



Capitol Complex Security

Minnesota should take additional steps to ensure the safety of top state officials, state employees, and visitors in the Capitol Complex.

Major Findings:

- Minnesota's Capitol Complex has significant security vulnerabilities.
- The state lacks an effective mechanism for reviewing the adequacy of Capitol Complex security on an ongoing basis.
- Capitol Security—the agency most directly responsible for security in the Capitol Complex—lost staff over the past decade while it became responsible for more building space.
- Capitol Security's staff have been increasingly paid for by agency contracts rather than direct appropriations, raising questions about whether resources are being allocated based on security risks.
- Nearly all states' capitol complex security operations rely on certified law enforcement officers with extensive training to a greater extent than does Minnesota.
- Capitol Security has not taken sufficient steps to ensure that it and other Capitol Complex agencies have clear plans for responding to emergencies.
- The state has added some restrictions on Capitol Complex building access during the past decade, but it has no weapons screening.

Recommendations:

- The Legislature should establish a Capitol Complex security advisory committee, comprised of officials from all three branches of state government.
- The Department of Public Safety should propose adding several peace officers to Capitol Security's workforce, subject to the Legislature's approval. The Legislature should fund Capitol Security through direct appropriations. The Governor and Legislature should consider capital projects in 2010 that could enhance Capitol Complex security.
- Capitol Security should develop more detailed, written plans related to emergency preparedness and response. It should also update its policies and procedures for staff and ensure that staff have adequate training.
- The Legislature should amend state law to authorize State Patrol protection of key state officials (other than those currently mentioned in law) when there are credible security threats.

State officials should strive to maintain reasonable access to public spaces and decision-making processes while ensuring safety.

Report Summary

The Capitol and nearby buildings house the leaders of Minnesota's executive, legislative, and judicial branches of government. In addition, this "Capitol Complex" houses many state agencies and large information systems, and it is host to numerous visitors.

A division of the Department of Public Safety known as Capitol Security has statutory responsibility for ensuring "the orderly conduct of state business and the convenience of the public" in the Capitol Complex.¹ In addition, the Department of Administration operates and maintains state-owned buildings in the complex, so it oversees the installation of electronic security and environmental surveillance systems in these buildings.

Some building access restrictions have been implemented, but security vulnerabilities remain.

By its nature, the Capitol Complex faces important security risks. Controversial issues are often debated and decided in the complex, and the Capitol itself is an important symbol of the state. There have been no tragic incidents in the Capitol Complex in recent years, but events in schools, courthouses, and other states' capitols are a reminder that security threats are real.

During the past decade, state agencies have implemented new controls on building access. For example, more parts of Capitol Complex buildings are accessible only with electronic keycards, and there are now fewer unlocked building entrances.

In 2006, the Minnesota National Guard conducted assessments that identified many security vulnerabilities in the Capitol Complex. Some steps have been taken to implement the National Guard's recommendations, but many of the identified vulnerabilities have not been resolved.

Minnesota should provide reasonable access to public spaces and decision-making processes, but it should also ensure safety. This will require important decisions, such as whether (and perhaps how) to install weapons screening in some of the state's most visible buildings. Minnesota is 1 of 27 states that does not have metal detectors in its Capitol. Also, unlike the majority of states, Minnesota does not have metal detectors for its Supreme Court hearings.

The 2000 Legislature created an ongoing committee to address security issues in the Capitol Complex, but the committee met infrequently and was later disbanded. In our view, there is a need for a similar but more effective committee today. This committee would help develop clear objectives, reasonable priorities, and effective practices for Capitol Complex security.

In addition, there should be better emergency planning for the complex. Some state officials expressed concern to us that their agencies are not adequately prepared to respond to dangerous situations. In addition, Capitol Security's written policies on emergency preparedness and response are sometimes limited in scope or outdated.

¹ *Minnesota Statutes* 2008, 299E.01, subd. 2.

A stronger law enforcement presence in the Capitol Complex is overdue.**Minnesota's Capitol Complex security officers tend to have limited authority and training compared with their counterparts in other states.**

By law, Capitol Security is headed by a member of the State Patrol. Capitol Security has one other law enforcement officer on staff year-round, and another is assigned to Capitol Security only during the legislative session.

Most of Capitol Security's staff are unarmed security guards, without law enforcement authority. For the legislative session, Capitol Security hires several retired law enforcement officers; they are armed but do not have law enforcement authority.

Most states have more certified law enforcement officers in their capitol security units than does Minnesota. In fact, some states (like Wisconsin) rely exclusively on peace officers to provide security in their capitol complexes.

Several previous reports have recommended that Minnesota increase its presence of law enforcement officers at the Capitol. Most recently, a 2000 report by the Superintendent of the Bureau of Criminal Apprehension presented the Legislature with several options, all involving increased numbers of peace officers in the Capitol Security workforce.

To qualify for peace officer certification, a person must complete a rigorous, multi-month training program. In contrast, there are minimal requirements for Capitol Security guard positions, and ongoing training has covered a limited range of topics. For example, Capitol Security has not offered in-depth internal training since 2000 related to bomb threats.

Written policies and procedures can be a helpful reference for security staff, especially for topics on which they have received limited formal training. However, many of Capitol Security's policies and procedures have not been updated recently. In addition, state agency officials offered mixed opinions about the on-duty performance of Capitol Security staff.

We recommend that the Department of Public Safety present the Legislature with a plan for adding several certified peace officers to Capitol Security. Many important duties should continue to be performed by security guards, but a stronger law enforcement presence in the Capitol Complex is overdue. We also recommend that Capitol Security update its policies and procedures.

Capitol Security's staffing levels have declined while its responsibilities have grown.

There are no agreed-upon standards for determining the appropriate staffing levels for security in a state capitol complex. States' staffing levels vary considerably, depending partly on the extent to which they conduct weapons screening.

Staffing levels in Minnesota's Capitol Security unit have declined over the past decade. Excluding dispatch staff, support staff, and part-time staff, Capitol Security's staffing declined from 49 in 1999 to 39 in 2008. During this time, several large state buildings opened in the Capitol Complex. In addition, there are now over 46,000 points or sensors related to security or environmental systems in Capitol Complex buildings that are monitored by Capitol Security staff. This is more than double the number that existed ten years ago.

State agencies have paid for a growing share of Capitol Security costs in recent years.

Increasingly, full-time Capitol Security staff have been paid for by agency contracts rather than direct appropriations. In fiscal year 2008, agency contracts paid for 50 percent of full-time Capitol Security staff, up from 12 percent in fiscal year 2003. However, some people have questioned whether this has resulted in the allocation of security resources based on agencies' willingness to pay, rather than on a careful assessment of where security risks are the most pressing.

Our review did not evaluate in detail the adequacy of the security provided to individual, high-profile state officials. Minnesota law specifically affords State Patrol protection to the Governor and Governor-elect. However, there may be circumstances where there are credible threats to other key officials in the executive, legislative, or judicial branches. We recommend that the Legislature amend state law to authorize State Patrol protection in such circumstances.

Summary of Agency Responses

In a letter dated May 8, 2009, Department of Public Safety Commissioner Michael Campion wrote that he hopes the evaluation "will spur further discussion by policy makers and stakeholders regarding public safety at the Capitol Complex." He said his department "has attempted, within the confines of available resources, to provide the safest environment possible." The commissioner said that some security measures proposed by OLA and previous studies would require additional resources. He commented that the Capitol Complex has relatively few security or crime-related incidents, but "we realize the past is not always a true predictor of the future."

Also, in a letter dated May 8, 2009, Department of Administration Commissioner Sheila Reger called the OLA evaluation "thorough and professional" and said her department will fully support its recommendations. Regarding OLA's recommendation for establishment of a Committee on Capitol Complex Security, "we enthusiastically support this recommendation," the commissioner wrote. However, she said her department would prefer a faster timetable than OLA suggested for the committee's initial report. Specifically, she would like the committee to complete its initial assessment of security vulnerabilities and recommendations by Fall 2009, "to allow for inclusion of necessary funding in the [state's] 2010 capital bonding process."

The full evaluation report, *Capitol Complex Security*,
is available at 651-296-4708 or:
www.auditor.leg.state.mn.us/ped/2009/capsecurity.htm