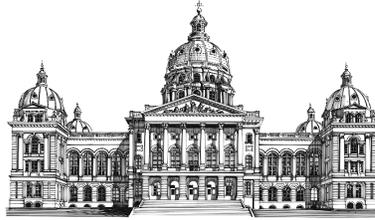

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State Capitol
Des Moines, IA 50319
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Capitol Complex Security

ISSUE

This *Issue Review* is an update on Capitol Security, personnel, and funding sources.

AFFECTED AGENCIES

Department of Public Safety
Emergency Management Division
Judicial Branch
Legislative Branch

CODE AUTHORITY

Chapter 28D, Code of Iowa

BACKGROUND

As a result of September 11, 2001, terrorist attacks, security in the Iowa Capitol was upgraded. According to the National Conference on State Legislatures (NCSL), many other state capitols also limited access to their capitol buildings immediately following September 11, 2001.

On January 13, 2002, additional security measures were implemented at the State Capitol. All State employees were issued identification cards, three public entrances were equipped with x-ray scanners, metal detectors, and security personnel, and the remaining exterior doors to the Capitol were restricted by card access. In April 2003, similar security measures were implemented and additional personnel were hired for the new Judicial Building.

CURRENT SITUATION

A normal shift for a security officer is ten hours, including a meal period. Security officers work 30 hours per week and receive full-time benefits. Vacation and sick leave are pro-rated at 75.0% of normal accruals. Overtime only occurs during Session or when the National Security Threat Level rises to orange or red. During the 2002 and 2003 Legislative Sessions,

no overtime was paid to security officers but instead was paid to Post 16 Troopers. Security Officer overtime equals approximately \$24.83 an hour, whereas Post 16 Trooper overtime equals approximately \$25.81 an hour. Overtime costs are paid from the Rebuild Iowa Infrastructure Fund appropriation.

The current salary for a Security Officer I is \$15.11 per hour and \$16.56 an hour for a Security Officer II. There are 13.0 part-time positions (9.8 full-time equivalent [FTE] positions) on the Legislative payroll and 3.0 part-time positions (2.3 FTE positions) on the Judicial Branch payroll for Security Officers. When the General Assembly is in Session, the Capitol is staffed with two Security Officers at each of the three public entrances and one security officer roves between all three. In addition, there is one Post 16 Trooper per floor and one Trooper roves between all three. In the Interim, Security Officers monitor the two public entrances during the week and on Saturdays. Two security officers staff the main entrance of the Judicial Building on weekdays, all year round. Security Officers rotate shifts between the two buildings. All employees are supervised through a 28D Agreement with the Department of Public Safety (DPS).

STATE AND NATIONAL INFORMATION

Attachment A outlines security measures in states as of June 2002. In 2002, of the states responding to the National Conference of State Legislatures (NCSL) survey, 40 states increased patrols by capitol or state police, limited public access to monitored entrances, or installed x-ray machines and metal detectors since the terrorist attacks of September 11, 2001. Virtually every state is re-examining security in and around capitols to determine the appropriate level of security.

States with the equipment on hand installed metal detectors, but in some cases, this was temporary. Access remained restricted to certain entrances but metal detectors were reserved for higher security alerts such as those at levels orange and red. For example, Colorado has mobile metal detectors that are used only when the threat level rises to orange or red. Colorado's public entrances, however, are still restricted and monitored by security guards.

Since the September 11 terrorist attacks, the threat level has been at orange three times, including February 7, 2003, when the Office of Homeland Security received threats against critical infrastructure; from March 17 to April 16, 2003, during the war with Iraq, and on May 20, 2003, when the Office of Homeland Security received information that railroad bridges might be attacked.

The following is a list of the National Security Threat Levels:

- Red Severe risk of terrorist attacks
- Orange High risk of terrorist attacks
- Yellow Significant risk of terrorist attacks
- Blue General risk of terrorist attacks
- Green Low risk of terrorist attacks

FUNDING HISTORY**Iowa General Fund & Rebuild Iowa Infrastructure Fund**

In FY 2002, an estimated \$772,000 was spent on Capitol Security upgrades, equipment, and personnel. Of that amount, \$439,000 was from the General Fund and \$333,000 was from the Rebuild Iowa Infrastructure Fund (RIIF).

In FY 2003, \$1.9 million was appropriated for security personnel and infrastructure upgrades. Of that amount, \$1.0 million was appropriated from the Restricted Capital Fund to the Department of General Services and \$850,000 was appropriated from the RIIF to the Department of Public Safety in HF 2614 (FY 2003 Infrastructure Appropriations Act).

In FY 2004, \$1.8 million was appropriated for security personnel and infrastructure upgrades. Of that amount, \$1.0 million was appropriated from the Restricted Capital Fund and \$800,000 was appropriated from the RIIF in SF 452 (FY 2004 Infrastructure Appropriations Act). The Fund also has a balance carry forward of \$369,000. The DPS Capitol Security Fund does not revert for the next five years due to receipt of the RIIF funds.

Federal Funds

The Office of Homeland Security and Emergency Management received federal grant funds that may reimburse agencies for overtime expenses that occur during heightened security situations. The State Homeland Security Grant Program has been available since 1999.

In FY 2003, Post 16 Troopers worked approximately 1,500 hours of overtime. The Department applied for the 2003 State Homeland Security Grant for reimbursement and was awarded \$38,000 for overtime. These funds will be deposited into the RIIF to repay the original appropriation for overtime. As of October 8, the Iowa Office of Homeland Security and Emergency Management had not allocated any of the FY 2003 Security Grant federal funds to agencies or departments.

BUDGET IMPACT

The General Assembly purchased the three metal detectors and x-ray scanners located at the public entrances. These machines can be made mobile and relocated if necessary. The metal detectors are not under a maintenance agreement but the x-ray scanners are under a yearly maintenance agreement, which costs \$10,000 annually.

The Judicial Branch purchased the metal detector, x-ray scanner, and cameras located in the new Judicial Building public entrance. The x-ray scanner in the Judicial Building is still under warranty but in FY 2005, the yearly maintenance agreement will be approximately \$3,200 annually. The security equipment in the Judicial Building is permanent and cannot be relocated.

In FY 2004, the average cost of one Post 16 Trooper FTE position, including benefits, totals \$53,000. The Department of Public Safety does not budget for General Fund overtime but has received reimbursement from the federal government for the additional overtime required for Homeland Security efforts, such as increased security in the Capitol. The estimated FY 2004 General Fund appropriation for Post 16 was \$1.3 million and overtime for Capitol Security will be reimbursed from the RIIF.

The average annual salary, including benefits, of a Capitol Security Officer is \$44,000. Of the \$800,000 appropriation from RIIF in FY 2004, approximately \$703,000 will be used for salaries and benefits with the remainder being used for maintenance agreements and equipment.

ALTERNATIVES

These are two alternatives for reducing the Rebuild Iowa Infrastructure Fund (RIIF) appropriation. Under current law, all Capitol Security costs are borne by the RIIF.

1. Limit the use of metal detectors and x-ray scanners to when the National Security Threat Level rises to level orange or red.
2. Reduce the number of public entrances from three to two.

There are advantages and disadvantages for each of these options. Advantages include:

- Eliminating Security Officers would reduce the current appropriation request from the RIIF for personnel and equipment.
- Allowing Post 16 Troopers to assume the security responsibilities that Security Officers normally provide would increase flexibility in staffing for the DPS with the assumption that Post 16 would hire additional Troopers. According to current staffing patterns, Post 16 Troopers provide additional coverage during Session, which requires overtime to be paid. In FY 2003, \$38,000 in overtime was billed to the RIIF for Post 16 overtime. If Post 16 were to hire additional Troopers and maintain security in the Capitol, this could potentially save on overtime expenses by making the security rotation part of a normal shift; however, overall expenses could increase.
- Using two public entrances rather than three would reduce the amount of maintenance funds needed for the x-ray scanners and would allow the possible sale of one of the metal detectors and x-ray scanners, providing a potential one-time source of revenue for the State. This would also allow for a reduction in Security Officer staffing levels, which could reduce the RIIF appropriation.
- Using two public entrances rather than three could potentially reduce the amount needed from the RIIF appropriation for Capitol Security Officer salaries and benefits by approximately \$176,000 and 4.0 Security Officer positions.

Disadvantages include:

- Only using the metal detectors and x-ray scanners during times of heightened security would be a predictable behavior that terrorists could capitalize upon. If the Post 16 Troopers were to cover the entrances during times of heightened threats, this could potentially cause understaffing in other areas on the Capitol complex.
- Using only two public entrances rather than three would be more inconvenient for the public.
- If Post 16 Troopers were allowed to assume full-time Security Officer responsibilities, it would have an additional annual cost of \$9,000 more per employee.

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Attachment A

Security Measures in State Capitols

**Permanent Metal Detectors
on Public Entrances**

Alabama
Arkansas
California
Florida
Georgia
Illinois
Iowa
Kentucky
Louisiana
Maryland
Massachusetts
Mississippi
Missouri
Pennsylvania
South Carolina
Tennessee
Virginia

17 States

Restricted Public Access

Alabama
Arkansas
California
Colorado
Connecticut
Delaware
Florida
Georgia
Idaho
Illinois
Iowa
Kentucky
Louisiana
Maine
Maryland
Massachusetts
Michigan
Missouri
New Jersey
New York
North Dakota
Pennsylvania
Rhode Island
South Carolina
South Dakota
Tennessee
Texas
Virginia
Washington

29 States

Barriers or Fences

Alabama
Arizona
California
Colorado
Connecticut
Florida
Idaho
Illinois
Kansas
Kentucky
Minnesota
Missouri
Montana
Nevada
New Hampshire
New Jersey
New York
North Carolina
North Dakota
Ohio
Oklahoma
Pennsylvania
South Carolina
Tennessee
Texas
Utah
Vermont
Washington

28 States

States in *italics and underlined* had security in place prior to Sept. 11, 2001.

States in *italics* and **bold** upgraded or added to existing security after Sept. 11, 2001.

Information provided by National Conference of State Legislatures (NCSL)