

ADVISORY COMMITTEE
ON CAPITOL AREA
SECURITY

Report

January 2, 2015

Advisory Committee on Capitol Area Security

Annual Report

January 2, 2015

As required by Minnesota Statutes 2012, section 299E.04, the Advisory Committee on Capitol Area Security provides advice and recommendations to the Governor and Legislature regarding security priorities, strategies for addressing these priorities, and recommendations for funding to implement the strategies. The Advisory Committee is required to submit a report to the Governor, Legislature, and Minnesota Supreme Court by January 15 of each year.

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Summary of Recommendations

As defined by Minnesota Statutes 2012, section 299E.04, the Advisory Committee on Capitol Area Security held hearings in 2014 regarding the current status of security in the Capitol Complex Area, improvements that have been implemented, and recommendations for future improvements. The Advisory Committee makes the following recommendations:

1. Implement the recommendations of the Minnesota State Capitol Complex Physical Security Study conducted by Miller Dunwiddie and Associates.
 - Security vulnerabilities exist at Capitol Complex facilities. Designing buildings for security and safety requires a continuing proactive approach that anticipates and then protects the building visitors, occupants, resources, structure and continuity of operations from multiple hazards. Most security measures involve a balance of operational, technical and physical security methods. Achieving this goal is a challenge due to funding limitations.
 - There will be maintenance, operational and staffing implications associated with physical security enhancements.
2. Eliminate security contracts, replacing funding with a direct appropriation.
 - Current contractual practices inhibit objective security staff deployment in the Capitol Complex Area. A direct appropriation to DPS would provide more uniform, flexible and appropriate security coverage based on a needs assessment.

Introduction

In 2014, the Advisory Committee on Capitol Area Security continued to conduct security assessments and consider recommendations. The Advisory Committee consists of six members, appointed as follows:

- (1) The Lieutenant Governor;
- (2) Two Senators, including one member from the majority party, appointed by the Senate Majority Leader, and one member from the minority party, appointed by the Senate Minority Leader;
- (3) Two members of the House of Representatives, including one member appointed by the Speaker of the House and one member appointed by the Minority Leader; and
- (4) The Chief Justice of the Minnesota Supreme Court or the designee of the Chief Justice.

During 2014, these individuals currently serve, or have served, as Advisory Committee members:

- Lt. Governor Yvonne Prettner Solon (current Chair)
- Chief Justice Lorie Gildea (current member)
- Senator Bill Ingebrigtsen (current member)
- Senator Scott Dibble (current member)
- Representative Kelby Woodard (current member)
- Representative Michael Paymar (current member)
- Senator Ann Rest (member through June 2014)

The Advisory Committee is required by law to meet at least quarterly to assess the status of security in the Capitol Complex Area. For this purpose, the Advisory Committee consults with the Commissioners of Public Safety and Administration, the Capitol Area Architectural and Planning Board, the Director of the Minnesota Historical Society, and the Sergeants-at-Arms of the Senate and House of Representatives. The law requires the Advisory Committee to seek additional advice from individuals with security development experience in a college or university environment, in the courts, and in a private Minnesota company.

The Advisory Committee shall report annually to the Governor, the chairs and ranking minority members of the Legislative committees with jurisdiction over the Capitol Area Architectural and Planning Board, the Department of Public Safety, and the Chief Justice of the Supreme Court. The report shall provide a general assessment of the status of security in the Capitol Complex Area, describe improvements implemented, and recommend future improvements. The report shall include draft legislation to implement any recommended changes in law.

In 2014, the Advisory Committee met on the following dates:

January 9th, June 25th, August 12th, October 14th, November 17th and December 15th.

At its inception, the Advisory Committee adopted guiding principles through a mission statement (See Appendix A). Over the course of the 2014 meetings, committee members sought input from state agencies and stakeholders. As required by statute, the Advisory Committee also solicited input from an individual with experience designing and implementing security for a public

college or university campus, an individual with experience designating and implementing security for courts, and an individual with experience designating and implementing security for a private Minnesota company (See Appendix B).

General Assessment of the Status of Security in the Capitol Complex Area

The Capitol Area is defined in Minnesota Statutes 2012, section 15B.02. It consists of 140 acres adjoining downtown Saint Paul and includes 17 buildings and 32 parking facilities. The area is generally viewed as a safe place to work and visit based on findings from published reports. However, findings from other reports on Capitol Complex Area security have identified vulnerabilities affecting the safety of individuals who work in and visit the area.

The Department of Public Safety, through the State Patrol's Capitol Security Section, provides security and law enforcement services in the Capitol Complex Area. Although a collaborative environment exists among Capitol Complex Area building tenants and stakeholders, conflicting interests and the existence of security service contracts erode the desired security outcomes.

In 2014, the Commissioner of Public Safety received 81 notifications of intent to carry a pistol in buildings on the Capitol Complex Area. There were 346 such notifications received in 2013 and 949 total notifications exist on record to date.

The Capitol Complex Area has historically enjoyed a relatively safe and low crime environment, considering the relative high crime rates of the neighborhoods surrounding it. This is attributed in part to the presence of Minnesota State Troopers, Capitol Security Officers and the Capitol Complex Emergency Manager as well as physical security enhancements.

The ongoing restoration of the Capitol Building, construction of the new Capitol Office Building and recent activation of the Metro Transit Light Rail system brings additional security and law enforcement challenges to the Capitol Complex Area. Cooperative efforts between State Patrol and its allied law enforcement partners as well as other state agencies continue to be fostered to ensure desired security needs are met.

The Capitol Security Section is currently staffed with forty-eight civilian security officers, twelve state troopers, one emergency manager and seven communications personnel. The civilian officers are assigned duties at fixed posts within select Capitol Complex Area buildings as well as foot, bicycle, and squad patrol duties. The state troopers have responsibility for command and administration of the Capitol Security Section, and law enforcement operations for the entire Capitol Complex Area. The emergency manager has coordinated emergency preparedness plans of the multiple agencies on the Capitol Complex. In addition, the emergency manager has facilitated training, drills and workshops to enhance the preparedness of employees on the Capitol Complex. The Communications division of Capitol Security monitors over seventy-five thousand alarm points and five hundred cameras. In addition, communications staff is responsible for dispatching law enforcement and security personnel to calls for assistance.

Deployment of the majority of non-licensed security staff is based primarily according to the needs as identified by individual agencies and tenants, and funded through contract agreements. Because placement of security staff is tied directly to contractual requirements, resources are not deployed based on objective security risk assessments. For FY15 Capitol Security was appropriated additional funding to be utilized for increased staffing. However, the reduction of two agency security contracts resulted in the loss of funding for seven full time security officers, adversely affecting Capitol Security's ability to achieve the targeted staffing levels anticipated

with the appropriation. Hiring of additional security officers is an ongoing process which will continue until maximum achievable staffing levels are reached.

During 2014, the Advisory Committee reviewed three significant security related reports which improved the committee's understanding of security issues on the Capitol Area Complex. These reports included:

Firearms in State Capitol Buildings

This report was commissioned by the Advisory Committee Chair, Lieutenant Governor Yvonne Prettner-Solon. The final report was completed by Brandon Hanson of the Governor's Office after thorough research, most of which was conducted through direct conversation with law enforcement agency personnel. The purpose of this informational report was to gather data pertaining to other states' practices, policies, laws, etc. on allowance of guns into their state capitol building. The screening portion of the report provided a comparative analysis based on information collected relative to screening mechanisms utilized at entry into each state's capitol building. This information was delivered to the Advisory Committee on June 25th, 2014 in the form of a Power Point presentation (See Appendix C for the *Quick-glance Summary*).

Miller Dunwiddie Report – MN State Capitol Complex Physical Security Study

This study was commissioned by the Advisory Committee through the Department of Administration in 2013 and presented to the Committee on August 12th, 2014. The report was a result of a comprehensive study by a team of architects, engineers and a security expert which evaluated the terroristic/criminal threats towards, and the resultant vulnerabilities of the physical infrastructure of the Capitol Complex. The team examined each facility and its associated infrastructure in order to determine the vulnerability risk level of the Capitol Complex Buildings. It then assigned security risk levels of High, Medium and Low depending on the potential for loss of life, collateral damage and mission interruption.

The team also generated a priority list of recommended physical security improvement projects across the Capitol Complex that should be completed to reduce those vulnerabilities with a cost matrix for those improvements. Project elements include the installation of impact resistant bollards, the application of blast resistive film on vulnerable windows, the installation of parking facility entry controls, emergency call boxes and security gates in select areas, the construction of security kiosks in select buildings, the installation of additional card readers and cameras, and other protection measures for vulnerable utilities. The Capitol Building was not included as a part of this study. A public version of this report is available.

Rozin Consulting Report – Security Risk Assessment on the Minnesota State Capitol

On October 16-18, 2013 Rozin Security Consulting LLC (RSC) conducted a Security Risk Assessment of the Minnesota State Capitol building located in St. Paul, Minnesota.

The focus of this survey was to assess MN State Capitol building's current state of physical and technological security measures. The measures included effectiveness for dealing with relevant manmade threats, to identify gaps where security activities fall short and to propose protective measures to be incorporated through the on-going restoration. The proposed protective measures will improve the MN State Capitol's preparedness and the ability to thwart harmful acts targeting the building and its critical assets. An overview of this assessment study was presented to the Advisory Committee on August 12th, 2014. An Executive Summary for this report is available.

Recent Improvements in Security

The Department of Public Safety and the Department of Administration have implemented several public safety initiatives and security improvements in the past year many of which were recommended by the Advisory Committee on Capitol Area Security. The list below does not include all improvements but reflects significant efforts to improve security and public safety in the Capitol Complex Area.

1. Addition of four State Patrol Troopers dedicated to Capitol Complex Area security; bringing the total number of troopers assigned to the complex to twelve.
2. Increased number of Capitol Security Officers; with 10+ officers yet to be added; hiring ongoing.
3. Addition of an Emergency Manager to the Capitol Security staff in February 2014.
4. Continued with the upgrade of lighting equipment to Capitol Complex areas where deficiencies were identified.
5. Facilitated emergency preparedness training, drills and workshops to enhance the readiness of employees on the Capitol Complex.
6. Completed the Capitol Complex Physical Security Study funded by the Department of Administration.

Recommended Future Improvements

As members of the Advisory Committee on Capitol Area Security, we present the following recommendations to enhance public safety and individual security in the Capitol Complex Area:

RECOMMENDATIONS

1. **Implement the recommendations of the Minnesota State Capitol Complex Physical Security Study conducted by Miller Dunwiddie and Associates.**

The successful development of secure and safe buildings continues to be a primary focus of the departments of Public Safety and Administration as vulnerability exists with the current state of the Capitol Complex. Designing buildings for security and safety requires a continuing proactive approach that anticipates and then protects the building visitors, occupants, resources, structure and continuity of operations from multiple hazards. Most security measures involve a balance of operational, technical and physical security methods. Achieving this goal is a challenge due to funding limitations. **We recommend that the physical security enhancement projects identified in the Minnesota State Capitol Complex Physical Security Study be approved.**

- Fund the costs for design and construction of the physical security enhancement projects.
- Fund the operational and associated staffing costs for the physical security enhancement projects.

2. **Eliminate security contracts, replacing funding with a direct appropriation.**

Contracted services with individual tenants and agencies account for nearly twenty percent of the funds expended for security through the Capitol Security Section. This funding process has created an environment where personnel are assigned based on tenant and agency priorities rather than a broader assessment of overall security risks and needs in the Capitol Complex Area. **We recommend that the Capitol Security Section be funded primarily through direct appropriations with decisions regarding staffing made by the Capitol Security Section based on threat assessments, perceived vulnerabilities, and stakeholder input.**

APPENDIX A
Advisory Committee on Capitol Area Security Mission Statement

The Advisory Committee on Capitol Area Security is committed to ensuring the safety of the people, assets, process of government, and buildings within the Capitol Complex. To accomplish this goal, the Committee has adopted a layered, all-hazards approach that adheres to the following principles:

- The Capitol and State Office Building must remain open in both reality and perception. Security in these buildings must (1) ensure that processes of government remain accessible to all citizens, (2) ensure the safety of visitors and all participants in these processes, and (3) respect Cass Gilbert's vision for the Capitol building.
- Other buildings on the Capitol Complex, to the extent appropriate and practicable, should remain open. Appropriate security measures in these buildings must be in place to ensure the safety of state employees, military personnel, Minnesota citizens, and their data.
- The Capitol Complex Security Plan should be focused on long-term solutions and leverage a risk-based approach that adequately addresses identified risk areas and levels in each state building.
- The Capitol renovation must incorporate the latest Crime Prevention Through Environmental Design (CPTED) techniques while respecting Cass Gilbert's vision for the building.
- The DPS team responsible for Capitol Security should have access to the resources it needs to ensure the safety of the Capitol Complex, the people who work there and the citizens who visit it in order to ensure continuity of state government operations.

APPENDIX B

Committee Advisors

Department of Administration

Commissioner Matt Massman
Plant Management Director Chris Guevin

Department of Public Safety

Assistant Commissioner Mark Dunaski
Major Robert Meyerson
Major Rochelle Schrofer

Capitol Area Architectural and Planning Board

Executive Secretary Nancy Stark
Principal Planning and Zoning Administrator Paul Mandell

Minnesota Historical Society

Historic Site Manager Brian Pease
Director of Public Policy and Community Relations David Kelliher

Sergeant-at-Arms, MN Senate

Sergeant-at-Arms Sven Lindquist
Assistant Sergeant-at-Arms Marilyn Hall

Sergeant-at-Arms, MN House

Sergeant-at-Arms Travis Reese

Security Advisors – College or University

Chief Greg Hestness, U of M Police Department
Assistant Director Steve Jorgenson, U of M Police Department
Lieutenant Troy Buhta, U of M Police Department

Security Advisor – Courts / Private Minnesota Company

Director Steve Swensen, Center for Judicial and Executive Security

APPENDIX C

Firearms in States' Capitol Buildings Quick-glance Summary

The Firearms in States' Capitol Buildings Quick-glance Summary was presented to the Advisory Committee on June 25th, 2014.

State	Handguns Allowed N - None P - Permit Only LE - Law Enforcement LG - Legislators/Staff All - Anyone can carry	Screening at Capitol Building M - Metal Detector W - Wand AP - Armed Personnel X - X-ray machines for bags
Alabama	LE	M, AP
Alaska	LE (ALL in Front Lobby Area for Demonstrations)	W, AP (can only enter through front doors) Backpacks and bags can be searched
Arizona	N - Unless Capitol Police	M, W
Arkansas	LE (On official business)	M, AP
California	LE, LG - LE must sign in	M, AP
Colorado	LE - Must provide place to store firearms for public	M, AP
Connecticut	LE - LE must check in and show badge	M (if needed), AP
Delaware	LE - LE must show ID	M, AP, X
Florida	LE, P Weapons not allowed in Legislative Committee Meeting Rooms (no way to track guests)	M, AP, X
Georgia	LE	M, AP
Hawaii	LE - Must be in uniform and have credentials	AP
Idaho	ALL	None (Bags can be searched)
Illinois	LE - Must be on duty and have credentials	M, W, AP

Indiana	LE, LG (with permit)	M, W, AP
Iowa	LE, P (private security/armored car personnel)	M, AP, X
Kansas	LE (credentials necessary), LG (with permit, staff with permission from agency)	M, AP
Kentucky	ALL (concealed with P and restricted from gallery and committee conference rooms, otherwise open carry)	M, AP
Louisiana	LE	M, AP
Maine	LE - Must sign in	M, AP, X
Maryland	LE - Non-uniformed must be cleared prior to entry	M, AP
Massachusetts	LE	M, AP (outside Governor's office)
Michigan	ALL (P can carry concealed, all others open)	AP
Minnesota	LE, P	None
Mississippi	LE, P (enhanced P only) - Enhanced P must have firearm training	M, AP
Missouri	LE, LG (concealed with permit)	None (wands available for Governor's office) State Capitol Police can ask permit holders with a firearm to leave
Montana	LE, Armored Car Personnel - Firearms banned from all grounds and areas within <u>10 mile radius</u> of Capitol	None M (for large events), W (for daily use), Bags can be searched
Nebraska	ALL (everyone must carry openly, including P)	AP (session only)
Nevada	ALL (concealed not allowed where signs) Capitol only houses Governor's office, Legislative Building has different rules (LE Only)	M, W (not utilized) AP W, AP available at Legislative Building
New Hampshire	ALL	None (guns are not allowed on House Floor, House Ante Room, or Public Gallery)

New Jersey	LE (Capitol Complex made up of 9 buildings, rules vary)	M, AP, X
New Mexico	ALL (P can carry concealed, all others open)	AP
New York	LE	M, AP, W, X
North Carolina	LE (On Duty)	M, AP
North Dakota	LE, Military Members	AP - Can be anywhere in Capitol Complex
Ohio	LE (On Duty)	AP, W, Bags can be searched
Oklahoma	LE	M, W, AP
Oregon	LE, P	None
Pennsylvania	LE (On Duty)	M, AP, X
Rhode Island	LE (On Duty)	M, W, AP
South Carolina	LE (On Duty)	M, AP
South Dakota	LE - Must Check-In	AP - Can be anywhere in Capitol Complex
Tennessee	LE (On Duty) (ALL can carry in Legislative Plaza)	M, W, AP, Bags are searched
Texas	LE, P	M (P do not need to pass through these), AP
Utah	ALL (only LE and P concealed)	None
Vermont	LE	None
Virginia	LE, P (cannot go in Senate Chamber)	M, AP
Washington	ALL (P can carry concealed, all others open)	None
West Virginia	LE	None (some buildings have M)
Wisconsin	ALL (P can carry concealed, all others open) Legislators can decide if firearms are allowed in their office	AP No firearms allowed in Governor's office, Supreme Court, or Basement (where Capitol Police are located)
Wyoming	LE (On Duty)	AP (visual assessment of individuals upon entry)

APPENDIX D

Draft Legislation¹

1.1 A bill for an act
1.2 relating to public safety; modifying funding for security services provided by
1.3 the Department of Public Safety; appropriating money; repealing Minnesota
1.4 Statutes 2014, section 299E.02.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. **CAPITOL COMPLEX SECURITY; APPROPRIATION.**

1.7 \$1,570,000 in fiscal year 2015 and \$1,570,000 in fiscal year 2016 are appropriated
1.8 from the general fund to the commissioner of public safety for the Capitol Complex
1.9 Security Division to permit the division to make decisions regarding staffing for the capitol
1.10 complex based on threat assessments, perceived vulnerabilities, and stakeholder input.

1.11 Sec. 2. **REPEALER.**

1.12 Minnesota Statutes 2014, section 299E.02, is repealed.

¹ It is the intent of the committee to account for all operational costs with new construction. If a bonding bill is made through the legislature in 2015 some operational costs may be included. However, depending on the extent of the construction, operational costs may be requested in a different biennium due to the timing of the construction being completed.