Advisory Committee on Capitol Area Security  
Meeting Minutes  
Tuesday, September 19, 2017  
Minnesota State Capitol  

Members present:  
Lieutenant Governor Tina Smith  
Chief Justice Lorie Gildea  
Senator Warren Limmer  
Representative Debra Hilstrom  
Senator Scott Dibble  

Advisors present:  
Shelly Schrofer, Lt. Col., State Patrol  
Bruce Brynell, Major, State Patrol  
Eric Roeske, Captain, State Patrol  
Matt Massman, Commissioner, DOA  
Chris Guevin, Facilities Management Director, DOA  
Bob Meyerson, Sergeant-at-Arms, MN House  
Paul Mandell, CAAPB  
Brian Pease, MN Historical Society  
Troy Buhta, University of MN Police Department  
Andy Landon, Target Corp.  

Call to Order  
The meeting was called to order by Lieutenant Governor Smith at 10:08 a.m.  

Approval of Minutes  
Chief Justice Gildea moved approval of the July 10, 2017 meeting minutes. The motion was seconded by Representative Hilstrom and the minutes were approved by a vote of 4-0 with Senator Dibble not yet present.  

Status of Bonding Request, Predesign Report  
Director Chris Guevin provided updates on the status of the bonding request and the predesign report. Predesign for Capitol Complex security upgrades is complete and Miller Dunwiddie will attend the committee’s next meeting to review the report.  

As discussed at the last committee meeting, revised costs for the Capitol Complex security upgrades total $36.82M, comprised of $26.76M bonds and $10.06M cash. This request has been submitted into the initial bonding request through MMB and will be a recommendation included in the committee’s annual report.  

Lieutenant Governor Smith reaffirmed that the committee understands the importance of these security upgrades and has supported and advocated for them. The committee has an important responsibility to continue to advocate for these improvements and seek final approval.  

Discussion of Unpermitted Events at the Capitol Building  
Captain Roeske opened discussion regarding how Capitol Security responds to unpermitted activities on the Capitol Complex. Goals of Capitol Security are to ensure that First Amendment activities are protected, to maintain a safe environment for those visiting the Capitol and participating in events, and to ensure government processes continue without unreasonable disruption. As such, when an unpermitted event or spontaneous gathering of people occurs, Capitol Security does not expel or interfere with the group unless they present a safety concern, or unreasonably disrupt a permitted event or government process. Captain Roeske asked for input from the committee and stood for questions.
Senator Limmer questioned if a counter-demonstration group is allowed to protest a group that has permits to be at a certain location, why we have permits at all. Captain Roeske stated the permitting process runs through the Department of Administration and is viewed as a reservation of space. Capitol Security works to ensure the permitted group has their reserved space. If another group shows up, Capitol Security establishes boundaries and expectations so that the unpermitted group can exercise their First Amendment rights while the permitted group continues with their event.

Senator Limmer asked if Capitol Security has adequate staff to handle an event during regular legislative session where one group may become hostile toward another. Captain Roeske stated these situations are handled on a case-by-case basis and assistance is called in when needed. Senator Limmer said he has heard a theme in discussion over the years that Capitol Security does not have adequate staffing, especially during legislative session. He suggested an analysis be done on staffing needs for Capitol Security. Representative Hilstrom asked whether the State Patrol has requested additional funding for Capitol Security staff. Lieutenant Colonel Schrofer stated funding was appropriated several years ago to increase the staff of security officers and troopers on the Capitol Complex. The State Patrol has not asked for more funding since that time. When additional troopers are brought to the Capitol Complex for anticipated events, the State Patrol tries to utilize troopers who are already on assignment. However, often times troopers must be brought in on overtime dollars that are pulled from the State Patrol’s budget.

Senator Dibble stated he supports the policy described by Captain Roeske whereby we do not tell people who are behaving within the bounds of civil discourse to leave because they do not have a permit. When people are acting outside of the law or diminishing other people’s freedoms, rights and/or safety, there is an appropriate and professional public safety response.

Lieutenant Governor Smith asked advisors to talk about how outside law enforcement resources are brought to the Capitol Complex when needed. Captain Roeske stated additional troopers are typically called in and if help from outside agencies is needed, St. Paul police are called upon first. Mutual assistance is only a matter of request and agencies respond.

Senator Limmer discussed the seasonal legislative security officers who used to be visible during session. These employees were mostly retired troopers and supplemented Capitol Security staff, but have not been around for a number of years. This staffing model may be something to explore as it seems an economical way to provide adequately trained personnel. Lieutenant Colonel Schrofer stated the State Patrol moved away from this model for several reasons, including legal liability and jurisdictional issues with retired troopers who might be armed. A response in lieu of this model was to provide funding for uniformed troopers on the Capitol Complex. Sergeant-at-Arms Meyerson stated the decommissioning of this program was made with sound reason. The anticipation was that the duties these employees fulfilled would be taken care of with troopers. This need has gone unmet to some extent because legislative security officers were prevalent in committee hearings in the House and Senate and helped to detect and deter activity. Troopers do not perform this role, leaving a void.

Senator Dibble agreed with Senator Limmer’s suggestion that an analysis be done on Capitol Security staffing between now and the next meeting. This analysis might include a history of staffing levels, why things changed, what staffing looks like currently, how we staff up on an as-needed basis and if there is a way to increase the staffing compliment seasonally when the legislature is in session.

Lieutenant Governor Smith stated this committee has an important role to play as an advisor and has a particular capacity to blend legislative interests and concerns related to security with the interests and concerns of the Executive and Judicial Branches. The goals articulated by Captain Roeske around First
Amendment rights, the safety all, and protecting government processes are exactly the right goals to have when handling permitted or unpermitted events at the Capitol.

**Public comment**
Lieutenant Governor Smith opened the meeting for public comment. No members of the public stepped forward.

**Other Business**
Senator Limmer asked whether regular fire drills are held in the Capitol Building and other buildings on the Capitol Complex. Captain Roeske stated if a building on the complex is occupied by an agency, the agency is responsible to conduct fire and other emergency drills. Because the Capitol Building is occupied by multiple entities, Capitol Security coordinates these drills.

Senator Limmer pointed out that it is a common protocol for college campuses to use public address systems to send cell phone alerts to people in the vicinity when an emergency or threat occurs. He stated he raised this subject over five years ago and questioned whether this is something the committee has discussed for the Capitol Complex. Captain Roeske advised that the State Patrol is in the process of rolling out a mass notification system for the Capitol Complex.

**Adjournment**
Senator Dibble made a motion to adjourn. The motion was seconded by Representative Hilstrom and approved by a vote of 5-0. The meeting was adjourned at 10:47 a.m.

Minutes recorded by Angela Geraghty