

# Report of the Joint Committee on Kansas Security to the 2015 Kansas Legislature

**CHAIRPERSON:** Senator Greg Smith

**VICE-CHAIRPERSON:** Representative Mario Goico

**OTHER MEMBERS:** Senators Anthony Hensley, Mitch Holmes, Mike Petersen, Pat Pettey; and Representatives Carolyn Bridges, Stan Frownfelter, Peggy Mast, and Connie O'Brien

**CHARGE**

- Study the security for the Capitol complex; the current state of general emergency preparedness in Kansas, including the status of communications among local law enforcement and emergency agencies at the state and local levels; emergency preparedness at K-12 and post-secondary educational institutions; and federal moneys received for homeland security; and
- Hear an update on the reorganization of the Kansas Commission on Veterans Affairs.

# Joint Committee on Kansas Security

## ANNUAL REPORT

### Conclusions and Recommendations

The Joint Committee recommends the Kansas Center for Safe and Prepared Schools be incorporated into the Kansas Department of Education, with staff and other program expenses funded through the State General Fund.

The Joint Committee requests the Kansas Legislative Research Department conduct research on the governance structure of public safety communications policy and assets in similar states and report that information to this Committee and the Statewide Interoperable Executive Committee.

The Joint Committee recommends funding for planning staff and recovery teams in the Division of Emergency Management to assist local officials.

The Joint Committee recommends increased staffing for the Kansas Intelligence Fusion Center.

The Joint Committee recommends all legislators, and especially committee chairpersons, receive training on Statehouse emergency policies and procedures.

The Joint Committee recommends the state amend law as necessary so the state adheres to federal guidelines regarding in-state tuition for veterans.

The Joint Committee recommends the Legislature explore ways to access revenues from Kansas Lottery sales for veterans' programs.

**Proposed Legislation:** None. However, the Committee expresses support for any legislative changes that may be needed to bring the state into compliance with federal requirements regarding in-state tuition for veterans.

### BACKGROUND

The 2004 Legislature created the Joint Committee on Kansas Security (KSA 46-3301) to study, monitor, review, and make recommendations for the following:

- Matters relating to the security of state officers and employees;
- Security of buildings and property under the ownership or control of the state;

- Matters relating to the security of a public body or agency, public building, or facility;
- Matters relating to the security of the infrastructure of Kansas, including any information system; and
- Measures for the improvement of security for the state.

The Legislative Coordinating Council (LCC) also directed the Committee to study the security

for the Capitol complex; the current state of general emergency preparedness in Kansas, including the status of communications among local law enforcement and emergency agencies at the state and local levels; emergency preparedness at educational institutions; and federal moneys received for homeland security. It further directed the Committee to hear an update on the reorganization of the Kansas Commission on Veterans' Affairs.

## COMMITTEE ACTIVITIES

The Committee met November 7, 2014, to hear information on Capitol complex security and other topics as directed by the LCC.

### Emergency Preparedness in Kansas

Major General Lee Tafanelli, Kansas Adjutant General, and members of his staff provided information on various facets of emergency preparedness.

**School emergency preparedness.** Major General Tafanelli stated the Kansas Center for Safe and Prepared Schools, launched five years ago, has emphasized training and collaborative partnerships between K-12 schools and emergency responders and other community leaders within their localities. Approximately 112 Kansas school districts have completed formal emergency operation plan training. He noted efforts to enhance school safety and emergency preparedness have involved not only the Center and other portions of the Adjutant General's Department but also the Attorney General's Office, the Kansas Fire Marshal's Office, the Kansas Highway Patrol, the Kansas Department of Health and Environment (KDHE), the Kansas Department of Education, the Kansas Association of School Boards, the Governor's Office, and many other agencies and groups.

The Center's Jerry Tenbrink provided additional information, including that in the past year the Center assisted with planning and hosting a statewide school safety conference attended by more than 400 people. Brad Neuenswander, Kansas Interim Commissioner of Education, answered questions and stated there is no

requirement that school personnel be trained in emergency preparedness, but the State Board of Education can provide assistance in how to prepare and utilize the best plan in coordination with other agencies.

Major General Tafanelli recommended designating the Department of Education as the lead state agency for coordinating school safety and preparedness activities and incorporating the Center into that agency.

**Emergency and interoperable communications.** Colonel Chris Stratmann, Chief Information Technology Officer for the Adjutant General's Department, Kansas National Guard, said the past few years have seen a vast improvement in public safety communications capabilities and that the growth in those capabilities will require enhanced state coordination. He discussed the work of the Statewide Interoperable Executive Committee (SIEC), which was created by Executive Order 07-27, and the Office of Emergency Communications. He explained a Kansas Department of Transportation (KDOT) radio system "backbone" was leveraged by KDOT, the Kansas Highway Patrol, and the Adjutant General's Department to build a statewide interoperable public safety radio system. He said the statewide system is used by nearly 1,200 agencies and jurisdictions and more than 28,000 users. The Adjutant General's Department requested the Committee ask the Kansas Legislative Research Department to explore governance structures related to public safety communications policy and assets in similar states and report to the Committee and the SIEC.

Colonel Stratmann also briefed the Committee on the First Responder Network Authority, also known as FirstNet, created by Congress in February 2012 to provide emergency responders with a nationwide high-speed, wireless broadband network dedicated to public safety use. Kansas is in the second year of a three-year \$2.3 million grant to prepare for FirstNet, and representatives of the Office of Information Technology Services, the Kansas Native American Affairs Office, and the 911 Coordinating Council were added to the SIEC for this effort. It is estimated the actual request for proposals for buildout of the system will be issued in about two years.

**Emergency management.** Angee Morgan, Deputy Director, Kansas Division of Emergency Management (KDEM), provided an overview on emergency management in Kansas. Among the topics she discussed were the role of the Governor in an emergency; the phases of emergency management: mitigation, preparedness, response, and recovery; training provided at the Eisenhower Center for Studies and at the Crisis City complex near Salina; the formal Kansas Response Plan (which is available on the Division's website); the role of the State Emergency Operations Center and its related communications center in any emergency; and thresholds for receiving assistance from the state and federal government after a disaster. She said the venues at Crisis City, which include a locomotive and rail cars, a concrete rubble pile for practicing search and rescue, and a pipeline area, are frequently used for training. Kansas incident management teams are well-respected nationally and asked to assist in other states. She explained resources are coordinated through the Emergency Operations Center and sent to localities only upon the locality's request.

Ms. Morgan stated major emergency preparedness challenges include turnover at the local level and maintaining emergency managers on that job full time, local elected officials not understanding their emergency management responsibilities, and the likelihood of less federal disaster assistance in the future. She stated the threshold for a disaster to meet the federal definition is likely to double or triple, meaning the state, localities, and individuals will have additional responsibilities for disaster mitigation. She also discussed the importance of opportunities for youth to participate in emergency management activities and career opportunities. The Adjutant General requested consideration of funding for planning staff and recovery teams to assist local officials and the state leverage opportunities to encourage youth to participate in emergency management activities and career opportunities.

Major General Tapanelli reported the Department continues to work on formal conveyance of the Crisis City property from the Air Force to the state and hopes to complete that process within 12-18 months.

**Kansas Intelligence Fusion Center.** Major General Tapanelli described the Kansas

Intelligence Fusion Center as the core of Kansas homeland security efforts. He stated the Fusion Center provides information vital to early warnings, risk assessment, and decision-making by public officials by analyzing systems-level threats to critical infrastructure, working with private industry to improve cyber security, and partnering with subject matter experts to identify bio-threats to animals, plants, and humans. He said the multidisciplinary approach used in the Fusion Center is economical and sustainable and provides timely information. Major General Tapanelli stated an additional lead analyst position and individual analyst positions dedicated to the Center's focus teams, such as the Critical Infrastructure Focus Team, are needed to address analysis needs and to keep pace with rapidly changing threats.

### **Homeland Security Funding**

Captain Eric Pippin, Kansas Highway Patrol, explained the Patrol since 1999 has served as the state administrative agency (SAA) for the Homeland Security Grant Program, which is funded through the U.S. Department of Homeland Security (DHS). That preparedness funding awarded has ranged from a low of \$670,000 in 1999 (its first year) to a high of \$28.8 million in 2004 and now is approximately \$3.5 million to \$4.0 million a year. Beginning in federal fiscal year 2006, the SAA has administered funds for projects in the state's seven homeland security regions; he stated regionalization works well for the grants and for other emergency response initiatives but the regional boundaries have begun to fade and be replaced with a shared focus on statewide resources. State partners include the Kansas Bureau of Investigation, the Kansas Department of Agriculture, KDOT, KDHE, KDEM, and the Patrol. All projects are presented to and approved by the Commission on Emergency Planning and Response. He provided examples of the 70 current year grant projects, such as the purchase of radios for various agencies; funding for active shooter training for first responders; purchase of deployment supplies, equipment, and contractual training for incident management team members; funding of analyst positions related to the Fusion Center; and purchase of cattle panels to use during responses to overturned animal trailers.

## **Kansas Commission on Veterans' Affairs Office**

Gregg Burden, Director of the Kansas Commission on Veterans' Affairs Office (KCVAO), described the changes to and within that agency within the past year. The enactment of Sub. for HB 2681 in April 2014 abolished the Kansas Commission on Veterans' Affairs, which had been governed by a commission, and created the KCVAO under the supervision of a director appointed by the Governor and subject to confirmation by the Senate. The bill also abolished the Veterans Claims Assistance Advisory Board and replaced it with the Veterans Claims Assistance Program. The Veterans Claims Assistance Program Advisory Board will advise the Director.

Director Burden said the Kansas Veterans' Home in Winfield and the Kansas Soldiers' Home at Fort Dodge have seen significant upgrades in servers and wireless systems in the past year that have enhanced patient security and capability and are used for paperless patient records and financial purposes. Construction projects completed at the homes include new roofs, window replacements, a dining hall renovation, a water line replacement, and boiler replacements. Triplett Hall opened at the Kansas Veterans Home.

The KCVAO also added four veteran service representatives and opened new offices in Atchison and Manhattan, Director Burden said.

Challenges for the KCVAO include keeping positions filled, due to low unemployment rates, lower pay, and local competition for nurses and other skilled workers.

Wayne Bolig, Deputy Director, KCVAO, told the Committee the state will need to comply with a federal in-state tuition requirement for veterans and certain dependents enacted as part of the Veterans Access, Choice and Accountability Act of 2014. He also answered questions about judicial diversion available to some veterans.

## **Ebola Preparedness in Kansas**

Aaron Dunkel, Deputy Secretary of Health and Environment, discussed how KDHE has worked with partner organizations such as the U.S.

Department of Health and Human Services, the U.S. Environmental Protection Agency (contaminated suits worn by health workers and other supplies used are treated as medical waste), hospitals, and local health departments. He said KDHE staff answer many questions and have developed protocols for possibilities such as transfer of a confirmed Ebola patient to an isolation unit in Nebraska. He reported the agency has created educational materials on Ebola.

State Epidemiologist Charlie Hunt provided background and updates on the country's status in regard to Ebola infection. He reviewed what is known about the disease, how the virus is spread, treatment, and quarantine challenges. He said the preparedness plan for Kansas includes risk assessment, monitoring, special considerations for health care workers, evaluation and management, and laboratory testing.

A handout on Kansas law regarding quarantine for infectious disease was distributed to the Committee.

## **Kansas Active Shooter Mitigation Program**

Following introductory remarks by Colonel Ernest Garcia, Superintendent, Kansas Highway Patrol, Captain Robert Keener, commander of the Patrol's training academy, briefed the Committee on the Kansas Active Shooter Mitigation Program. This program trains school personnel and local law enforcement officers on how to think and react to active shooter situations, understanding officers likely will not be present in the first minutes of a situation and law enforcement's priority will be to stop the intruder, not attend to victims. Objectives for the training include how to develop a mindset to address such a situation. The Program expects to expand to training those who will train others. The Program also has worked with the Kansas Juvenile Officers Association and could be applicable to workplace violence situations, Captain Keener said.

## **Capitol Complex Security**

A briefing on Capitol complex security was presented in sessions closed to the public under KSA 2014 Supp. 75-4319(b)(13); that statute permits closing portions of an open meeting so

members may discuss certain matters relating to security measures, if that discussion would jeopardize such security measures. Only Committee members and Kansas Highway Patrol staff were present at those closed sessions.

## **CONCLUSIONS AND RECOMMENDATIONS**

A motion carried to approve as Committee recommendations those proposed by the Adjutant General's Department:

- Incorporate the Kansas Center for Safe and Prepared Schools into the Kansas Department of Education, with staff and other program expenses funded through the State General Fund;
- Request the Kansas Legislative Research Department explore governance structures related to public safety communications policy and assets in similar states and report to the Committee and the SIEC;

- Provide funding for planning staff and recovery teams to assist local officials;
- Increase staffing levels at the Kansas Intelligence Fusion Center; and
- Leverage opportunities that encourage youth to participate in emergency management activities and careers.

The Committee recommends all legislators, and especially committee chairpersons, receive training on Statehouse emergency policies and procedures.

The Committee recommends the state amend law as necessary to adhere to federal law regarding in-state tuition for veterans. It also recommends the Legislature explore ways to access revenues from Kansas Lottery sales for veterans' programs.