



NEW MEXICO LEGISLATURE

CAPITOL SECURITY SUBCOMMITTEE

2016 INTERIM FINAL REPORT

LEGISLATIVE COUNCIL SERVICE
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INTERIM SUMMARY

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2016 Interim Summary

The Capitol Security Subcommittee was created on May 9, 2016 by the New Mexico Legislative Council to work with the Legislative Council Service, Legislative Building Services and other legislative staff to review current security measures for the State Capitol and Capitol North and make recommendations, if appropriate, to modify those measures.

The subcommittee, which met twice in Santa Fe, strived to maintain the accessible nature of the State Capitol while ensuring the safety of the public, employees and elected officials who visit and work in the building. After exploring a range of options, the subcommittee recommended that the legislature support, and the Legislative Council Service pursue, the installation of: 1) more robust barriers at the entrance to and exit from the underground parking garage of the State Capitol; 2) additional card key access equipment for doors on the first floor of the State Capitol; and 3) additional security cameras on the first floor of the State Capitol.

**Survey of Western States with Legislatures Similar to New Mexico's
as Defined by the National Conference of State Legislatures**

State	Weapons	Magnetometers	Security Force
Idaho	Allowed	No	State Police plus private, unarmed security officers
Utah	Allowed	No	State Police
Nevada	Prohibited; members and staff can carry concealed w/permit	No	Commissioned legislative police force; all retired law enforcement
Wyoming	Prohibited	No, but under discussion	State Police
Montana	Prohibited	No	City Police

Idaho	Weapons allowed. No magnetometers. One state police officer on duty all year, supplemented by private, unarmed security officers assigned to Capitol and Capitol Mall. Two more state police officers added during sessions.
Utah	Weapons allowed. No magnetometers. State police officers provide security.
Nevada	Weapons prohibited except with the permission of the legislative counsel bureau director. (Not usually granted.) Concealed carry allowed only for permitted members and staff. Also applies to legislative meetings outside the Capitol. No magnetometers. Legislative police force consists of retired law enforcement officers; attend interim committee meetings.
Wyoming	Weapons prohibited. Open carry prohibited by policy of State Buildings Commission (executive) and Management Council (legislative). Concealed carry prohibited by law. No hint of challenge to policy by gun rights advocates. State police officers provide security. No magnetometers, but under discussion as building being renovated.
Montana	Weapons prohibited, per reading of city ordinances (parks) and state law (buildings). No magnetometers. Security provided under contract w/city; three officers during session, one in interim; \$85,000/yr/officer. Lots of state office buildings clustered near Capitol.

**Ballpark Estimates
of Various Potential Security Upgrades**

Card Key Access Doors to elevator lobbies and smaller doors from underground parking to 1 st floor	\$67,500	
Underground Parking Upgraded security arm	\$81,000 each for entrance and exit	Exit gate costs likely to be slightly more due to need for additional power Exit gate recently upgraded to both be more substantial and to appear more substantial
Cameras Additional cameras on first floor	\$45,000 or less	

WORK PLAN AND MEETING SCHEDULE

**2016 APPROVED
WORK PLAN AND MEETING SCHEDULE
for the
CAPITOL SECURITY SUBCOMMITTEE**

Members

Rep. Brian Egolf

Sen. Stuart Ingle

Sen. Daniel A. Ivey-Soto

Rep. William "Bill" R. Rehm

Rep. Patricio Ruiloba

Sen. William E. Sharer

Sen. Peter Wirth

Rep. Monica Youngblood

Work Plan

The New Mexico Legislative Council created the Capitol Security Subcommittee on May 9, 2016 to work with staff in reviewing current security measures and, if appropriate, to enhance or recommend enhancements to those measures while maintaining an appropriate degree of access to the State Capitol and Capitol North.

Proposed Meeting Schedule

The subcommittee anticipates meeting three times in Santa Fe.

AGENDAS AND MINUTES

**TENTATIVE AGENDA
for the
FIRST MEETING
of the
CAPITOL SECURITY SUBCOMMITTEE**

**June 20, 2016
Room 326, State Capitol
Santa Fe**

Monday, June 20

1:30 p.m.

Call to Order

Charge from New Mexico Legislative Council

—Raúl E. Burciaga, Director, Legislative Council Service

Background and Current Security Posture

Review of Prior Security Assessments

Adjourn

Please note that portions of this meeting may be closed to the public.

**MINUTES
of the
FIRST MEETING
of the
CAPITOL SECURITY SUBCOMMITTEE**

**June 20, 2016
Room 326, State Capitol
Santa Fe, New Mexico**

The Capitol Security Subcommittee convened on June 20, 2016 at approximately 1:30 p.m. in Room 326 of the State Capitol.

Present

Rep. Brian Egolf
Sen. Stuart Ingle (by telephone)
Sen. Daniel A. Ivey-Soto
Rep. William "Bill" R. Rehm
Rep. Patricio Ruiloba
Sen. William E. Sharer
Sen. Peter Wirth
Rep. Monica Youngblood (by telephone)

Absent

Staff

Raúl E. Burciaga, Director, Legislative Council Service (LCS)
John Yaeger, Assistant Director for Legislative Affairs, LCS

Monday, June 20

Mr. Burciaga noted that the speaker of the house of representatives and the president pro tempore of the senate appointed the subcommittee at the May 9, 2016 meeting of the New Mexico Legislative Council to work with the LCS to review the current level of security at the State Capitol and Capitol North and to serve as a steering committee in terms of implementing security changes. The council directed the subcommittee to be cognizant of the desire to maintain an open and accessible State Capitol when addressing the need for increased security.

Mr. Burciaga noted that the security of the State Capitol and Capitol North is the responsibility of the legislative branch, and that he, as director of the LCS, is charged by law with making "all rules and regulations for the conduct of all persons in and about the buildings and grounds (of the State Capitol and Capitol North) ... necessary and proper for the safety ... of the same" (Subsection I of Section 2-3-5 NMSA 1978). Mr. Burciaga said that this responsibility includes preparing for any incident that could disrupt the normal, day-to-day activity in the State Capitol and Capitol North.

Mr. Burciaga suggested that the subcommittee's role is to provide legislative guidance to him in fulfilling this responsibility and, if appropriate, make policy recommendations to the New Mexico Legislative Council or make statutory recommendations to the full legislature on other measures that should be considered.

Mr. Burciaga said that he anticipated that the subcommittee would want to meet at least once more this interim and may wish to meet in closed session to discuss some matters related to specific security vulnerabilities or security measures that are not readily apparent to the public. The subcommittee will be able to draw upon testimony and information from the staffs of the Legislative Building Services, Capitol Security, house and senate sergeants at arms, New Mexico State Police (NMSP) and National Conference of State Legislatures.

Mr. Burciaga reviewed the additional statutory authority related to State Capitol security by noting that the NMSP is responsible for protection of the legislature "while it is in session" (Subsection B of Section 29-2-27 NMSA 1978) and has concurrent jurisdiction for the protection of the State Capitol, including, at the discretion of the chief of the NMSP, supervisory authority over security forces employed at the State Capitol (Section 29-2-28 NMSA 1978).

Mr. Burciaga reported that this shared responsibility has worked remarkably well over the years, especially in light of some of the turf battles that plague other public safety agencies. Prior to each session, the NMSP, Capitol Security, house and senate sergeants at arms, capitol emergency medical services and city police and fire departments meet to go over protocols and ensure that they are all working from the same plan.

Mr. Burciaga reviewed the current security posture at the State Capitol and Capitol North by noting that the buildings are generally open and accessible to the public, no one is screened or searched prior to entering and weapons are not prohibited. He also noted that security officers are stationed throughout the buildings and monitor well over 150 security cameras; certain entrances to the buildings or offices are locked; panic buttons are installed and are being upgraded; and security officers follow specific protocols in the event of an incident.

Mr. Burciaga said numerous security assessments have been performed over the years and staff is prepared to discuss and review the details of those with the subcommittee.

Several members of the subcommittee expressed concern for the safety of the public, which is invited to visit the State Capitol and attend legislative sessions. Members expressed concerns that any number of specific and varied threats could result in numerous injuries and fatalities to members of the public visiting the State Capitol on any given day during a legislative session.

Subcommittee members also expressed the view that the State Capitol may be a target because of the very legislative actions that legislators take or fail to take, which potentially puts

not only members of the legislature, but also others in the buildings, including the public, in harm's way.

Several subcommittee members expressed a desire to maintain the open and accessible nature of the State Capitol and Capitol North, noting that the New Mexico State Capitol may be one of the few such buildings in the country in which members of the public may enter easily, meet with legislators informally and without appointments and speak at hearings without making prior arrangements. At the same time, subcommittee members expressed the view that increased security measures and the current accessible nature of the State Capitol are not mutually exclusive, noting that many public buildings, including the sports arena at the University of New Mexico, have recently increased security without hindering public access.

Subcommittee members directed staff to obtain information about the security measures in place at other state capitols.

Subcommittee members also discussed several general ways in which security might be improved, including reviewing and improving current security measures, increased training for all building occupants, restricting access into and within the buildings, screening at least some people entering the buildings and limiting weapons that may be brought into the buildings.

At the suggestion of staff, the subcommittee voted without objection at approximately 2:30 p.m. to close the meeting to discuss specific vulnerabilities and measures that could be explored to counter threats.

The subcommittee reconvened in open session at approximately 3:30 p.m. and immediately adjourned.

**TENTATIVE AGENDA
for the
SECOND MEETING
of the
CAPITOL SECURITY SUBCOMMITTEE**

**December 15, 2016
Room 326, State Capitol**

10:00 a.m. **Call to Order**

Approval of Minutes

Report on Information Requested

—Raúl E. Burciaga, Director, Legislative Council Service

Executive Session: Consideration of Specific Enhancements

Adjourn

**MINUTES
of the
SECOND MEETING
of the
CAPITOL SECURITY SUBCOMMITTEE**

**December 15, 2016
Room 326, State Capitol
Santa Fe**

The Capitol Security Subcommittee convened on December 15, 2016 at approximately 10:15 a.m. in Room 326 of the State Capitol.

Present

Sen. Daniel A. Ivey-Soto
Rep. William "Bill" R. Rehm
Rep. Patricio Ruiloba
Sen. William E. Sharer
Sen. Peter Wirth
Rep. Monica Youngblood

Absent

Rep. Brian Egolf
Sen. Stuart Ingle

Minutes Approval

Because the committee will not meet again this year, the minutes for this meeting have not been officially approved by the committee.

Staff

Raúl E. Burciaga, Director, Legislative Council Service (LCS)
John Yaeger, Assistant Director for Legislative Affairs, LCS

Mr. Burciaga provided information previously requested by the subcommittee, specifically, information about the practices in legislatures similar to New Mexico's regarding security staffs, the use of magnetometers and the ability to carry weapons in the State Capitol. Mr. Burciaga also provided the subcommittee with rough estimates of the cost of installing more robust barriers at the entrance and exit to the underground parking garage, card key access controls on additional entrances on the first floor of the State Capitol and additional security cameras on the first floor of the State Capitol.

Members of the subcommittee reiterated their desire to ensure that the State Capitol is as safe as possible for members of the public who visit the building often while the legislature is in session.

Upon a motion made by Representative Rehm and approved without objection, the subcommittee, at approximately 10:45 a.m., went into closed session to discuss specific options to enhance security.

Upon reconvening in open session at approximately 11:45 a.m., Representative Youngblood moved that the subcommittee recommend to the New Mexico Legislative Council that it support an appropriation during the 2017 session to purchase and install: (1) more robust barriers at the entrance and exit of the underground parking garage; (2) card key access equipment for more doors on the first floor of the State Capitol; and (3) additional security cameras for the first floor of the State Capitol. The motion was approved without objection.

There being no further business, the subcommittee adjourned.



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