drills, school districts in these states may conduct them voluntarily.” *Id.* at 75. “Given the growing fear regarding school shooting incidents, active shooter drills are likely to become,” if anything, an even “more common and routine component of the K–12 institutional structure.” N’dea Moore-Petinak et al., *Active Shooter Drills in the United States: A National Study of Youth Experiences and Perceptions*, 67 J. Adolescent Health 509, 510 (2020), <https://tinyurl.com/3ksy28pd>.

Active shooter drills are also big business. “[F]or-profit companies charg[e] school districts ... for trainings,” and “the active shooter drill industry is part of a school safety industry worth” billions of dollars. Everytown for Gun Safety Support Fund, *supra*; Shaila Dewan & Dana Goldstein, *What Keeps Students Safe in School? Prevention, Not Defenses, Experts Say*, N.Y. Times (Oct. 16, 2026), <https://tinyurl.com/ye26ysu5> (“[M]easures schools are using to shield students from an armed attack [are]

fueling what market research firms say is a \$4 billion school safety industry.”).²

C. Active shooter drills can be traumatic and add to a culture of fear.

There is a growing realization that active shooter drills, though intended to enhance school safety, in fact compound the already tragic effects of gun violence in schools by adding a new layer of stress and trauma resulting from the drills themselves. “[W]hile school violence is statistically rare, it can have lasting psychological effects on students and staff.” National Academies, *supra*, at 19. “[R]ecent studies indicate that,” over and above the impact of actual violence, “school active shooter drills—designed to prepare students for such incidents—may also exacerbate anxiety, fear, and stress.” *Id.*³

² Active shooter drills are not our society’s only response to school shootings; some parents are now outfitting their children with bulletproof backpacks, although as one parent noted, “I know it won’t hold up against an AR-15.” Coralie Kraft, *When Back-to-School Shopping Includes Bulletproof Backpacks*, N.Y. Times Mag. (Sep. 21, 2026), <https://tinyurl.com/y4khtvzj>.

³ The American Psychological Association defines trauma as “any disturbing experience that results in significant fear, helplessness, dissociation, confusion, or other disruptive feelings intense enough to have a long-lasting negative effect.” *Trauma*, American Psychological Association Dictionary of Psychology, <https://tinyurl.com/3f9ve5ze> (last visited Oct. 2, 2026); *see also* U.S. Dep’t of Health & Human Servs., Substance Abuse and Mental Health Servs. Admin., *SAMHSA’s Concept of Trauma and Guidance for a Trauma-Informed Approach* (2014),

“[S]chool active shooter events are dynamically different from all other emergency threats,” and school active shooter drills can “have mental, emotional, and behavioral health effects that are distinctly different from those associated with other safety drills.” *Id.* at 41. Though the specific contours of a school active shooter drill may vary depending on the age of the students, these drills “differ from other measures intended to curb school gun violence” insofar as “they require students to actively engage in an imagined violent scenario.” Cassandra C. Howard et al., *Districts Implementation of Active Shooter Drill Policies*, 33 *Crim. Just. Pol’y Rev.* 667, 670 (2022).

Accordingly, active shooter drills “may have unintended and negative mental health consequences on students.” Temple, *supra*, 42 *J. Sch. Nursing* at 523. Active shooter drills “may cause students to imagine themselves in a life-threatening school shooting event or may create an impression that an active shooter event is likely to occur.” National Academies, *supra*, at 148. “[D]rilling” can “serve[] to highlight perceived vulnerabilities by the students, leading them to express feeling significantly less safe at school” after the drilling than before. Jaclyn Schildkraut, Amanda B. Nickerson & Thomas Ristoff et al., *Locks, Lights, Out*

<https://tinyurl.com/rb2vnpej> (similar). Common reactions to active shooter drills in schools—including fear, anxiety, and an undermined sense of safety and well-being—fall well within this framework.

of Sight: Assessing Students' Perceptions of Emergency Preparedness Across Multiple Lockdown Drills, 19 J. Sch. Violence 93, 102 (2020).

Indeed, in surveys, “large number[s] of youths ... noted the negative impact of [active shooter] drills on their emotional well-being.” Moore-Petinak, *supra*, 67 J. Adolescent Health at 512. “Nearly a third of principals and teachers reported being aware of students experiencing trauma or heightened anxiety after drills.” Moore, *supra*; see Michael G. Huskey & Nadine M. Connell, *Preparation or Provocation? Student Perceptions of Active Shooter Drills*, 32 Crim. Just. Pol’y Rev. 3, 15-17 (2021) (high school study finding that “experiencing an active shooter drill” was associated with significant increases in student fear, “increased perceptions of risk, and a decrease in perceptions of school safety”).

Research focused on schoolchildren’s and teachers’ social media indicated that active shooter drills are followed by social media posts showing a 39% increase in words associated with depression, a 42% increase in words associated with stress and anxiety, and a 23% increase in words associated with physiological health problems (e.g., blood, pain, clinics, and pills). National Academies, *supra*, at 157. “Likewise, words associated with concerns about death increased 22% following active shooter drills.” *Id.* at 157-58. “Teachers who participated in the study recalled students ‘texting their parents, praying, crying’ because they felt like ‘they were going to die’ during” an active shooter drill. Caroline Bologna, *The Mental Health Toll of Active Shooter Drills in Schools*, HuffPost (May 25, 2022), <https://tinyurl.com/4nah9bd9>. “Other post-

drill trends included increases in expressions of social and personal concerns, fewer positive statements, more requests for help, and increased profanity. These trends were sustained throughout the 90-day post-drill period, suggesting that the negative impacts of active shooter drills are not fleeting but last at least 3 months.” National Academies, *supra*, at 157. “[A]ll school levels (elementary, middle, and high school) demonstrated negative post-drill effects.” *Id.*; see Everytown for Gun Safety Support Fund, *supra* (also discussing underlying research).

The trauma that can result from active shooter drills is especially severe when the drills consist of live simulations. NASP et al., *Best Practice Guidance for School Safety and Lockdown Drills: Preparing for Active Threats* 7 (Apr. 2026) (“NASP”), <https://tinyurl.com/82h5ckwc>. Live simulations are exercises that mimic active shooter events and can include some or all of the following components:

- The activation of emergency alarms.
- The presence of an individual pretending to be an active shooter or law enforcement officer, or both, inside a school.
- The firing of a gun with blanks.
- Recordings of the sound of a gun being fired.
- Simulated injury or violence.
- An attempt by an intruder to breach classroom doors inside a school.

- The expectation that individuals inside the school will role play fighting an intruder.

National Academies, *supra*, at 36.

Live simulation drills are sometimes conducted without any advance notice to students or parents, or even teachers, further aggravating the trauma that children may experience. “Active shooter drills at a school may be publicly preannounced or may occur without being announced to staff, families, students, and community stakeholders.” *Id.* at 80-81; *see* Moore, *supra*. These exercises “may incorporate such components as real or simulated gunshot sounds, guns with blank ammunition, pellet guns, fake text messages, theatrical makeup with fake blood, informed actor volunteers, and individuals pretending to be an active shooter roaming the halls and attempting to open classroom doors; such simulations have sometimes been carried out with students.” National Academies, *supra*, at 47. “In some cases, drills may simulate a real emergency by incorporating deceptive strategies, such as falsely announcing a real emergency or having a law enforcement officer enter the school as if they were an active shooter.” *Id.* at 306.⁴

⁴ Even when live simulation drills do not involve students, they may still cause trauma. NASP, *supra*, at 7. In particular, more than 100,000 U.S. schoolteachers are veterans, and the chaotic sights and sounds associated with live-simulation active shooter drills can be triggering for that population. *See* Nat’l Ctr. Educ. Stats., *Digest of Education Statistics* (2022), <https://tinyurl.com/2yu4yr8k>; Evie Blad & Madeline Will, “*I Felt More Traumatized Than Trained*”: Active-Shooter Drills Take Toll on

II. The Trauma Resulting From Active Shooter Drills Is Reflected In The Experience Of Teachers, School Nurses, And School Psychologists.

A. The experience of teachers illustrates the ill effects of active shooter drills on our nation's schoolchildren.

Teachers are on the front lines of school safety. Students, especially younger children, often depend on their teachers for guidance and comfort during an active shooter drill, whether the teacher's instruction is "be quiet and don't make a sound," "hide under your desks and don't move," "wait until a uniformed police officer comes to get us," and/or "everything is going to be alright." Many teachers report that, if the moment were to come, they would lay down their lives to protect the well-being of children and youth in their care. As noted, teachers were among the fatalities at Columbine, Sandy Hook, Marjory Stoneman Douglas, and Uvalde, as well as many other school shootings.

Abbey Clements is a long-time elementary school teacher, a Sandy Hook survivor, and a co-founder of Teachers Unify to End Gun Violence. On December 14, 2012, she was teaching her second-grade class at Sandy Hook Elementary School when the shooter entered the school with an assault weapon and embarked on his killing spree. Ms. Clements huddled in

Teachers, Educ. Week (Mar. 24, 2019), <https://tinyurl.com/ykbjd8sj>; NASP, *supra*, at 28 ("simulations ... can serve as a reminder for prior traumas").

her classroom with her seven- and eight-year-old students and helped keep them safe until the police arrived. She and her students escaped with no physical injuries, and afterwards they all took shelter together at a nearby firehouse.

When asked if Sandy Hook Elementary School responded to the tragedy by instituting a program of active shooter drills, Ms. Clements explains that the answer is no. Responsible Sandy Hook officials understood that active shooter drilling would be traumatic for children, families, and staff, and indeed would be especially traumatic at a school that had already undergone an actual, and deadly, shooting (and even more so with respect to an elementary school, where the children are so young). The validity of this assessment is reflected in research studies showing that the deleterious effects of active shooter drills are heightened for individuals and communities that have already been victimized by violence, including and especially school violence. *See, e.g.*, National Academies, *supra*, at 223-24 (“School communities that have experienced mass violence also have a significantly greater presence and persistence of PTSD.”); NASP, *supra*, at 8 (“[I]f a child, group of children, or school community has experienced trauma due to school violence, alternative teaching and training may be necessary to avoid further trauma exposure.”).

The events of December 14, 2012, were uniquely horrific for Ms. Clements, her students, and the Sandy Hook community. They ultimately altered the trajectory of Ms. Clements’ life, propelling her to be-

come a leader in the effort to protect American elementary, middle, and high schools from recurring gun violence.

Sarah Lerner has been a high school teacher for 25 years. She is a survivor of the Marjory Stoneman Douglas shooting. On February 14, 2018, she was teaching her senior English class at Marjory Stoneman Douglas High School when the assailant entered the school and went on his rampage. Ms. Lerner and 15 students hid in her classroom for three hours until a SWAT team came and let them out. They and other survivors were then shuttled to a nearby hotel that served as an informal reunification point for students, staff, and families.

In Ms. Lerner's experience, there were no active shooter drills at Marjory Stoneman Douglas before the shooting. Since the shooting, the school has conducted regular active shooter drills, sometimes several times per year. During the drills, teachers and students take refuge in designated spaces in their classrooms, classroom door windows are covered, the lights are turned off, and everyone tries to stay quiet.

In the years immediately following the shooting, Ms. Lerner observed that the active shooter drills at Marjory Stoneman Douglas were highly traumatic because so many of the students had been at the school during the shooting. Many students cried or even had full-blown panic attacks during the drills, because the drills made them relive the events of that day. In more recent years, there is still trauma from the drills, but it is of a different kind. This is the generation for whom school shootings in the United States

are no longer an extraordinary occurrence. The active shooter drills further condition the students to accept the possibility of a shooting at their school, because shootings at American schools have become a fact of life. Marjory Stoneman Douglas typically gives parents and students no advance warning of an active shooter drill, and many parents who get wind that a drill might occur on a given day will keep their children home that day to protect them from having to undergo the experience.

Along with Ms. Clements, Ms. Lerner is a co-founder of Teachers Unify to End Gun Violence. Ms. Lerner is angry that such a group needs to exist. She finds it exasperating that the onus is on teachers, who are already overburdened, to take the lead to protect against gun violence in our nation's schools, while society at large continues to make it so easy for bad actors to target our schoolchildren with what are essentially weapons of war.⁵

Teachers' impressions can vary, of course, depending on the type of school and the nature of the active shooter drilling that a teacher may have expe-

⁵ Officers' body-camera footage recorded at the Uvalde shooting included the following exchange:

"You know what kind of gun?" state Trooper Richard Bogdanski asked in a conversation captured on his body-camera footage outside of the school.

"AR. He has *a battle rifle*," a voice responded.

Zach Despart, "*He has a battle rifle*": Police Feared Uvalde Gunman's AR-15, Texas Tribune (Mar. 20, 2023), <https://tinyurl.com/4warjbth> (emphasis added).

rienced. Studies indicate that “[p]erceptions of student trauma, anxiety, or stress were higher among elementary and middle school teachers compared with high school teachers; higher among teachers who reported multiple drills in a school year compared with just one drill; and higher among teachers who reported more realistic elements during drills.” National Academies, *supra*, at 155. But first-hand accounts of teachers like Ms. Clements and Ms. Lerner nonetheless illustrate the more general point that, as discussed above, our nation’s response to recurring school shootings in the form of active shooter drills is an independent source of harm that in and of itself adversely affects American schoolchildren’s psychological and emotional health.

B. The experience of school nurses and school psychologists further confirms the point.

1. School nurses too are on the front lines of safety in schools. Today, school nurses must deal not just with scrapes and bruises, fevers, and more serious physical ailments and injuries, but also with myriad mental health challenges faced by America’s children and teenagers. Following an active shooter drill, school nurses are often “key providers of medical care, addressing physical symptoms of anxiety or distress—such as panic attacks, hyperventilation, or psychosomatic symptoms—and working in coordination with [school] mental health staff to provide holistic care.” National Academies, *supra*, at 245. School nurses’ experiences regarding active shooter drills are akin to the experiences of teachers.

Cherri Rogers is a school nurse in a public elementary school in Pittsburgh, Pennsylvania. She has a doctorate in education and has been in the nursing profession for more than 30 years. Her school conducts active shooter drills once a year. Ms. Rogers says it's the worst day of the year because she and other staff members remember Columbine and all the other school shootings and are reminded that their school could be next. Because the children at her school are so young, teachers do not use the term "active shooter drill" with them and instead tell them more generally that the drills are meant to help everyone practice what they would do in an emergency. Parents, though, are given advance notice that there will be an active shooter drill, so that they can opt their children out if that is their preference. Parents regularly exercise that option because they understand that the drills, involving a total lockdown of the school and classrooms, will be frightening and highly disturbing for their children.

Ms. Rogers explains that if a child is sick and in the nurse's room when an active shooter drill begins, the child stays there and shelters in place with the nurse for the duration of the drill. In one such incident, an autistic child was in Ms. Rogers' room when an active shooter drill was announced. As the drill got underway, the child became increasingly fearful and anxious, and started shaking. Seeking to comfort him, Ms. Rogers told him he did not need to worry because she would do anything to help keep him safe. She showed him an iron bar she keeps to shatter the window if evacuation became necessary. Looking back on that moment, she reflects, "I would take a bullet for a child. I would. But I shouldn't have to."

Ms. Rogers is currently running for a seat in the Pennsylvania state legislature. She supports the Second Amendment, and she and her husband own guns. But Ms. Rogers' platform advocates passage of reasonable gun violence prevention measures, reflecting her life's work caring for children and others.

Victoria Lyons has been a registered nurse for more than 30 years. She currently serves as a school nurse in a public elementary school in Meriden, Connecticut. The school conducts lockdown drills at least three times per year. The drills are intended to rehearse what to do if intruders, including armed intruders, enter the school. The drills are not announced beforehand, so the children, teachers, staff, and parents do not know when a drill is imminent.

When a drill is announced, Ms. Lyons locks the door and turns her walkie-talkie down. Ms. Lyons and any children who happen to be with her in the nurse's room go to the designated treatment area in the room and stay there until they receive the all-clear instruction. Ms. Lyons does her best to comfort the children. Ms. Lyons tells the children to be quiet, but it is hard to explain why without saying "because there might be someone with a gun who wants to shoot us."

Ms. Lyons finds her school's lockdown drills futile and nerve-wracking. Having directly participated in the drills, she does not perceive that the drilling is likely to enhance the safety of the school's children and staff if an active shooter event were actually to materialize. In her experience, the drills serve chiefly

to normalize the ever-present threat of a school shooting, and to suggest to the children that the constant existence of this threat is just how life is now.

2. “School mental health professionals,” including school psychologists, may be “trained to recognize common trauma reactions.” NASP, *supra*, at 3. During an active shooter drill, they can try to “monitor participants and remove anyone exhibiting signs of traumatic stress.” *Id.* After a drill, school psychologists, counselors, and/or social workers will often meet with students, especially those with a history of trauma, to “help them navigate the experience.” National Academies, *supra*, at 303.

Rebecca Norton was a psychologist for 28 years, has a master’s degree in education, and worked as a school psychologist at a public middle school in Carpinteria, California, for several years until her retirement in 2022. In her role as a school psychologist, she supported and counseled middle-schoolers with intellectual and emotional disabilities.

Ms. Norton’s school conducted regular lockdown drills, which were intended to address various threats, including natural disasters like earthquakes, and also armed intruders on campus. Some of the drills were pre-announced, but some were not. If a drill was not pre-announced and a student was in Ms. Norton’s office when the drill started, the student would remain with her during the drill. She would turn the lights off, double-check that the door was locked (it was supposed to be locked all the time), and tell any students with her to stay quiet until the drill was over. Students who were in her office tended to

have disabilities of one kind or another. The drills would typically cause them anxiety and distress, and Ms. Norton tried to set them at ease.

In Ms. Norton’s experience, the lockdown drills at her school did not properly take into account the needs of students who had past trauma or past exposure to violence. More generally, repeated exposure through drilling to the possibility of school violence caused distress and fear for both children and staff, thereby undermining the efficacy of the learning process. Repeated drilling also had the insidious effect of habituating students and teachers to the threat of school shootings and treating the possibility of a school shooting as routine.

Ms. Norton explains that she fully appreciates the importance of protecting students from physical harm. But she emphasizes that psychological safety is also essential to a healthy learning environment. In her experience, persistent reminders of potential violence come at a psychological cost.

“In addition to teachers, school-based health professionals—including school counselors, school psychologists, school social workers, and school nurses— ... play an important role” in “providing ongoing support for the well-being of students and staff.” National Academies, *supra*, at 244. Like the experiences of individual teachers, the experiences of individual school nurses and school psychologists like Ms. Rogers, Ms. Lyons, and Ms. Norton underscore what underlying research increasingly reveals: School gun violence, frequently perpetrated with assault weapons, imposes harm not just via the violence itself, but

also because active shooter drills, instituted in response to the violence, undermine even further our schoolchildren's sense of safety, stability, and well-being. Active shooter drills in schools and their baleful effects are of course just one of the ways that assault weapons have altered basic aspects of American life, like the sense of safety in school, that we all used to take for granted.

CONCLUSION

For the foregoing reasons and those stated by Respondents, the Court should affirm the decisions below.

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