

ADVISORY COMMITTEE ON CAPITOL AREA SECURITY (ACCAS)
MEETING MINUTES
THURSDAY, AUGUST 3, 2023
10:41 AM – 11:42 AM
Minnesota State Capitol

Members present:

Lieutenant Governor Peggy Flanagan
Representative Kelly Moller
Representative Jim Nash
Senator Bonny Westlin
Senator Warren Limmer
Justice Barry Anderson (Chief Justice Designee)

Advisors present:

Lieutenant Jason Prince, University of Minnesota
Brian Pease, Minnesota Historical Society
David Kelliher, Minnesota Historical Society
Colonel Matt Langer, State Patrol
Commissioner Bob Jacobson, Department of Public Safety
Chris Guevin, Facilities Management Director, Department of Administration
Temporary Commissioner Stacie Christensen, Department of Administration

I. Call to Order

Lt. Governor Flanagan called the meeting to order at approximately 10:41 am. It was noted Representative Nash was present via telephone. Lt. Governor Flanagan welcomed new members and provided a brief overview of the committee's purpose.

II. Approval of Minutes

Lt. Governor Flanagan called for a motion to approve the August 24, 2022 minutes. Senator Limmer moved to approve the August 24, 2022 minutes with no corrections; Justice Anderson seconded the motion. The motion to approve the August 24, 2022 minutes with no corrections was approved with unanimous consent of members in attendance (Senator Westlin was not present for the vote, but a quorum was present.)

III. Approval of 2023 Annual Report

Lt. Governor Flanagan noted the Capitol area continues to have low rates of crime relative to other areas within the city and region. There are still a number of security deficiencies that remain. The Legislature approved \$8.8 million dollars in general obligation bonds and \$297,000 in general funds spending for Capitol security upgrades in the most recent session, but this is far below the \$56 million which has been identified as in need. Lt. Governor Flanagan called for

discussion on report. Chris Guevin noted a typographical error on page 1 of the report, and it should state 2022, not “20221”. Chris Guevin also noted the report states the incorrect House Sergeant at Arms and should be updated to Lori Hodapp. Lt. Governor Flanagan called for a motion to approve the 2023 Annual Report with corrections. Senator Limmer moved to approve the 2023 Annual Report with corrections; Justice Anderson seconded the motion. The motion to approve the 2023 Annual Report with corrections was approved with unanimous consent of members in attendance (Senator Westlin was not present for the vote, but a quorum was present.)

IV. Capitol Security Update

Colonel Matt Langer provided the following update:

- Increase in sworn trooper staffing over the past year.
- Short 16 trooper vacancies assigned to State Capitol and 24 non-sworn Capitol Security positions.
- Working on short- and long-term recruitment strategies to fill positions.
- Research best practices and issues within own State Capitol and others to provide information at the request of committee.
- Appreciates support of committee.

Lt. Governor Flanagan thanked Colonel Langer for the update and for the excellent service the State Patrol provided during the past legislative session. Lt. Governor Flanagan would like to bring questions to the House and Senate for input on what topics they would like more information on. Colonel Langer stated the importance of the Sergeant at Arms positions within the House and Senate and the information they provide to improve security.

V. Capitol Complex Security Update

Chris Guevin provided Capitol Complex Security update. The presentation included information on the history, status, and next steps for security upgrades considering recent funding approval.

- 2023 Legislative session authorized \$8.8 million in bonded funds and \$297k in general funds to continue security upgrades.
- Cannot use bonded funds on buildings that were not built with bonded funds.
- Buildings requiring general fund dollars: Retirement Systems, Andersen, Freeman, Transportation, and Senate buildings.
- Currently searching for new Construction Manager.
- Renewed contract with Design Agent.
- Tentative project execution schedule:
 - Design: September 2023 – May 2024
 - Construction: June 2024 – June 2025
- Dept. of Administration will request funds for the unfunded requirements as part of its 2024 bonding request.

Justice Anderson expressed gratitude to the Legislature, Committee, and Department of Administration for the work that has been done on this project and the substantial improvements that have been made.

Representative Moller inquired if the bonding request will include metal detectors or magnetometers. Guevin responded with no specific request for those items and legislation does not list those items. Representative Moller expressed concern that the reports they reviewed are not based off post insurrection data and wants to verify 2017 was the last time the study was conducted. Guevin confirmed that was the last time a study was done but an update occurred in 2022 with the Security Consultant. Representative Moller commented that the lack of metal detectors at the Capitol and State Office Building is concerning. Lt. Governor Flanagan acknowledged Representative Moller's concerns and encouraged members of the Committee to bring these observations to their colleagues within the Legislature.

Senator Westlin stated they appreciate the opportunity to serve on this committee, raised concern about incidents occurring around the country and the importance of finding the balance between continuous security improvement and maintaining open public spaces. Extended gratitude to the state troopers and other staff that provide security.

Lt. Governor Flanagan acknowledged the hard work of all past and current committee members.

Senator Limmer noted the security upgrade bonding figures for phase II were \$40 million and the next phase would cost an additional \$15 million. Senator Limmer asked when will the final security upgrades stop or be complete. Guevin responded the funding covers the full need of all requirements identified within report until a new threat is recognized or equipment wears out.

Senator Limmer asked if internet attacks would be within the jurisdiction of the committee. Chris Guevin responded that the report only includes physical threats and does not include cyber threats. Lt. Governor Flanagan acknowledged Senator Limmer's question and that an update should be provided on that issue.

VI. Public Comment Period

Lt. Governor Flanagan introduced Rick Heller for public comment, and he was allowed two minutes to speak. Heller expressed concern over some instances of online reports from the committee not meeting expectations for accessibility and transparency, concerns about the meeting format and online meeting structure with regards to digital accessibility. Heller also asked for clarification from the Lt. Governor Flanagan if there is any budget specifically for digital accessibility for this committee. Lt. Governor Flanagan thanked Heller for his testimony, expressed her agreement that it is important to ensure the public can access the committee meetings, and responded that there is not a specific digital accessibility budget set aside for this committee.

VII. Member Questions

Senator Limmer expressed their preference for the Zoom platform for future meetings and would recommend all State government move in that direction. Lt. Governor Flanagan

acknowledged Senator Limmer's comments and will bring this feedback to MNIT for further discussion.

Senator Limmer requested the legislative members of the committee give a briefing to their colleagues in the House and Senate on the mission of ACCAS to raise awareness for the committee on security threats within the Capitol complex. Lt. Governor Flanagan acknowledged Senator Limmer's remarks and will connect with Commissioner Jacobson to discuss further.

Representative Nash recognized a State Trooper that volunteered time during session and the dedicated service they provided.

Representative Nash encouraged members of the committee and majority party to ensure that the voices of the minority party are considered and listened to closely. Lt. Governor Flanagan acknowledged his statement and agreed that both the majority and minority parties should work together.

Representative Nash expressed his concern to the committee about cyber attacks and that physical attacks can be launched by a cyber-attack and further discussion should be had.

VIII. Adjourn

Lt. Governor Flanagan adjourned the meeting at approximately 11:42 am.