

BRENNAN CENTER FOR JUSTICE

Chair Lieutenant Governor Peggy Flanagan
Minnesota Advisory Committee on Capitol Area Security

September 21, 2025

VIA EMAIL

**Re: Recommendations to Protect Officeholders, Staffers, and Constituents at the
Minnesota State Capitol**

Dear Chair Lieutenant Governor Flanagan and members of the Minnesota Advisory Committee on Capitol Area Security,

The Brennan Center for Justice at New York University School of Law appreciates the opportunity to provide recommendations for the Minnesota Advisory Committee on Capitol Area Security's effort to improve security at the Minnesota State Capitol.¹ For thirty years, the Brennan Center's nonpartisan expertise has informed policies that foster a safe and secure democracy, including measures that protect election workers and state and local officeholders from violence, threats, and abuse.

In June, Representative Melissa Hortman and her husband were shot dead in their home, while Senator John Hoffman and his wife were critically injured. The suspect had a list of dozens of other targets, including officeholders in at least three other states.² Such attacks have not been anomalous nor cabined to any political persuasion. The September 10 killing of Charlie Kirk, the April 13 fire set at Pennsylvania Governor Josh Shapiro's home while his family slept, and multiple attempts to target the current president since July 13, 2024, are widely understood to be acts of political violence.³

¹ The Brennan Center is a nonpartisan public policy and law institute that focuses on the fundamental issues of democracy and justice. This comment does not reflect the views, if any, of NYU School of Law.

² Steve Karnowski, "Minnesota Shooting Suspect Had a List of Dozens of Potential Democratic Targets, Prosecutors Say," PBS, June 17, 2025, <https://www.pbs.org/newshour/politics/minnesota-shooting-suspect-had-a-list-of-dozens-of-potential-democratic-targets-prosecutors-say>.

³ Louis Jacobson and Amy Sherman, "How Recent Political Violence in the U.S. Fits into a 'Long, Dark History,'" PBS, September 12, 2025, <https://www.pbs.org/newshour/politics/how-recent-political-violence-in-the-u-s-fits-into-a-long-dark-history>.

As Chair Lieutenant Governor Flanagan recently stated, “Violence cannot obstruct democracy.”⁴ This Committee deserves praise for its leadership in seeking new solutions to protect the safety of public servants and constituents in and around the state’s Capitol.⁵ Other jurisdictions are considering measures to make it safer for lawmakers and their constituents to engage freely in our democracy, such as increasing security presence at state Capitols.⁶

We commend the Committee for taking action and urge a robust legislative package of protective measures that better ensures Minnesota’s democratic arena is safe and accessible to all.

Research shows a widespread and increased threat environment for state and local officeholders

In 2024, the Brennan Center published research documenting rising levels of abuse directed at state and local officeholders.⁷ The research included two national surveys over the course of 2023 — one of state legislators and four quarterly surveys of local officeholders — and three dozen in-depth interviews with state legislators. In total, the report draws on the experiences of more than 1,700 officials from all 50 states encompassing a range of ages, party affiliations, ideologies, genders, sexual orientations, racial and ethnic identities, and religions.

The report finds that state and local officeholders have faced an increasingly stark threat environment in recent years. Over 40 percent of state legislators who participated in the survey experienced threats or physical attacks within the previous three years. And large numbers of officials surveyed, including 89 percent of state legislators, also experienced less severe forms of abuse, such as demeaning insults, stalking, or other forms of harassment.⁸

The research indicated an increase in the frequency and severity of abuse over time. More than 38 percent of state legislators surveyed reported that the amount of abuse they experienced had increased since they first took office, while only 16 percent reported a decrease; 29 percent also

⁴ Peggy Flanagan (@LtGovFlanagan), X, June 18, 2024, <https://x.com/LtGovFlanagan/status/1935369934185402700>.

⁵ Caroline Cummings, “Minnesota Capitol Security Committee Holds First Meeting Since Deadly Lawmaker Shootings,” CBS News, August 20, 2025, <https://www.cbsnews.com/minnesota/news/minnesota-state-capitol-security-meeting/>.

⁶ Molly Beck and Jessie Opoien, “Minnesota Shootings, Wisconsin Hit List Prompt Increased Security in State Capitol,” June 16, 2025, *Milwaukee Journal Sentinel*, <https://www.jsonline.com/story/news/politics/2025/06/16/wisconsin-assembly-speaker-robin-vos-calls-for-more-capitol-security-after-minnesota-violence/84230953007/>.

⁷ Gowri Ramachandran et al., *Intimidation of State and Local Officeholders*, Brennan Center for Justice, January 25, 2024, <https://www.brennancenter.org/our-work/research-reports/intimidation-state-and-local-officeholders>. The *Intimidation of State and Local Officeholders* report is attached as Appendix 1 to this Comment.

⁸ Ramachandran et al., *Intimidation of State and Local Officeholders*, 3.

reported that the seriousness of the incidents had increased, while only 12 percent reported a decrease.⁹

Reported attacks went beyond the officeholders to their families including children. One officeholder reported receiving threats to “take over her home” and noting her home address, a photo of her home, the location of her children’s school.¹⁰ Other officeholders reported receiving death threats, including against their family members.¹¹

This increased threat environment endangers the free and fair functioning of democracy.

The threats against officeholders and their families endanger not just their personal safety, but also their ability to safely fulfill their democratic duties as elected public servants. They make officeholders less likely to hold public events in person and engage on social media, reducing opportunities to interact with their constituents.¹² Nearly a quarter of state officeholders were less likely to hold events in public due to abuse. Approximately half of all officeholders reported reluctance to communicate through social media due to abuse.¹³ Some officeholders reported avoiding even traditional media appearances.¹⁴

Officeholders reported the threat environment warps policy debate and cooperation across perceived political divisions. More than a fifth of state legislators reported that they were less willing to advocate for potentially controversial policies due to abuse, and more than half believed that fear of attacks deterred their colleagues. Several lawmakers reported the threat environment made bipartisan compromise more difficult than in the past.¹⁵

Stronger security protocols at the State Capitol will better enable lawmakers and constituents to freely and securely participate in their government.

Individual officeholders cannot reasonably be expected to mitigate this widespread threat environment on their own. State government has a vital role to play in ensuring the safety, integrity, and functionality of our democratic institutions. We offer the following research-based recommendations for this Committee’s consideration.

Better protect officeholders’ personal safety.

- Provide officeholders and their staff with expert-led training in resisting and reducing hate-based violence, including techniques in bystander intervention.
- Provide officeholders and their staff with free mental health services and encourage their use. Currently, officeholders can request counseling services through the Employee

⁹ Ramachandran et al., *Intimidation of State and Local Officeholders*, 4.

¹⁰ Ramachandran et al., *Intimidation of State and Local Officeholders*, 14.

¹¹ Ramachandran et al., *Intimidation of State and Local Officeholders*, 15.

¹² Ramachandran et al., *Intimidation of State and Local Officeholders*, 19.

¹³ Ramachandran et al., *Intimidation of State and Local Officeholders*, 4.

¹⁴ Ramachandran et al., *Intimidation of State and Local Officeholders*, 19.

¹⁵ Ramachandran et al., *Intimidation of State and Local Officeholders*, 16.

Assistance Program.¹⁶ But more can be done to ensure officeholders receive on-site support during incidents and resources related to mental well-being in a legislative environment and workplace.¹⁷

- Strengthen privacy protections for officeholders balanced with accountability for residency requirements. Following the Minnesota shootings, several other states including North Dakota, South Dakota, New Mexico, and Maine, removed officeholders' home addresses from their Legislature's websites, and Colorado did so temporarily.¹⁸ Oregon had enacted legislation to shield the home addresses of political campaigners just one day before the Minnesota attacks.¹⁹ Minnesota should provide officeholders address confidentiality from the general public, while ensuring residency requirements and other legal compliance via nonpublic records.

Systematize security and safety practices.

- Establish a system that monitors threats against officeholders, taking care not to impinge on civil rights. The U.S. Capitol Police tracks threats against members of Congress, publicly reports the number it investigates, and re-allocates resources in response to emerging trends.²⁰ These tracking efforts can be replicated at the state level in Minnesota with adequate resources.
- Provide adequate physical security resources, developed and delivered by experts, for officeholders. It is critical that the state routinely assess office spaces at the Capitol for vulnerabilities and make improvements such as video surveillance and key card access to nonpublic areas where lawmakers and staff can isolate in emergency situations. For instance, the Florida legislature provided \$61 million in appropriations for windows at its Capitol, including some with bulletproof glass.²¹

Consider ways to regulate firearms at the Capitol.

¹⁶ Minn. Stat. § 43A.319 (2024).

¹⁷ Julie George, "Mental Health Support in Focus After Minnesota Shootings," National Conference of State Legislatures, June 23, 2025, <https://www.ncsl.org/state-legislatures-news/details/mental-health-support-in-focus-after-minnesota-shootings>.

¹⁸ Ashleigh Fields, "State Lawmakers Move to Delete Address Online After Minnesota Shootings," June 17, 2025, <https://thehill.com/homenews/state-watch/5354877-state-lawmakers-address-hiding-threat/>; Mackenzie Huber, "South Dakota Legislature Removes Lawmaker Addresses from Website After Minnesota Shootings," June 20, 2025, *South Dakota Searchlight*, <https://brookingsregister.com/stories/south-dakota-legislature-removes-lawmaker-addresses-after-killings,141413>.

¹⁹ Ashleigh Fields, "State Lawmakers Move to Delete Addresses Online After Minnesota Shootings," *The Hill*, June 17, 2025, <https://thehill.com/homenews/state-watch/5354877-state-lawmakers-address-hiding-threat/>.

²⁰ Ramachandran et al., *Intimidation of State and Local Officeholders*, 20.

²¹ Jeffrey Schweers, "Florida is Spending \$61.6 Million to Bulletproof Capitol Windows," *Orlando Sentinel*, October 2, 2023, <https://www.orlandosentinel.com/2023/08/24/florida-spending-61-6-million-to-bulletproof-capitol-windows/>.

- Consider ways to regulate open and concealed carry of firearms on capitol grounds, where officeholders regularly engage with members of the public. A number of officeholders in the Brennan Center’s study reported feeling chilled knowing people carried firearms into legislative buildings.²² The Committee should invite experts and communities to provide testimony.
- A narrowly tailored policy to specifically protect the state Capitol is possible under the Supreme Court’s 2022 decision in *New York Rifle and Pistol Association v. Bruen*. While the ruling significantly constrains gun regulation, it allows for commonsense limits to protect civic engagement. The Court described legislative assemblies like state capitol grounds as a historical “sensitive place” in which gun regulation is permissible without further justification.²³

To be sure, these recommendations are not exhaustive. The Committee must continue to evaluate the threat of political violence, how it corrodes the free functioning of our democracy, and how Minnesota can act to mitigate these problems. These recommendations, however, provide critical steps the Committee can take right now to help ensure officeholders can safely and securely do what they came to the Capitol to do: represent their constituents.

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We thank the Committee for its consideration of our nonpartisan, research-based recommendations and commend its leadership to secure the safety and integrity of the democratic process.

Respectfully submitted,

BRENNAN CENTER FOR JUSTICE
AT NYU SCHOOL OF LAW

²² Ramachandran et al., *Intimidation of State and Local Officeholders*, 14.

²³ *New York State Rifle & Pistol Ass’n, Inc. v. Bruen*, 597 U.S. 1, 30 (2022).