

POST-INSURRECTION MEASURES

# States balance capitol security, openness

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Stateline.org

Earlier this month, the Oregon Legislature expelled one of its members for knowingly shepherding rioters into the Capitol in Salem in December. The same day as that expulsion, a study by the Western States Center think tank cautioned that dissatisfaction with democracy — and the tacit accommodation of hate groups — could lead to further attacks at state capitols, including in Oregon.

At the same time, state officials around the country are moving to tear down security fences and cautiously open up capitol buildings to the public, as COVID-19 fades regionally and the nation has outwardly calmed with former President Donald Trump out of office and off social media.

Balancing openness and security has become excruciatingly complicated for state capitol officers, officials and lawmakers, a Stateline review found. And some observers say leaders would be wise to heed the simmering unrest just below the surface as the far-right groups who stormed the U.S. Capitol on Jan. 6 continue to simmer over what they falsely think was a stolen presidential election.

The January 2021 American Perspectives Survey by the American Enterprise Institute, a right-of-center think tank, found that Americans are divided over the legitimacy of Democrat Joe Biden's win in the 2020 presidential election. In addition, a significant number of Americans condone the use of violence in the face of what they see as political failures. The survey found that nearly 3 in 10 Americans, including 39% of Republicans, agreed that "if elected leaders will not protect America, the people must do it themselves, even if it requires violent actions."

That result was "a really dramatic finding," Daniel Cox, director of the AEI Survey Center on American Life, told NPR. "I think any time you have a significant number of the public saying use of force can be justified in our political system, that's pretty scary."

About 8 in 10 Republican respondents said the political system is "stacked against conservatives and people with traditional values." Most of them agreed with the statement: "The traditional American way of life is disappearing so fast that we may have to use force to save it."

Brian Levin, director of the Center for the Study of Hate & Extremism at California State University, San Bernardino, suggested it's not just officials at state capitols who need to reassess their security — local and county government buildings are vulnerable, too, he said.

"We're seeing contentious standing room only meetings at the county level as well," he said in an interview.

He suggested officials maintain some kind of perimeter protection around public buildings, with limited entry and exit points.

"That can be done in a way so it doesn't look like a fortress," he said. "Spacing, video surveillance and making sure people aren't armed."

**Difficult thing to balance'**

But tamping down potential violence from White supremacists, who figured prominently in the Jan. 6 riot, will take more than physical barriers, said Lindsay Schubiner, program director for the Western States Center, a Portland-based progressive think tank. "It's a difficult thing to balance," she said, in response to a question from Stateline during a webinar last week. Lawmakers can help by "speaking out clearly whenever this type of bigotry arises."



**Oregon State Police and Salem Police guard the Oregon State Capitol building during dueling Black Lives Matter and "Stop the Steal" protests Nov. 7 in Salem.**

Nathan Howard/Getty Images via TNS

A survey by polling firm DHM Research for the Western States Center suggests that Oregonians are growing less inclined toward racial diversity, with more people hewing to the idea that white European heritage must be preserved and fewer people than two years ago agreeing that America must preserve its multicultural heritage.

In 2019, 92% of those 18 and older surveyed said "America must protect and preserve its multicultural heritage" compared with 86% in 2021. The percentage of respondents who said "America must protect and preserve its White European heritage" rose from 31% in 2019 to 40% this year. The poll surveyed Oregonians in January; there was a margin of error of plus or minus 4 percentage points.

At the Oregon Capitol in Salem, some enhanced security measures that went up in January are down, but a great deal of fencing remains, most of it due to renovations. Other measures are in place, some not visible to the public.

Capt. Tim Fox, public information officer for the Oregon State Police, which handles Capitol security, said in an email he could not discuss safety procedures "for security reasons."

But Brett Hanes, interim legislative administrator for the building, said in an email that it remains closed to the public due to COVID-19 precautions until 70% of Oregon adults have received at least one vaccination dose.

In January, windows on the first floor of the building were boarded up for increased security but those barriers were removed a few months ago, he said. But the building is undergoing a renovation to increase both accessibility and security, and enhance earthquake protections, he added.

**Other state capitol buildings are opening, too**

In St. Paul, Minnesota, the extra fencing put up a year ago is coming down this month, bit by bit.

Lt. Gov. Peggy Flanagan, who chairs the state Capitol Area Architectural and Planning (CAAP) Board, said in a statement that she is "eager to open the doors to the Capitol so that Minnesotans can safely return to the People's House

and advocate for our shared future," according to the Minneapolis Star Tribune.

In Olympia, Washington, the security fencing around buildings in the state Capitol complex was removed in May. There are, however, other security measures in place, none of which are necessarily public knowledge. But the Northwest News Network reported that the state's new budget allocates nearly \$5 million for more state troopers and extra money for improved gates and bollards as well as better cameras and lighting.

In Virginia, the few visible security measures that were put up around the Capitol in Richmond have been removed, according to Joe Macenka, public information officer for the Virginia Division of Capitol Police. The building, which has been closed since the start of the pandemic last year, is scheduled to reopen July 1, he wrote in an email.

"Because these changing times demand flexibility," he said, "the division constantly studies methods used in other states to see what works best and what areas can be improved."

Temporary fencing still surrounds several major building projects, including a new General Assembly building, he said.

The Jan. 6 insurrection in Washington, D.C., the breach in Oregon that led to the expulsion of Rep. Mike Nearman, a Republican, and other security incidents around the country prompted some states to reassess their policy about carrying guns into capitols and throughout state complexes.

In Oregon, Capitol rules allow for open and concealed carrying of guns if the carrier has the proper license, said Haynes, the Oregon administrator. But that won't last long. Gov. Kate Brown, a Democrat signed a bill June 1 to prohibit firearms in the Capitol and set rules for gun storage in homes. It goes into effect 90 days after the Legislature adjourns, slated for June 28.

Overall, gun policies in state capitols, even after the January riot in Washington, remain split. About 30 state capitols employ metal detectors, according to the National Conference of State Legislatures. Conversely, according to the Crime Prevention Research Center, a pro-gun research group, about 23 capitols officially allow carrying legal firearms inside.

In January, the Michigan Capitol, which had allowed guns, modified its regulations, according to Lt. Brian Oleksyk of the Michigan State Police. In an email, Oleksyk said openly carrying firearms in the Capitol building is prohibited, though they can still be carried on the Capitol grounds. Those with a concealed carry permit can carry guns inside the Capitol but must follow the rules for concealing weapons.

Oleksyk said the police will enforce the new gun rules; a violation and refusal to leave can bring a civil infraction for trespassing.

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