

ADVISORY COMMITTEE ON CAPITOL AREA SECURITY

Report

January 15, 2021

Advisory Committee on Capitol Area Security Annual Report

January 15, 2021

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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Introduction

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.

These individuals served as 2020 Advisory Committee members:

- Lieutenant Governor Peggy Flanagan (Chair)
- Chief Justice Lorie Gildea
- Senator Warren Limmer
- Senator Scott Dibble
- Representative Ryan Winkler
- Representative Jim Nash

The Advisory Committee is required by law to meet 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 (DPS) and Administration (Admin), the Executive Secretary of 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 reports 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 provides a general assessment of the status of security in the Capitol Complex Area, describes implemented improvements, and recommends improvements for the future.

In 2020, the Advisory Committee met on January 8, August 10 and December 15. The focus of these meetings was to review previous initiatives and security assessment reports.

Appendix A identifies the mission statement and guiding principles that the Advisory Committee follows. During 2020, the Advisory Committee continued to seek 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 designing and implementing security for courts, and an individual with experience designing and implementing security for a private Minnesota company (See Appendix B).

General Overview of Security within the Capitol Complex Area

The Capitol Complex Area as defined by Minnesota Statute 15B.02 consists of 16 buildings and 25 parking facilities spread across 140 acres in the City of Saint Paul. The Capitol Complex Area reported crime rates are historically low as compared to adjacent areas of the city. Visible security deterrents including the presence of the Minnesota State Patrol and Capitol Security officers as well as physical security enhancements contribute to the lower crime rate. Although crime rates are lower, vulnerabilities are continually evaluated as are improvements for ensuring the safety and security of those who work in and visit the Capitol Complex Area.

The Department of Public Safety, through the State Patrol Capitol Security Section, provides security, law enforcement services, and emergency management direction for the Capitol Complex Area. Security resources on the complex are deployed based on threat assessments, perceived vulnerabilities, and stakeholder input.

The Capitol Security Section's full-staffing complement consists of 62 civilian security officers, 13 state troopers, one emergency manager, seven communications personnel and one explosives detecting canine.

- The civilian security officers are assigned duties at fixed posts within select Capitol Complex Area buildings as well as foot, bicycle, and squad patrol duties.
- Minnesota state troopers are responsible for command and administration of the Capitol Security Section, and law enforcement operations for the entire Capitol Complex Area.
- The emergency manager is responsible for coordinating emergency preparedness planning on the Capitol Complex. In addition, the emergency manager facilitates training, drills, and workshops to enhance the preparedness of employees on the Capitol Complex.
- The communications division of Capitol Security continuously monitors 103,360 alarm and automation points, 375 emergency intercoms, and 927 security cameras. In addition, communications staff is responsible for dispatching law enforcement and security personnel to calls for assistance.

On May 31, 2020 the temporary fence that currently surrounds the Capitol Building was installed. The fence provides a physical security enhancement to the operational and physical security measures that are already in place on the Capitol Complex. The recent increase in civil unrest in the Twin Cities and across our Nation warranted its placement to protect the \$695 million Capitol Building and its inhabitants from acts of vandalism that may accompany rallies, protests, and counter-protests. The fence provides the standoff distance necessary to protect the building from graffiti, rocks, bricks, paint, incendiary devices or other contraband brought to the Complex by protestors that could cause severe or irreparable damage to the building or harm its inhabitants. The goal is to remove the fence as soon as possible when the civil unrest subsides but the current and evolving political and civil events make it unclear as to when this will occur. Until the political and social climate improve to a level where DPS, Admin, and the Committee believe that the threat to the building and its inhabitants are low enough to effectively manage, the fence should stay in place.

The information necessary to make an informed decision to remove the fence will be comprised of two components. The first component will consist of the empirical and operational data from the Capitol Complex obtained by the Facilities Management and Capitol Security divisions of Admin and DPS

respectively. The second component will consist of security intelligence gathered by the Minnesota Fusion Center or other law enforcement intelligence networks. The information will be reviewed on a regular basis and will take the following considerations into account:

- The level of civil unrest across the nation
- The level of civil unrest in the Twin Cities
- The risk the civil unrest presents to government buildings and prominent landmarks
- The sentiment of protest groups regarding the Minneapolis Police trial
- The sentiment of protest groups regarding the transition of Presidential power
- The sentiment of protest groups regarding other national events
- The frequency of unpermitted events
- The number of counter-protests
- The tone and tenor of protests and counter-protests

In the past months, the protests at the Capitol have continued to be challenging with groups attempting to drive onto the grounds, set up tents and other structures and trying to pull the fencing down. Graffiti has been sprayed onto the Capitol property outside of the fence and there have been other large notable public venues such as the Hennepin County courts and government buildings and US Bank Stadium defaced. Routinely there are several protests on state property simultaneously. As such, we believe that the fence has provided a buffer that has kept the Capitol Complex largely free from damage and should remain in place. When the Commissioners of Admin and DPS both agree that the information gathered indicates the threat of damage arising from rallies and protests has returned to a predictable level they will notify the Committee that the fence will be removed.

Recent Improvements in Security

The Department of Public Safety and the Department of Administration continue to focus on public safety initiatives and security improvements for the Capitol Complex Area.

In the 2018 legislative session, \$10.0 million general obligation (GO) bond revenues were appropriated to the Commissioner of Administration for Capitol Complex physical security upgrades. This only partially funds the recommendations made by the advisory committee. Consequently, the initiative remains underfunded.

In September 2018, the Department of Administration awarded the design and construction administration contract for the upgrades to Miller Dunwiddie following their completion of the pre-design for this initiative. In 2019, JE Dunn was hired as the construction management firm for the project to assist and validate design for constructability, to verify costs, and manage the construction throughout the life of the project. The primary work elements of the project consisted of installation of new security kiosks, hardening of existing kiosks, installation of metal detection systems, construction of bollards, installation of blast resistant glass on vulnerable windows, installation of security cameras and key card readers, and construction of security enhancements around critical infrastructure at various buildings on the Capitol Complex.

As of the writing of this report, the project is 90 percent complete which is slightly behind schedule and partially caused to supply-chain delays with certain materials. Final project activities are underway with the construction of the security kiosks at the Stassen Building and Judicial Center and the installation of access control hardware on the parking facilities around the Administration, Veterans Service, Judicial Center, and Powerhouse buildings. All work will be substantially complete by the end of March 2021.

In addition to the work associated with the \$10.0 million project mentioned above, a number of significant security projects/initiatives were completed in 2020 including:

- Installation of 1 additional camera with access monitoring at central Capitol Security.
- Installed 15 additional card readers.
- Upgraded 1 analog camera to internet protocol high definition.

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:

The Advisory Committee on Capitol Area Security recommends that the Legislature continue to support its initiatives to enhance operational and physical security on the Capitol Complex. The physical security enhancements nearing completion represent roughly 35% of the total physical security need. The Legislature did not fund the \$27.8 million we recommended in our 2020 Report. The absence of full funding for the security upgrades over the past 8 years leaves over half of the Capitol Complex population and building square footage without programmed physical security improvements. Therefore the Committee recommends that the legislature authorize \$31 million in general obligation bonds and \$12 million from the general fund to cover the cost of work and construction inflation to complete all of the physical security upgrades to the Capitol Complex as identified in the Miller Dunwiddie study and predesign completed in 2014 and 2017 respectively and to incorporate additional security enhancements for crowd control and vandalism protection as identified by the upcoming security threat assessment of the Capitol Mall, grounds surrounding the Minnesota Senate and State Office buildings, and Governor's Residence. The funds shall be made available until fully spent.

The Advisory Committee is also considering additional other security improvements related to State Office Building security, staffing, training and equipment. These actions are necessary to improve safety and security for those who work on and visit the Capitol Complex.

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, the Committee has adopted a layered, all-hazards approach that adheres to the following principles:

- The Capitol, Minnesota Senate, and State Office Buildings 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 feasible, 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 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 in order to ensure continuity of state government operations.

APPENDIX B

Committee Advisors

Department of Administration

Commissioner Alice Roberts-Davis
Facilities Management Director Chris Guevin

Department of Public Safety

Lieutenant Colonel Rochelle Schrofer
Major Sean Meagher
Captain Eric Roeske

Capitol Area Architectural and Planning Board

Executive Secretary Paul Mandell

Minnesota Historical Society

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

Sergeant-at-Arms, Minnesota Senate

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

Sergeant-at-Arms, Minnesota House

Sergeant-at-Arms Robert Meyerson

Security Advisors – College or University

Lieutenant Troy Buhta, University of Minnesota Police Department

Security Advisor – Courts

John Eastham, Commander- Court and Security Services, Ramsey County Sheriff's Department

Private Minnesota Company

Andy Landon, Target Corporation

APPENDIX C Draft Legislation

Capitol Complex - Physical Security Upgrades, Phase II **31,000,000**

For the continuation of design, construction, and equipping required to upgrade the physical security elements and systems for the Capitol Mall and the buildings listed below, their attached tunnel systems, their surrounding grounds, and parking facilities as identified in the 2017 Minnesota State Capitol Complex Physical Security Predesign completed by Miller Dunwiddie with 2021 updates. Work includes but is not limited to the installation of bollards, blast protection, infrastructure security screen walls, door access controls, emergency call stations, security kiosks, locking devices, and traffic and crowd control devices. This appropriation includes money for work associated with the following buildings: Administration, Ag/Health Lab, BCA, Capitol, Centennial, Governor’s Residence Judicial Center, Minnesota History Center, Capitol Complex Power Plant and Shops, Stassen, State Office, and Veterans Service.

Capitol Complex - Physical Security Upgrades, Phase II **12,000,000**

From the general fund in fiscal year 2021, for the continuation of design, construction, and equipping required to upgrade the physical security elements and systems for the buildings listed below, their attached tunnel systems, their surrounding grounds, and parking facilities as identified in the 2017 Minnesota State Capitol Complex Physical Security Predesign completed by Miller Dunwiddie with 2021 updates. Work includes but is not limited to the installation of bollards, blast protection, infrastructure security screen walls, door access controls, emergency call stations, security kiosks, locking devices, and traffic and crowd control devices. This appropriation includes money for work associated with the Andersen, Freeman, Minnesota Senate, Retirement Systems, and Transportation Buildings. The funds shall be made available until fully spent.