

Capitol Complex Security Study

Executive Summary

January 14, 2000

Prepared for The Minnesota State Legislature

By Superintendent Nicholas V. O'Hara
Minnesota Bureau of Criminal Apprehension

Table of Contents

Executive Summary	1
Introduction	1
Existing Security Reviews.....	1
Research and Site Visits	2
Statutory Language.....	3
Security Plans	4
Policy Issues	4
Advisory Group Recommendations	4
1. <i>Creation of the Capitol Complex Security Oversight Committee with Statutory Authority and Accountable to the Legislature</i>	<i>4</i>
2. <i>Creation and Implementation of Universal Access and Control Systems, which include Identification card badging for all employees, vendors and others having business on the complex and at any building within the complex.</i>	<i>5</i>
3. <i>Heightened Security at the Capitol Complex</i>	<i>6</i>
4. <i>Heightened personal protection for members of the executive, judicial and legislative branches of government.....</i>	<i>7</i>
5. <i>The Group understands the potential danger and public mis- perception created by the appearance of non-sworn Capitol Security staff.....</i>	<i>7</i>
6. <i>Personnel and organizational options</i>	<i>8</i>
Fiscal Implications.....	12
Superintendent’s Analysis.....	12
Ad-Hoc Advisory Group.....	15
Appendix 1 – Financial Analysis Chart	

Executive Summary

Introduction

The 1999 Minnesota State Legislature directed the Superintendent of the Minnesota Bureau of Criminal Apprehension (BCA) to conduct an in-depth study of issues related to capitol complex security. The legislature directed that the study address general security in the capitol complex and specific security for constitutional officers and their families, legislators, members of the judiciary housed in the capitol complex, state employees, visitors and visiting dignitaries. Further, the Superintendent was asked to analyze the strengths and weaknesses of the current manner in which security is provided throughout the Capitol Complex. Accordingly, the Bureau of Criminal Apprehension, with guidance from an advisory committee consisting of key stakeholders, conducted research and analysis of historical and contemporary issues relating to Capitol Security.

The goal of the BCA Capitol Complex Security Study is to achieve the highest practical level of safety and security throughout the Minnesota State Capitol Complex. To this end the BCA, acting on the advice of the Capitol Security Complex Ad-Hoc Advisory Group (Group), advocates a heightened awareness of safety and security throughout the Capitol. It does so by making recommendations and disseminating information on safety/security concepts, practices and guidelines that the legislature may consider in its review of Capitol Complex security issues.

Existing Security Reviews

The scope for this study included, but was not limited to, reviews and analysis of several previous Capitol Complex Security Reviews. One notable series of reviews were those conducted by Curtis M. Haugen & Associates, 1208 Marquette Avenue, Suite 315, Minneapolis, Minnesota (Haugen). The Haugen *system security* reviews were primarily focused on technology and access control issues throughout the Capitol Complex. Specifically, Haugen reviewed the Centennial Building, the Department of Transportation building, the Judicial Center, the Capitol Complex tunnel system and the Capitol Complex audio/video systems. The Minnesota Department of Administration has implemented several of the Haugen recommendations. ***The Group recognizes the efforts of the Department of Administration and the limitations to full implementation; and, as such, recommends continuation of their endeavors regarding security enhancement.*** While the Group concentrated much of its attention on policy and personnel questions as opposed to technology issues, the Group nonetheless does make specific recommendations that augment the Haugen report and the efforts of the Department of Administration. This is particularly evident in the recommendations for universal access card badges and the utilization of magnetometers and parcel scanning devices.

Staff also reviewed the recently completed Court Security Manual. The Court Security Manual is a comprehensive security document prepared by the State of Minnesota, Conference of Chief Judges. The Courthouse Security Committee adopted a mission statement which closely paralleled the mission of this study; *“To develop and implement a statewide courthouse security program, incorporating the elements of prevention, deterrence, and response. The program shall include the development of uniform standards and procedures for courthouse security and shall contain a training component for courthouse employees and those charged with providing security in*

courthouses.” The Honorable Lawrence D. Cohen, Chair, Conference of Chief Judges Courthouse Security Committee said in the introduction to their manual: ***“It’s not a question of whether there is going to be a major and serious security incident in our courthouse; the question is when it will happen?”***... The Group and staff agree with the sentiments and recommendations of the Courthouse Security Study report and incorporate by reference those recommendations which impact the Group’s charge.

Research and Site Visits

In coming to its conclusions, the Group also relied upon the research conducted by BCA staff (staff). Staff reviewed operations of several states and the United States Capitol Police regarding the issue of capitol complex security, dignitary protection, strategic/tactical planning, training, law enforcement and security. In addition to reference searches, literature reviews, and telephone interviews, staff traveled to the states of Kansas and Virginia and to the United States Capitol to observe those capitol police force operations. The state locations were chosen in large part because of their demographic similarities to Minnesota. Another important factor in this choice was that each of the state locations has dealt with security concerns similar to those facing Minnesota. Kansas and Virginia developed uniquely different approaches to resolving their concerns. The United States Capitol Police have already faced problems more severe than those experienced in Minnesota and are considered to be the premier capitol police department in the country.

The research revealed that Minnesota’s existing system for the delivery of capitol security/police services is unique to Minnesota in several respects. For example, the vast majority of states and the U.S. Capitol Police employ full-time, licensed police officers to perform their capitol security, law enforcement and dignitary protection services. Minnesota provides most of these services using non-sworn personnel. Furthermore, most of the states and the U.S. Capitol Police require special training in areas such as dignitary protection for their capitol police officers. Minnesota Capitol Security personnel receive minimal specialized training.

The research found no consistency with respect to whom or to which agency of state government the capitol police report. In some states, such as Virginia and Connecticut, the capitol police department reports to the state legislature. In other states, such as Wisconsin and Florida, the capitol police department reports to the department of administration. Other state capitol police departments report to their state department of public safety. The U.S. Capitol Police are a creation of the U.S. Congress and report to them, through a governing/oversight board, which consists of three members: the Architect of the U.S. Capitol, and the Sergeants of Arms of the both houses of Congress. The state whose organization most closely resembles Minnesota’s is Kansas.

The Kansas Capitol Police are a division of state government that operates as Troop K of the Kansas Highway Patrol. However, there is oversight from the Kansas Department of Administration, division of Facilities Management. A Highway Patrol Lieutenant and a Capitol Police Lieutenant command the Kansas Highway Patrol, Division of Capitol Police. There are five (5) sergeants, twenty-five (25) patrol officers, twenty-one (21) security officers, and six (6) communications officers. Kansas Capitol Police and security officers must complete the highway patrol training academy before being assigned. Kansas Capitol Police, a “special purpose” police department, have full powers of arrest within their jurisdiction.

The Virginia Capitol Police is a division of the Virginia Department of Legislature. They currently have seventy-eight (78) sworn police officers and one (1) civilian employee. The Chief of Capitol Police is appointed by and serves at the pleasure of the Speaker of the Virginia House of Delegates. The current operations budget for Capitol Police is 5.4 million dollars per biennium.

The United States Congress formed the United States Capitol Police in 1828. They currently employ 1,300 employees of which 1,075 are sworn police officers. Their current operations budget is 85 million dollars per year and they are preparing to hire 240 additional sworn law enforcement officers. Since U.S. Capitol Police are federal law enforcement officers, they have jurisdiction for investigations and protection duties throughout the country. However, their primary jurisdiction consists of 19 buildings, including the U.S. Capitol in Washington, D.C. Those 19 buildings comprise 40 square blocks. They also patrol and have concurrent jurisdiction with the Washington, D.C. Metropolitan Police in an additional 240 square block area surrounding the Capitol.

In addition to their arrest powers, most capitol police departments throughout the country also have the authority to conduct investigations of criminal law violations that occur within their jurisdiction. Minnesota Capitol Security does not have this authority. Also, unlike Minnesota, most other capitol police departments provide full time security services and dignitary protection to their judicial officers and elected officials.

Funding for most of Minnesota Capitol Security comes from a general fund appropriation. Funding was increased in the 1997-98 legislative session to provide for additional capitol security officers at the Harold Stassen Building (Department of Revenue). In addition to general fund appropriations, Capitol Security does receive funding from agencies such as the Department of Health (717 Delaware, Minneapolis) and the Department of Administration, Inter Technologies Division, for coverage beyond a normal, 8:00 a.m. - 5:00 p.m. workday. Capitol Security also charges organizers of special events, such as Taste of Minnesota, for security and crowd control services. The inference to be drawn is that Capitol Security guard services are provided on an ability to pay basis.

Statutory Language

Minnesota Statute 299D.03 State Patrol Subdivision 1., (10) in relevant part, reads as follows:

*“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 a designee**”...*

When compared to other state’s statutes, the authority given to the Minnesota State Patrol, by the language in the quoted section of MS 299D.03, subd 1.,(10), is more ambiguous. An example of more precise wording can be found in the statutory authority given the Virginia Division of Capitol Police. Virginia State Code section 30-24.2:1. reads, in relevant part:

“The Capitol Police may exercise within the limits of the Capitol Square, and when assigned to any other property owned or controlled by the Commonwealth or any agency, department, institution or Commission thereof, all the powers, duties and functions which are exercised by the police of the city or sheriff of the county within which said property is located. The jurisdiction of the Capitol Police shall further extend 300 feet beyond the boundary of any

property they are required to protect, such jurisdiction to be concurrent with that of other law enforcement officers of the locality in which such property is located. Additionally, the Capitol Police shall have concurrent jurisdiction with law enforcement officers of the City of Richmond and any county contiguous thereto in any case involving the theft or misappropriation of the personal property of any member or employee of the General Assembly. Members of the Capitol Police, when assigned to accompany the Governor, members of the Governor's family, the Lieutenant Governor, the Attorney General, members of the General Assembly, or members of the Virginia Supreme Court, shall be vested with all the powers and authority of a law enforcement officer of any city or county in which they are required to be. All members of the Capitol Police shall be subject to” ...

Security Plans

In furtherance of the objectives of this study, the Group encourages all Minnesota State departments, the state legislature and the state judiciary to develop and implement system security plans and programs which cover their employees, visitors and facilities. These plans should be coordinated, monitored and facilitated by the Minnesota Department of Public Safety, Division of State Patrol, Capitol Security. The Group also recognizes that every department of the state and the other branches of government have a variety of demands for its limited resources. Therefore, full implementation of department or agency system security plans may well require a phased approach.

Policy Issues

The Group found the policy issues related to dignitary protection, law enforcement and security most compelling. The Group also recognized that the consensus reached regarding its conclusions and recommendations are subject to debate and will involve considerable costs. Therefore, **the Group suggests a phased approach to implementation**, completing the least intrusive aspects of system security changes first, i.e. access control, before moving at a graduated pace toward the full implementation of its recommendations. The Group envisions an ongoing review of the implementation process as a crucial role for the Capitol Complex Security Oversight Committee (see below for further description and function).

Advisory Group Recommendations

The BCA staff, the Advisory Group, and assisting organizations prepared this study in order to assist the legislature in developing a cogent security program and to develop a strategic approach to the delivery of law enforcement and security services at the Capitol Complex in the 21st century. To that end, the Group, following staff input and intensive deliberations, has arrived at consensus regarding the following recommendations.

- 1. Creation of the Capitol Complex Security Oversight Committee with statutory authority and accountable to the legislature***

The Oversight Committee will assume on-going responsibility for the conceptual and strategic operation of Capitol Security. The Oversight Committee will be responsible for the long term development, implementation and continued evaluation of the system security plan. The system security plan will:

1. Provide a conceptual plan for enhanced security by necessary development, expansion and linkage of new or existing systems or structures;
2. Set out a real time methodology for dealing with changing security, technology and management of environmental factors; and,
3. Provide goal, outcome-based benchmarks, and system evaluation guidelines that will be used to monitor the on-going effectiveness of the system.

The Oversight Committee will have the following roles and responsibilities as part of its primary function:

1. Budget recommendations, allocation, and fiscal management to include legislative initiatives.
2. Development and administration of system and constituent security plans.
3. Mission development and evaluation.
4. Development and implementation of Capitol Security strategic plans.

The Oversight Committee will include the following members or their agency designees:

1. The Commissioners of the Department of Administration and the Department of Public Safety.
2. The Speaker of the Minnesota House of Representatives and the Majority Leader of the Minnesota Senate or their designees.
3. The Chief Justice of the Minnesota Supreme Court
4. The Director of Capitol Security, serving in a non-voting liaison position.

2. ***Creation and implementation of Universal Access and Control Systems, which include identification card badging for all employees, vendors and others having business on the complex and at any building within the complex.***

The Group recommends a universal access card system be employed throughout the Capitol Complex. The Group strongly supports the **Haugen** recommendations in this regard. To facilitate this recommendation the Group recommends that all Capitol Complex employees be issued access card/identification badges that will be color and access coded to grant access to buildings, property, facilities and tunnels commensurate with the employees work duties. Further, vendors and others having business on the complex or in any of the complex buildings, facilities, or property will be issued temporary identification cards except in situations where badging is not necessary, i.e., the person has gained entry through an appropriately monitored and screened public check point. Capitol Security will be responsible for the issuance and monitoring of the access/identification control badging system.

The Group recommends that tunnel access and all other non-public capitol entry points be restricted to properly badged employees, vendors, media, and lobbyist personnel only.

The Group is aware of the Department of Administration's phased approach to full implementation of a universal access control system including badges and key/pass cards. The Group recognizes the fiscal impact of full implementation of this recommendation. Therefore, while the Group supports the phased approach undertaken by the Department of Administration, the Group advocates the allocation of funds sufficient to accelerate full implementation of a universal access control system.

3. *Heightened security at the Capitol Complex*

In addition to the security enhancements noted in number 2 above, the Group understands that the purpose of a Capitol Complex security system is to maximize the safety and security of the complex without unduly limiting public access. This is particularly important in those buildings where public hearings and court sessions are conducted. Therefore, the Group makes the following recommendations:

- a. A limited number of *public* entrances should be established at the Capitol, Judicial Center and the State Office Building. Persons using these entrances who have not been issued access card/identification badges would be subject to screening devices similar to those used at airports. The screening devices would include walk-through magnetometers and conveyer belt package/parcel x-ray machines. Non-sworn personnel would operate these screening devices. Supervisory or sworn personnel would be available to assist when suspicious packages and/or persons are encountered.

Public entrances should be established at the following locations:

Capitol – Seven Public Entrances

Tunnel entrance from Judicial Building; Tunnel entrance from Administration Building; Tunnel entrance from State Office Building; Ground floor handicap entrance; South main steps; Loading dock entrance; Southwest door (ground floor employee/press entrance).

Judicial Center – Two Public Entrances

South entrance; Law Library entrance from tunnel.

State Office Building – Five Public Entrances

East main entrance; North entrance; South entrance; Two tunnel entrances.

- b. Sufficient funding must be provided to properly train and equip both sworn and non-sworn Capitol Security staff. The training for sworn officers should focus on the roles and responsibilities of officers who perform *functions unique to capitol police*

officers, including dignitary/executive protection duties.

- c. At all times, and especially during legislative sessions, non-sworn Capitol Security staff must be augmented by licensed police officers. Further, the Group recognizes the need to establish a licensed police officer presence in Judicial Center courtrooms during court sessions.

4. *Heightened personal protection for members of the executive, judicial and legislative branches of government.*

The Group recommends statutory changes that would specifically list the persons who are to be protected as the State of Virginia has done. In the meantime, the Group recommends that additional licensed, sworn and specially trained peace officers be assigned to provide protection to the following areas of immediate concern:

- a. Troopers are currently scheduled for costly overtime shifts to supplement security at the Governor's Residence. To provide a permanent staff that is familiar with the activities at the residence and to reduce overtime costs, the committee recommends that ***additional troopers*** be assigned to provide security at the Governor's Residence.
- b. The minimal personnel resources currently available for personal protection details do not permit the utilization of established protection techniques and result in extraordinarily long shift assignments for troopers assigned to these details. To provide adequate personal protection for designees, the committee recommends that ***additional troopers*** be assigned to provide adequate security for the Governor and Lieutenant Governor. ***Additional troopers or other licensed police officers*** are also needed to protect legislative and judicial officials as needs arise.

5. *The Group understands the potential danger and public misperception created by the appearance of non-sworn Capitol Security staff.*

At present, the non-sworn Capitol Security guards are outfitted with all of the traditional trappings of a police officer. The blue uniform, Sam Browne belt and other regulation police equipment identify these persons as police officers to the casual observer. However, these non-sworn guards are not trained or empowered to take police action and they are not equipped or trained to handle a deadly force situation. Therefore, the Group recommends that Minnesota Statute 626.88, Subd. 3, which exempts Capitol Security from the "uniform color standards" for peace and security guards be repealed. The Group believes that the non-sworn Capitol Security guards should wear uniforms that are recognizable by the public but distinguishable from those of police officers. The new uniform should be functional and permit the guards to perform their duties in a practical and professional manner.

6. *Personnel and organizational options*

While general agreement was reached on the items above, the Group did not reach consensus

on the personnel allocations and operational structures needed to complete these tasks. Rather, the Group developed four options, listed below in order from the least expensive (Option 1) to the most expensive (Option 4).

Option 1

The current structure and operation of Capitol Security remain with the following modifications:

1. Existing Capitol Security guard staff receives administrative and technical support and additional training to include computer case management and security/intelligence networking and tracking.
2. The role, responsibility, and mission of the existing guard staff be clarified and limited to areas contained or immediately adjacent to the Capitol Complex in the City of St. Paul, Minnesota. Security guard staff now assigned to off complex locations be reassigned to the Capitol Complex, i.e., agencies utilizing Capitol Security guards off campus would be required to find other security options at their expense.
3. Four (4) additional State Troopers be permanently assigned to and trained in the functions of capitol security. Said training would also cover the technical aspects of dignitary or executive protection for the executive, judicial, and legislative branches of government.
4. A cadre or pool of contracted, licensed police officers be identified and made readily available to the State Trooper serving as Director of Capitol Security, to be deployed as needed to augment security personnel at the Capitol during legislative and court sessions.
5. The number of public entrance security screening checkpoints throughout the Capitol Complex be reduced to four (4) and that each of those screening points be equipped with moveable (portable) electronic detection equipment. The portable screening checkpoints would be deployed at public entrances or other locations within the buildings on a daily basis. Typically, one device would be deployed in the State Office Building, one device at the Judicial Building and two devices at the Capitol Building. Persons issued access card/identification badges could use public entrances not equipped with screening devices, but these entrances would not be open to the general public.
6. That monitoring and screening of these moveable security screening checkpoints be accomplished by the reassigned Capitol Security guards.

Option 2

Capitol Security structure and operations are reorganized and adjusted to accommodate the following innovations:

1. Existing Capitol Security guard staff receive administrative and technical support and additional training to include computer case management and security/intelligence networking and tracking.
2. The role, responsibility and mission of the existing guard staff be clarified and limited to

areas contained or immediately adjacent to the Capitol Complex in the City of St. Paul, Minnesota. Security guard staff now assigned to off complex locations be reassigned to the Capitol Complex, i.e., agencies utilizing Capitol Security guards off campus would be required to find other security options at their expense.

3. Eight (8) additional State Troopers be permanently assigned to the Capitol Complex, with primary responsibility for the House, Senate, and Supreme Court.
4. Four (4) additional State Troopers be added to the executive, judicial, and legislative security/dignitary protection detail.
5. Magnetometers and other electronic devices be installed, maintained and monitored at fourteen screening/access points throughout the Capitol Complex, to include five public entrances to the State Office Building, two public entrances to the Judicial Center, and seven public entrances to the Capitol building.
6. Security and monitoring of screening/access points be performed by the reassigned Capitol Security guards augmented by contracted private security firms, with supervision provided by the assigned State Troopers. This function could also be performed by contracted, licensed police officers that are readily available to the Director of Capitol Security to be deployed on an as needed basis.

Option 3

The current structure and operation of Capitol Security are modified to include significant numbers of licensed police officers. The unit would be renamed the Capitol Police and Security Division (CPSD) to emphasize the increased police presence. The new officers could be either State Troopers or Capitol Police Officers. If troopers are used the CPSD would become a distinct and separate district office of the State Patrol. If Capitol Police Officers are used the CPSD would remain a division of the Department of Public Safety. The CPSD district or division will perform the following functions:

- Security
- Law Enforcement
- Executive / Dignitary Protection

1. The CPSD will operate 24 hours a day, seven days a week and will function as a full service law enforcement agency, providing law enforcement and security services for all state buildings, facilities, and property on the Capitol Complex. This will include the investigation of crimes committed on the complex. The CPSD will also provide all necessary personal protection services for elected officials (see section 4 of this report).

2. Magnetometers and other electronic devices be installed, maintained and monitored at fourteen screening/access points throughout the Capitol Complex, to include five public entrances to the State Office Building, two public entrances to the Judicial Center, and seven public entrances to the Capitol Building. Public entrance screening using detection devices will be performed under the supervision of CPSD officers.

3. CPSD officers will provide security assignments during legislative and court sessions. Off duty contracted, licensed police officers could also be employed by the CPSD to augment the police force during times of intense activity.

4. The existing Capitol Security non-sworn guard forces will be reduced as guards are replaced by licensed police officers and ultimately eliminated through attrition. In the meantime, the guards will perform “after-hours” security type duties and other duties including traffic and parking assistance or control.

5. The CPSD personnel numbers listed below represent a one-for-one replacement of non-sworn guards with licensed police officers and additional officers to investigate crimes (a function not currently performed by Capitol Security guards). The numbers also include support staff, i.e., communications - radio dispatch, clerical and administration. The CPSD will include the following members:

a. Fifty-one (51) licensed police officers and first line supervisors to patrol the Capitol Complex and its grounds (replaces forty-eight (48) existing guards and adds three (3) investigators).

b. Eleven (11) licensed police officers assigned to the elected officials’ protection detail (augments four (4) State Troopers currently assigned to the Governor and Lt. Governor with seven (7) additional officers to provide legislative and judicial protection).

c. Twelve (12) licensed police officers assigned to the Governor’s residence (augments five (5) State Troopers currently assigned and eliminates the need for overtime shifts by temporarily assigned troopers currently performing the residence security function).

d. Support staff including eight (8) radio dispatch and clerical personnel (no change from present support staff numbers).

e. Command staff, including a Director and Assistant Director. Both of these persons would be licensed police officers (augments one (1) existing Director with an Assistant to maintain leadership in the Director’s absence).

Option 4

This option creates an entirely new police agency, the Minnesota Capitol Police Department (MCPD), “***A Special Purpose Police Department,***” which would exist solely to perform its special purpose. That special purpose would be law enforcement, security, and protection of elected officials on or about the Minnesota State Capitol and the Capitol Complex in St. Paul, Minnesota and other duties as assigned. The “Special Purpose” police department model is currently in use in several locations throughout Minnesota including the University of Minnesota Police Department, the Metropolitan Airports Commission-Airport Police Department and the Metropolitan Council’s Metropolitan Transit Police Department. The MCPD would be a creation of the Minnesota legislature and the legislature would be responsible for the operation of the MCPD. Statutory initiatives and changes are required for

this option to proceed. Most significant of those changes is the legislature giving itself the authority to essentially operate as a municipality, with the authority to appoint and employ peace officers as currently defined in statute.

The MCPD will have the following structure and functions:

1. The MCPD will report to the Capitol Security Oversight Committee.
2. The legislature will create an administrative services agency within the legislature or designate an existing state agency to provide fiscal and administrative support services to the MCPD.
3. The MCPD will operate 24 hours a day, seven days a week and will function as a full service law enforcement agency, providing law enforcement and security services for all state buildings, facilities and property on the Capitol Complex. This will include the investigation of crimes committed on the complex. The MCPD will also provide all necessary personal protection services for elected officials except the Governor and Lieutenant Governor. The Governor and Lieutenant Governor would continue to be protected by State Troopers.
4. Magnetometers and other electronic devices be installed, maintained, and monitored at fourteen screening/access points throughout the Capitol Complex, including five public entrances to the State Office Building, two public entrances to the Judicial Center, and seven public entrances to the Capitol Building. Public entrance screening using detection devices will be performed under the supervision of MCPD officers.
5. The existing Capitol Security non-sworn guard forces will be reassigned to the new MCPD and reduced in number as licensed police officers replace the guards, and ultimately eliminate them through attrition. In the meantime, the guards will perform "after-hours" security type duties and other duties including traffic and parking assistance or control.
6. The staffing needs related to this option include:
 - a. Fifty-one (51) licensed police officers and first line supervisors to patrol the Capitol Complex and its grounds (replaces forty-eight (48) existing guards and adds three (3) investigators).
 - b. Seven (7) licensed police officers to provide legislative and judicial protection (new positions).
 - c. Three (3) licensed police officers to provide training for the MCPD sworn and non-sworn personnel, also can perform background investigations of officer candidates and internal affairs investigations (new positions).
 - d. Five (5) fiscal and administrative staff persons to provide payroll, purchasing, human resources and related services (new positions).

- e. Support staff including eight (8) radio dispatch and clerical personnel (no change from present support staff numbers).
 - f. Command staff, staff including a Chief and an Assistant Chief. Both of these persons would be licensed police officers (new positions).
7. The formation of the MCPD also does not mitigate the need for additional troopers to protect the Governor, Lieutenant Governor, and the Governor's residence as the MCPD will not be protecting the Governor or his residence. At least eleven (11) additional State Troopers would be needed to augment the current security detail assigned to those persons and the residence.

Fiscal Implications of the Personnel and Organizational Options

Each of the four options mentioned above requires **additional expenditures beyond the current Capitol Security budget**. The technology costs are drawn from the **Haugen** reports, with the exception of the cost of the screening devices including magnetometers and package screening devices that were derived from industry sources. The personnel and equipment costs are calculated from current cost estimates supplied by the Department of Public Safety. Staff estimates that the total **additional first year startup costs** will range from an additional **1.8 million dollars for Option 1** to an additional **6.0 million dollars for Option 4**. A financial analysis chart is attached as an appendix to this report.

Superintendent's Analysis

During this comprehensive six-month effort the BCA staff has reviewed numerous professional publications and documents regarding security in general, and documents and publications which relate specifically to capitol security type operations. Further, the staff has conducted analysis of security infrastructure improvements which have been recommended by outside security consultants. Lastly, staff has traveled to other states and the U.S. Capitol to review their security operations.

Ongoing Capitol Complex security practices have also been reviewed and discussed extensively with the Advisory Group. Valuable feedback was received from the members of the group.

Based on the input from BCA staff and the Advisory Group, as Superintendent of the BCA, I propose the following:

- 1) The Superintendent supports recommendations one through five of the Advisory Group and finds them to be consistent with the independent findings of the staff during this study. Specifically, these recommendations include:
 - a. The creation of a Capitol Complex Security Oversight Committee, which the Superintendent recommends be chaired by the Commissioner of Public Safety;
 - b. The creation and implementation of a Universal Access and Control System

which includes identification card badging for employees and others having business on the complex;

- c. Heightened security at the Capitol Complex to include the screening of visitors using magnetometers and parcel screening devices similar to those used at major airports;
- d. Heightened personal protection for members of the executive, legislative, and judicial branches of government;
- e. Modification of existing uniforms for non-sworn Capitol Security guards so they are not mistaken for licensed police officers.

2) The Superintendent supports Option 2 of Advisory Group recommendation six. Recommendation six listed four possible personnel and organizational options for implementing the five recommendations listed above. Option 2 is seen as the most viable interim solution to the critical issue of Minnesota State Capitol Complex Security and Executive Protection for the following reasons:

- a. Option 2 will immediately tighten security at the Capitol Complex.
- b. Option 2 enhances the existing structures and allows for a seamless transition to a new security dynamic in the future.

Option 1 is not supported because it will not significantly enhance the level of security at the Capitol Complex. Furthermore, this option would require an unrealistic limitation of public access to the buildings during legislative sessions. Under this option there would be only two public entrances to the Capitol Building and one public entrance to the State Office Building.

Option 3 would enhance the security level but is not a viable short-term alternative due to the costs and time required to make such significant personnel and organizational changes.

Option 4 is not supported for the following reasons:

- a. Option 4 would be significantly more costly than the other options. Much of the additional expense would be the result of the needless duplication of administrative resources inherent in this option;
- b. Option 4 would fragment the protective services between the legislative and executive branches and would thereby prove less efficient than the other options;
- c. Past experience in other areas of the U.S. has suggested that Option 4 may be more susceptible to attempts to politically influence the actions of such an agency;
- d. Option 4 would likely provide the least continuity of command level personnel assignments, as there is a potential for change of agency administration with each new legislative session.

3) Finally, the Superintendent wishes to emphasize that the success of these recommendations is

dependent upon the creation of the Capitol Complex Security Oversight Committee mentioned in recommendation one. The Superintendent views this committee as the vehicle to carry the issue of safety and security at the Capitol into the future.

Ad-Hoc Advisory Group

In anticipation of the complex nature of this study the Superintendent convened an Ad-Hoc Advisory Group, consisting of key stakeholders having unique experience and perspectives on issues relating to Capitol Complex Security. The original Advisory Group members are as follows:

Joan M. Archer, President - Minnesota Soft Drink Association

Wendy Dwyer-Bagley - Office of the Governor

Sherry Broecker, Representative - MN House of Representatives

Dennis Flaherty, Executive Director - MN Police and Peace Officers Association

Jim Froeber, Manager - Minnesota Historical Society

Richard Gregory, Director of Security - Office of the Attorney General

Larry Johnson, Assistant SAC - U.S. Secret Service

Randy Kelly, Senator - Minnesota Senate

Pat Kessler - WCCO Television

Sven Lindquist, Sergeant-at-Arms - Minnesota Senate

Alesia Metry, Lieutenant - Capitol Security

Mancel Mitchell, Deputy Commissioner - MN Department of Public Safety

Nicholas V. O'Hara, Superintendent - MN BCA, Chair

Shawn Peterson, Chief Sergeant-at-Arms - Minnesota House of Representatives

Edward Stringer, Justice - Minnesota Supreme Court

Jay Swanson, Captain - Minnesota State Patrol

Tom Ulness, Assistant Commissioner - Department of Administration

James Welna, Chief - MSP Airport Police Department