

MINUTES

JOINT COMMITTEE ON KANSAS SECURITY

October 2, 2019
Room 142-S—Statehouse

Members Present

Representative Eric Smith, Chairperson
Senator Dan Goddard, Vice-chairperson
Senator Kevin Braun
Senator Mike Petersen
Senator Pat Pettey
Senator Mary Ware
Representative Dave Baker
Representative Jarrod Ousley
Representative Louis Ruiz

Members Absent

Representative Michael Houser – Excused

Staff Present

James Fisher, Kansas Legislative Research Department
Aaron Klaassen, Kansas Legislative Research Department
Jill Shelley, Kansas Legislative Research Department
Kyle Hamilton, Office of Revisor of Statutes
Charles Reimer, Office of Revisor of Statutes
Connie Burns, Committee Assistant

Conferees

Colonel Herman Jones, Superintendent, Kansas Highway Patrol
Lieutenant Eric Hatcher, Kansas Highway Patrol, Troop K
Katrin Osterhaus, Information Technology (IT) Audit Manager, Legislative Division of Post Audit
Dr. DeAngela Burns-Wallace, Secretary of Administration
Scott Ekberg, Administrator, Kansas 911 Coordinating Council
Johnathan York, Response and Recovery Branch Director, Division of Emergency Management, Adjutant General's Department

Others Attending

See [Attached List](#).

Morning Session

Welcome

Chairperson Smith called the meeting to order at 9:00 a.m. and reviewed the schedule for the day.

Statehouse Security Update

Colonel Herman Jones, Superintendent, Kansas Highway Patrol (KHP), and Lieutenant Eric Hatcher, KHP, Troop K (Capitol Police), provided an update on Statehouse security ([Attachment 1](#)). Colonel Jones made opening remarks and introduced Lieutenant Hatcher. Lieutenant Hatcher provided an update on Statehouse security personnel, Statehouse video monitoring equipment, and Visitor Center security screening equipment. Lieutenant Hatcher stated Troop K's Central Monitoring has moved into a more functional office space, with more monitors to view images provided by various cameras around the Capitol complex. Lieutenant Hatcher also stated the equipment used for security screening in the Capitol Visitor Center is an older model Astrophysics, Inc. x-ray system and one Garrett PD 6500i magnetometer "metal detector" system. Each visitor must submit to the screening processes. The Lieutenant provided an overview of new screening equipment that has been purchased as a result of actions taken by the Kansas Legislature in 2019; the new equipment includes:

- Two new Astrophysics x-ray machines for the Visitor Center;
- Two new metal detectors for the Visitor Center; and
- One new large Astrophysics x-ray machine for the loading dock.

Lieutenant Hatcher stated the new x-ray machines for the Visitor Center are not currently installed as the machines delivered were not as expected. He noted the vendor's website had not been updated and the x-ray machines that were delivered did not match the depiction on the vendor's website. The delivered unit is a smaller machine. The company is in the process of fabricating components for the machines sent to allow them to meet the needs of the KHP. The items are ready to ship and, as soon as the equipment is received, a time will be set up for the company to install the machines.

The Lieutenant also provided an overview of law enforcement call boxes located around the Statehouse that make it easy to contact Capitol Police officers; pressing the button on the speaker box will contact Central Monitoring, which allows for direct communication, and nearly all the speaker boxes are located next to blue lights, which usually are located next to exit doors.

Active shooter training is offered by the KHP Troop K and is available to state employees, Lieutenant Hatcher said.

Committee members asked questions on topics including the large number of retiring officers, retention of security videos, and prohibited items in the Statehouse. Colonel Jones and

Lieutenant Hatcher addressed the retirement issues and the KHP's Deferred Retirement Option Program. Lieutenant Hatcher stated he would prefer to discuss security video retention in a closed session at a future meeting. Lieutenant Hatcher referenced state law regarding criminal use of weapons, criminal carrying of a weapon, and criminal possession of explosives and suggested that an individual call his office if they are unsure whether an item is prohibited from the Capitol.

Executive Agency Information Systems

Katrin Osterhaus, Information Technology (IT) Audit Manager, Legislative Division of Post Audit (LPA), stated information on executive agency information systems would be provided in the closed executive session.

Chairperson Smith moved, and Senator Braun seconded, that the open meeting of the Joint Committee on Kansas Security be recessed for a closed, executive meeting pursuant to KSA 2018 Supp. 75-4319(a) to discuss matters related to the security measures in place for executive agency information systems, pursuant to KSA 2018 Supp. 75-4319(b)(12)(C), because discussion of such matters in an open meeting would jeopardize the security measures in place for such information systems; that the committee resume the open meeting in Room 142-S of the Statehouse at 10:30 a.m.; and that this motion, if adopted, be recorded in the minutes of the Joint Committee on Kansas Security and be maintained as a part of the permanent records of the committee. The motion carried. The motion was adopted at 9:43 a.m. on October 2, 2019.

The designated essential personnel to be in the closed session in addition to Committee members were Ms. Osterhaus; Sagar Bhatia, LPA; and Jeffery Duncan, LPA.

The Committee returned to open session at 10:30 a.m.

Review of Agency Security Policies

Dr. DeAngela Burns-Wallace, Secretary of Administration (Secretary), provided the Committee with a review of agency security policies ([Attachment 2](#)), and stated facility security comprises physical security, access control, surveillance, and training and policies. The Secretary also stated since the last update, given to the Committee by the former Secretary at the January 2018 meeting, the Department of Administration (Department) has seen an increase in monitoring and surveillance with an expanded network of cameras, more training, such as de-escalation training, completed by agency personnel, and new safety policies and procedures implemented in agencies with high public traffic and access. The Secretary noted that some agencies have had more opportunity to examine their security policies and the biggest challenge for the Department is making the process more systematic.

The Secretary stated Department staff have met with representatives of the KHP, the Office of Information Technology Services, and agency partners to develop a comprehensive approach and are looking at facilities in four tiers with a goal of deploying security enhancements in a more strategic way. She listed four tiers:

- Tier 1 – Capitol Complex;

- Tier 2 – Leased space in downtown Topeka;
- Tier 3 – Leased space in Shawnee County; and
- Tier 4 – State facilities outside of Shawnee County.

The Secretary indicated the Department would like to develop a security checklist for facilities outside of Shawnee County that would include notifying local law enforcement that a building houses a state agency and that the Department is looking into de-escalation training as well as active shooter training.

The Secretary also stated Department staff are evaluating new leases and instituting a safety audit when in the process of looking at a leased property. She noted there also are opportunities to address security as leases are amended.

The Secretary stated the Department is performing a gap analysis to better understand the State's infrastructure and resources. This analysis included a tenant survey of all offices located in Topeka which asked about the agency's usage of space, implementation of best practices, and certain security protocols. She stated the Department is in the process of reviewing the survey results to identify security gaps.

The Secretary identified short-term security goals for the Department, such as implementing security training programs for employees, working with agency partners on policies and procedures for enhanced security, and consulting with local and state law enforcement. She also identified future needs, such as evaluating and upgrading surveillance systems, determining fiscal impacts of implementing security enhancements, and assessing staffing needs. She noted the key card access control systems use outdated technology.

Committee members asked questions on topics including the response to an incident that occurred in 2017 in Wichita, whether the State partners with counties where state buildings are being leased on shared security in those facilities, whether current leases meet security standards, whether the agency is seeing cooperation from various agencies with regards to security enhancements, and whether employees have the ability to dial 911 from office phones. The Secretary stated the incident in Wichita has been reviewed and steps taken so a similar incident does not happen again, and she noted state employees do have the ability to call 911. The Secretary also noted there are opportunities for collocation and shared use of security resources in some locations; the Department is working to identify these opportunities. Additionally, the Secretary indicated they are seeing support from smaller state agencies in updating their security procedures.

Chairperson Smith encouraged the Secretary to invite local law enforcement to state facilities to allow them to perform a security assessment as well; he encouraged more emphasis on relationships with local law enforcement. The Secretary indicated the idea could potentially be a win/win for the State and the local community.

Chairperson Smith recessed the meeting at 11:10 a.m.

Afternoon Session

Chairperson Smith reconvened the meeting at 1:00 p.m.

Overview of Kansas 911 Act and Next Generation 911 Technology

Scott Ekberg, Administrator, Kansas 911 Coordinating Council (Council), provided an overview of the Kansas 911 Act (Act) and Next Generation 911 (NG911) technology ([Attachment 3](#)). Mr. Ekberg stated Kansas continues to be a national leader in the implementation of NG911 and he believed the Kansas Legislature should share that pride. NG911 is an evolving technological upgrade that will allow callers to communicate with 911 centers in the ways in which they are accustomed and expect, such as using texting, videos, and photographs, while speeding response times to emergency events.

Mr. Ekberg provided background and a timeline of major milestones of NG911, stating the project began in 2010 with a feasibility study. After the study was completed, the Kansas Legislature enacted the Act, and many of its provisions went into affect in January 2012. He also discussed the mapping projects within the state that took place in 2013 and 2014 that enabled capabilities of NG911. An overview of how many public safety answering points (PSAPs) migrated from their standalone systems to the state-hosted system by year was also provided. He stated there were 97 PSAPs on the system by the end of 2018 and, in 2019, there are plans to increase the number of PSAPs on the state system to 102; he noted a few counties in the Kansas City metropolitan region are participating *via* the Mid-America Regional Council system, which will interconnect with the Kansas system.

Mr Ekberg discussed various statutory changes enacted in 2019 HB 2084:

- Increasing the fee from \$0.60 to \$0.90 per subscriber account per month, with \$0.66 of every fee going directly to PSAPs based on a population-based formula, \$0.23 of every fee going to the State Operations Fund, and \$.01 of every fee going to the State Grant Fund;
- Authorizing the Council to require PSAPs to maintain geographic information system (GIS) data to Council standards; if the maintenance is not done, authorizing the Council to hire a third party to perform that maintenance and bill the cost back to the PSAP if maintenance is not performed for a year;
- Cleaning up language on training standards, by providing authority for the Council to mandate training for the statewide system, but it may recommend training only for general PSAP operations;
- Prohibiting the Council from creating administrative rules and regulations creating a mandatory certification program for PSAP operations or personnel;
- Authorizing the Council to withhold 10 percent of a PSAP's 911 fee distribution each month until the PSAP has filed the required expenditure report and supporting documentation each year; and

- Requiring repayment of the misspent 911 funds to the PSAP's 911 account and allowing the Council discretion to impose a penalty of \$500 or 10 percent, whichever is less, if the Council determines the misspending is an intentional violation of the Act.

Mr. Ekberg also provided an overview of the technical aspects of the state-hosted system and a comparison of the annual cost between operating a standalone PSAP system and hosting a PSAP on the statewide system.

Mr. Ekberg also reviewed 911 projects being implemented or planned:

- Migration to i3 (contact using non-voice-using technologies) geospatial call routing allowing for improved routing accuracy;
- RapidDeploy Radius Plus Implementation and training to replace the current mapping product and provide advanced features;
- RapidDeploy Nimbus Implementation and training, to enable call data sharing capabilities, some i3 enhancements, and a gateway to future i3 implementation;
- Real-time texting implementation and training to provide more accurate location information for text callers and real-time communication;
- FirstNet and other broadband network interface projects;
- Annual security audits of both the voice and data networks;
- Incident management plan updates and revisions to be presented to the Council for approval; and
- Development of guides for PSAP troubleshooting and problem reporting.

Committee members had questions about PSAP operator training, specifically about the removal of mandatory training from 2019 HB 2084, and the security of the state's hosted PSAP system. Mr. Ekberg stated the mandatory certification program was opposed by the chiefs of police and law enforcement associations and he thought the organizations believed the Council should not be the entity requiring such certifications. He also noted other states have certification programs and that Kansas should follow suit. With regards to the question about security, Mr. Ekberg stated the voice portion of the network is a closed network, so it is very secure, and the Internet access comes through a firewall. The RapidDeploy network is more open so that updated information can be sent out to the responders; however, only a controlled list of sites can be accessed.

FirstNet and Public Safety Broadband in Kansas

Jonathan York, Response and Recovery Branch Director, Division of Emergency Management, Adjutant General's Department, provided an update on FirstNet and public safety broadband in Kansas ([Attachment 4](#)). Mr. York stated FirstNet is the country's first and only

nationwide communications platform dedicated solely to public safety and first responders. He noted the federal Public Law 112-96, enacted in 2012, directed the establishment, deployment, and operation of a nationwide broadband wireless network for public safety communications. It is a secure, interoperable communications network that supports voice, data, text, and video communications. FirstNet is being built with AT&T in a public-private partnership with the FirstNet Authority, helping public safety agencies connect to the critical voice and data information that would be needed every day, especially during an emergency. He reported approximately 60 percent of the network had been completed and all 50 states have chosen to use FirstNet as their public safety communications network, rather than building separate networks as P.L. 112-96 would have allowed.

Mr. York stated FirstNet provides priority and preemption for first responders to avoid network congestion that may occur in other networks during an emergency.

Mr. York explained there are two types of users for FirstNet: priority and extended. Priority users include first responders such as police and fire while extended users include non-profits and other entities that may be called upon to assist in an emergency. Both groups will have priority status on the network but only the priority group of users will have network preemption status over users who are not first responders. Priority users also have the ability to temporarily designate an extended user a priority user.

Mr. York stated AT&T FirstNet deployed two plan structures to ensure both career and volunteer first responders can qualify for a plan: agency-paid and set up by a public safety agency or governmental agency, or subscriber-paid and set up under an individual who is a public safety practitioner. It is not uncommon for an individual to have a subscription under both types of plans.

Mr. York also stated FirstNet subscribers have access to a fleet of 72 dedicated portable network assets that can be deployed across the nation, either cell on wheels or satellite cell on light truck units. The closest cache location to Kansas is in Riverside, Missouri. The Kansas Division of Emergency Management, in collaboration with the FirstNet Authority and AT&T FirstNet, conducted in-person and virtual overview seminars that were available to public safety entities to highlight capabilities of FirstNet. Future approved investment areas approved by the FirstNet Authority Board include:

- Expanding the FirstNet fleet of deployable resources for better network coverage and capacity for public safety during emergencies and events; and
- Completing initial generational upgrades to the FirstNet core to enable 5G network capabilities.

Mr. York addressed question and concerns from Committee members on the timeline for the build out of 5G wireless technology. Mr. York stated there is not a definitive timeline but AT&T is working on updating its core network.

Committee Comments and Discussion

The Committee requested more information on the following items:

- The security of the state's elections, voting machines, and voting places, and the impact of changing polling places in certain counties;
- Information on certification and training of the state's PSAP operators and dispatchers with more information provided by the state's law enforcement associations; and
- A briefing from the Department of Administration regarding a plan for IT security compliance of state agencies.
 - Committee members noted IT security is critical and management must be held accountable.

Committee members also discussed the possibility of examining state procurement procedure and law, and partnering more with rural communities to increase their purchasing power with regards to security-related equipment. Accountability for training and implementing agency security measures also was discussed.

Representative Ousley asked why no representative of the Kansas Bureau of Investigation (KBI) was present to provide an update on Kansas crime statistics. Chairperson Smith responded the KBI was initially on the agenda but a personal situation made the presenter unavailable; KBI Director Kirk Thompson has asked that the agency be placed on the agenda for the next meeting. There was consensus the KBI will be contacted to present at the next Committee meeting.

Committee members asked staff to share the draft annual Committee report for review.

The Chairperson thanked the Committee members and staff for their hard work.

Adjourn

The meeting was adjourned at 2:22 p.m.

Prepared by Connie Burns

Edited by James Fisher and Jill Shelley

Approved by the Committee on:

November 4, 2019

(Date)