

MINNESOTA DEPARTMENT OF PUBLIC SAFETY

CAPITOL SECURITY REPORT

JANUARY 1982

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INTRODUCTION

Judge William Webster, Director of the FBI, before the International Association of Chiefs of Police conference in New Orleans on September 29, 1981, stated, "Crime appears to be spreading virtually unrestrained. There were over 13 million major criminal offenses reported by law enforcement last year. That is up nine percent over 1979 and an increase of 55 percent since 1971. Violent crime increased 60 percent in the same decade." In light of these statistics, the legislative foresight and concern expressed during legislative hearings concerning security, protection and safety is warranted.

Security and safety of elected officials, state employees and visitors to state facilities must be provided in the most effective and efficient manner available. The ability of state government to operate without interruption demands a high priority. The preservation of our irreplaceable State Capitol and Capitol Complex buildings also deserves our attention. Therefore, this study and plan was initiated at the request of the legislature, which directed in Laws 1981 Chapter 357, "The Commissioner shall submit to the legislature by January 1, 1982, a plan for coordinating capitol and mansion security activities."

Protection, security and safety are a twenty-four hour, seven days per week job. Anything less than this severely weakens the program. It requires commitment from those being protected as well as those providing protection. It also requires appropriately trained personnel in these areas. Personnel cannot be assigned on an occasional basis and be expected to have

the knowledge, training and experience to respond to situations that are foreign to their training and experience. Security and protection is becoming increasingly complex and specialized and requires personnel involved on a daily basis to remain proficient and progressive.

The United States Secret Service, at the request of the Commissioner of Public Safety, agreed to review and consult with the department prior to this report. Assistant Special- Agent-in-Charge, Ted Rudd, U.S. Secret Service, Office of Training, Washington, D.C., and Assistant Special Agent in Charge, George Hofmann, Minneapolis Secret Service Field Office, reviewed the State Patrol's executive protection functions and capabilities, the Bureau of Criminal Apprehension's capabilities and resources, Capitol Security's present role and resources, and made the following suggestions:

1. Personnel assigned to personal protection should have extensive experience and background in conducting investigations and making arrests, and should have exposure to intelligence gathering, coordination and dissemination. (Intelligence is comprised of any type of information that would affect the freedom of movement or safety of the individual being protected.)
2. There is a high degree of employee "burn out" when individuals are assigned to personal protection details for extended periods of time. They strongly recommend rotation of personnel assigned to such details.
3. Protection, security and safety must be depolitized and established from a professional base.

4. All functions must be placed under the control and direction of one individual.

A copy of the letter from William R. Barton, Assistant to the Director, U.S. Secret Service, Washington, D.C., is contained in this report.

PROPOSALS

To fulfill the legislative mandate of Laws 1981 Chapter 357, several alternatives were researched. All alternatives were based on providing effective and efficient protection, security and safety. They dealt with concepts, control and philosophy. Due to the sensitive nature of security and confidential elements involved, specific means of protection, assignments, use of electronic devices, numbers of personnel, etc., are not included in this report. The following proposal utilizes the expertise and assets of the State Patrol, the Bureau of Criminal Apprehension, and Capitol Security. The enabling statutes and particular resources relating to protection and security for these divisions are as follows:

Bureau of Criminal Apprehension

Minn. Stat. 299C.03. "The various members of the bureau shall have and may exercise throughout the state the same powers of arrest possessed by a sheriff, but they shall not be employed to render police service in connection with strikes and other industrial disputes."

The Bureau of Criminal Apprehension has extensive and sophisticated investigative and intelligence capabilities. They have personnel located throughout the state that could be utilized throughout the state for advance preparation and for individuals traveling throughout the state. Investigation of allegations, threats and information can also be assigned to these investigators.

State Patrol

Minn. Stat. 299D.03. "As peace officers to provide security and protection to the Governor, Governor-elect, either or both houses of the legislature, and state buildings or property in the manner and to the extent determined to be necessary after consultation with the governor, or his designee. Pursuant to this clause, members of the state patrol, acting as peace officers have the same powers with respect to the enforcement of laws relating to crimes as sheriffs, constables and police officers have within their jurisdictions."

The State Patrol has the advantage of a large number of personnel distributed throughout the state. They have statewide communications and the authority by statute to protect the Governor and legislators. The State Patrol has been providing this protection to the Governor, the Governor's residence and the legislature.

Capitol Security

Minn. Stat. 299E.01. "The division shall be responsible for security and public information services in the capitol complex of state-owned buildings; it shall provide such personnel as are required by the circumstances to insure the orderly conduct of state business and the convenience of the public."

Capitol Security provides 24-hour, 7 days per week security, information and parking enforcement to the Capitol and buildings designated by the statutes as part of the Capitol Complex. This responsibility is assigned to them by statute.

All alternatives researched sought to:

1. Incorporate the recommendations of the U.S. Secret Service.
2. Utilize all available resources to provide effective and efficient protection, security and safety.
3. Encompass a chain of command with one deciding authority. This is crucial, especially in situations of crisis and in emergencies.
4. Encompass the authority and jurisdiction to perform the responsibilities assigned.

The objectives of these alternatives were:

1. Provide security, protection and safety to the Governor and legislature.
2. Provide security, protection and safety to employees and visitors in the Capitol Complex of state-owned buildings.
3. Provide effective and efficient response to crises and emergency situations involving the above.
4. Provide security and safety on a 24-hour basis in the Capitol Complex of state-owned buildings to insure the orderly conduct of state business and the safety of the public.
5. Provide safety, security, and protection to other state facilities as requested or designated.

PROPOSAL

Create a Division of State Protective Service with all protection/security functions placed under this division. It would be composed of personnel from the State Patrol, Bureau of Criminal Apprehension (BCA), and Capitol Security.

To utilize the assets of these existing divisions to their fullest would require cooperation and coordination by the State Patrol, BCA, and Capitol Security. Direction and control would be established and placed under one separate authority exclusive of the State Patrol, BCA, or Capitol Security. Only in this way would all parties be assured of objective, impartial and professional treatment. Personnel from the State Patrol and BCA would be assigned to the Division of State Protective Services for tours of duty not to exceed two years. During this period they would be supervised and directed exclusively by the Director of State Protective Service or his designee.

To direct and manage the State Protective Service would require an individual with training, education and experience in law enforcement, protection and security. This management employee should not be assigned from nor be on leave of absence from the State Patrol or the BCA. The director should be appointed by the Commissioner of Public Safety to serve at his pleasure. The assistant, associate or deputy director should be in the classified service, management schedule.

The primary advantage of this proposal is that it utilizes the best assets of the State Patrol, BCA and Capitol Security in coordination and harmony with one another. The BCA has intelligence capabilities and experience in criminal investigative operations, while the State Patrol has existing knowledge of mansion and personal protection and the capability of obtaining immediate reinforcements in cases of emergency. Upon completion of their assignment with the State Protective Service the experience and training gained will be beneficial in their regular duties. This will place personnel with protection and security experience and training throughout the state.