

UNITED STATES CAPITOL POLICE: OPERATIONS AND WORKFORCE

HEARING BEFORE THE COMMITTEE ON HOUSE ADMINISTRATION HOUSE OF REPRESENTATIVES ONE HUNDRED FIFTEENTH CONGRESS SECOND SESSION

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UNITED STATES CAPITOL POLICE: OPERATIONS AND WORKFORCE

TUESDAY, JUNE 26, 2018

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOUSE ADMINISTRATION,
Washington, DC.

The Committee met, pursuant to call, at 11:09 a.m., in Room 1310, Longworth House Office Building, Hon. Gregg Harper [Chairman of the Committee] presiding.

Present: Representatives Harper, Davis, Walker, Brady, and Lofgren.

Staff Present: Sean Moran, Staff Director; Kim Betz, Deputy Staff Director/Policy and Oversight; Steven Wall, Deputy General Counsel; Dan Jarrell, Legislative Clerk; Amanda Anger, Professional Staff Member; Matt Field, Director of Oversight; Erin McCracken, Communications Director; Jamie Fleet, Minority Staff Director; Khalil Abboud, Minority Deputy Staff Director; and Eddie Flaherty, Minority Chief Clerk.

The CHAIRMAN. I now call to order the Committee on House Administration for today's hearing examining the operations and workforce of the United States Capitol Police.

We will pause for a moment while that is set up.

I want to thank everyone for being here today.

The hearing record will remain open for 5 legislative days so Members may submit any materials they wish to be included.

A quorum is present, so we may proceed.

When Congress moved from Philadelphia to Washington, D.C., in 1800, one man was hired to protect the U.S. Capitol Building. Nearly 30 years later, in 1828, the U.S. Capitol Police was born. Now in its 190th year, the USCP employs more than 2,200 officers and civilians, protects approximately 16 million square feet of Capitol buildings and grounds, and manages a budget north of \$400 million.

The USCP plays a crucial role in protecting the legislative branch. The USCP's mission is to protect the Congress, its Members, employees, visitors, and the facilities so that Congress may fulfill its constitutional and legislative responsibilities in a safe, secure, and open environment to the people the institution serves.

And we know that this is no small or easy task. The shooting incident that took place 1 year ago on the baseball field in Alexandria, Virginia, reminded us all of the ever-growing challenges faced by law enforcement in this country and around the world.

We are grateful to law enforcement for their willingness to risk their lives in the protection of others. And we especially appreciate

the men and women of the USCP, whose daily efforts and constant dedication ensure that this Congress may serve the Nation with as little danger or disruption as possible.

Much of this has to do with the USCP's leadership. Chief Verderosa has led the USCP for 2 years and has more than 30 years' experience with the department. That means he knows its operations inside and out. The Committee looks forward to discussing how the Chief's leadership has transformed the department and what his vision of the future looks like.

We expect to hear from our panel on the challenges that USCP faces related to its strategic plan for operations and workforce development. These challenges include: promoting accountability through employee engagement and positive work environment; nurturing a culture of professionalism, inclusion, and performance-oriented management; becoming a data-driven, innovative, and continually learning organization; establishing and enforcing best practices, standard operating procedures, and internal controls; providing consistent, effective, and up-to-date training; recruiting and retaining a new generation of employees; and planning for future human capital and operational needs.

It is our hope to examine the effectiveness of the USCP's management structure and human capital initiatives in bolstering the department's reputation as a leader in law enforcement operations.

I thank our panel for their appearance before the Committee today.

And I would now like to recognize the Ranking Member of the Committee, Mr. Brady, for the purpose of providing an opening statement.

Mr. Brady.

[The statement of The Chairman follows:]

COMMITTEE INSERT

Mr. BRADY. Thank you, Mr. Chairman. And I want to thank you for calling this hearing today.

I am glad to see the Chief, who I have known for a long time, and our union leader there, who, despite being a New York Giants fan, is not a bad guy. I appreciate our Acting Inspector General for stepping in while the board conducts its search.

My dad was a police officer, and, since my time in Congress, I have been in support of Capitol Police; I have tried to support what the department needs. You have hard jobs, and I want you to know you have allies on the dais and on the House floor who want to help you, because all you are trying to do is help us.

Last year's shooting at the baseball practice, as you mentioned, Mr. Chairman, and the tragedy of the train accident are nationally known examples of how important your work is. But the Chairman and I know that work happens every day, and I look forward to hearing what more we can do to support you. And I thank you for being here.

And I yield back the balance of my time.

[The statement of Mr. Brady follows:]

COMMITTEE INSERT

The CHAIRMAN. The gentleman yields back.

Does any other Member wish to be recognized for the purposes of an opening statement?

Seeing none, I would now like to introduce our panel of witnesses.

Chief Matthew R. Verderosa became the USCP's ninth Chief of Police when he assumed his position on March 21, 2016. As Chief of Police, Chief Verderosa oversees the entire police department, including its operations and administration, and he is a valued partner in the daily operations on Capitol Hill. The Chief has been with the department in numerous roles since 1986, having worked his way up through the ranks and gaining a very unique law enforcement perspective along the way.

Mr. Michael A. Bolton is the Acting Inspector General for the USCP. He assumed this position this year when the second USCP IG retired. Mr. Bolton has been with the IG's office since 2006 and has more than 30 years of law enforcement and auditing experience in both the private and public sectors.

And our last witness, Mr. Gus Papathanasiou—I hope I came close on that, Gus—is the Chairman of the USCP's Labor Committee for the Fraternal Order of Police. He has served on the union executive board since 2009 and became a Chairman in 2016, and he is in his 16th year of employment with USCP.

The Committee has received your written testimony. You will have 5 minutes to present a summary of that submission. You know the drill. The clock will be there. It will be green when it starts for 4 minutes, and it will turn yellow with a minute remaining, and then will turn red after the 5 minutes has expired.

The Chair now recognizes our witnesses for the purposes of their opening statements, and I will begin with Chief Verderosa.

Chief.

STATEMENTS OF MATTHEW VERDEROSA, CHIEF OF POLICE, UNITED STATES CAPITOL POLICE; MICHAEL BOLTON, ACTING INSPECTOR GENERAL, UNITED STATES CAPITOL POLICE; AND GUS PAPATHANASIOU, CHAIRMAN, UNITED STATES CAPITOL POLICE LABOR COMMITTEE, FRATERNAL ORDER OF POLICE

STATEMENT OF MATTHEW VERDEROSA

Chief VERDEROSA. Thank you, sir.

Good morning, Mr. Chairman, Ranking Member Brady, and Members of the Committee. Thank you for this opportunity to discuss the proactive efforts of the United States Capitol Police to protect Congress and secure the U.S. Capitol complex in an environment of increasing threats.

I am joined here today by members of my executive team and the executive management team, including Chief of Operations Assistant Chief Steve Sund, Chief Administrative Officer Mr. Richard Braddock, and General Counsel Gretchen DeMar.

I would also like to thank the Committee for their support of the department, our personnel, and our operations. Congress has been

very generous in providing the resources necessary to support our crucial mission.

Since I testified here last, we have seen many changes on Capitol Hill and within the department in response to current events and serious incidents. The reality is the Capitol remains an attractive target. Therefore, we must continually assess the risks and adjust our strategies for addressing any threats.

As police officers, we do not know what we may face each day. We train and prepare so that we can respond to any threat in an instant because lives depend on it. We constantly work to ensure the department's tactics do not become predictable or routine and that our personnel are always prepared.

It is with this in mind that we have worked to align these security realities with our strategic goals and available resources. Our top priorities continue to be the security initiatives that will mitigate vulnerabilities and enhance the overall safety of the complex. We constantly work to maintain a level of security necessary to balance access and security.

Over the past year, the department has managed an ever-increasing number of demonstrations, has swiftly responded to critical incidents and civil disobedience, and has investigated numerous credible threats. At the same time, the number of visitors coming to the Capitol complex has steadily increased. In 2017, our officers screened 12.5 million individuals at building entrances and interior checkpoints.

We are also aggressively pursuing all leads and investigating threats we receive. As a result of last June's active-shooter incident, there is a heightened awareness by individuals regarding their own personal security and the safety of the campus. Last year, the number of threat assessment cases that we opened and investigated nearly doubled.

As I noted earlier, the department has grown and transformed to address new and emerging threats. We have also made great strides in implementing best practices to further our strategic efforts as a model law enforcement agency. We have developed and implemented more than 400 professional standards that were established by the Commission on Accreditation for Law Enforcement Agencies, and we recently received our sixth consecutive CALEA accreditation.

The department has also benefited from our Office of Inspector General through our business development recommendations. Since 2006, we have successfully closed nearly 85 percent of the IG's 403 recommendations.

Protecting congressional facilities goes hand-in-hand with our overall operational plans. When I testified before this committee last February, I outlined a multiyear strategy that provides additional physical security throughout the complex and addresses three critical mission sets.

Chief among these projects is enhancing the garage security. We have added personnel and have installed physical security hardware at the entrances of some of the garages and will be in a position to complete that planned security perimeter as the Architect finishes its construction projects in the Rayburn and Cannon. Staffing for this important initiative should be in place by May of 2019.

Another important tool that we have utilized is enhanced screening portals located at the House and Senate galleries. These were installed last summer. We are seeking additional resources in our Fiscal Year 2019 budget request to add the sworn personnel to staff these screening portals at the Visitor Center as well.

With the recent addition of prescreeners at numerous posts outside of the House and Senate office buildings, we are increasing our abilities to better secure and screen at the building access points, reducing our exposure to threats. Having an officer, a visible deterrent, at every access point, especially at the high-volume entrances, ensures that any threat is met and stopped outside of our buildings.

Our greatest assets are our employees. I am committed to working closely with the Capitol Police Board and Congress and the FOP to ensure that we continue to invest our resources into training, updating and replacing key equipment and systems, and ensure our employees have the tools they need.

This includes identifying training, mentoring, and promoting those individuals within the department to be the next generation of leaders. Over the past year, we have promoted more than 90 officers. All the sworn personnel who have joined our command ranks bring a wealth of experience and expertise to the department.

I would be remiss if I didn't note that, this week, Special Agent Crystal Griner is receiving the Julie Y. Cross Award from the Women in Federal Law Enforcement. This honor is bestowed upon an officer who acts with exceptional courage or heroism or for an unusual degree of stamina or willingness to go beyond the call of duty.

I am very proud of Special Agent Griner's response to the active shooter last year, and I wanted to note publicly my appreciation to WIFLE for bestowing this honor upon Special Agent Griner.

And, sir, as always, our mission continues to grow to be serving and protecting the Congress and the legislative process. I want to ensure that each one of our employees goes home safe every day. That is my main focus, and to keep this institution safe.

Lastly, Mr. Chairman, I want to thank you again for the opportunity to provide an update for the department's priorities and activities. I know that we all are committed to keeping everyone who works in and around the Capitol complex safe and secure.

And I am available to answer any questions you may have, sir.
[The statement of Chief Verderosa follows:]

**Testimony of
Matthew R. Verderosa, Chief of Police
United States Capitol Police**

**Before the Committee on House Administration
U.S. House of Representatives**

“United States Capitol Police: Operations and Workforce”

June 26, 2018

Good morning, Mr. Chairman, Ranking Member Brady, and members of the Committee. Thank you for this opportunity to discuss the continued, proactive efforts of the United States Capitol Police (USCP) to protect the Congress and to secure the U.S. Capitol Complex in an environment of increasing threats.

I am joined here by some members of my Executive Team and Executive Management Team, including our Chief of Operations, Assistant Chief Steven Sund, Chief Administrative Officer Richard Braddock, and General Counsel Gretchen DeMar. We all would like to thank this Committee, and especially the Chairman and Ranking Member as you near the end of your tenures, for your support of the Department, our personnel, and our operations. The Congress has been very generous in providing the resources and funding necessary to support our crucial mission. During my tenure as Chief and prior to that serving as the Assistant Chief, I have been fortunate to work with your staffs in a collaborative effort to keep this campus safe. Thank you for that opportunity.

Since I last testified before this Committee 16 months ago, we have seen many changes here on Capitol Hill and within the Department in response to current events. It was just over one year ago this month, that the active shooter incident at the Republican Congressional baseball team’s practice in Alexandria demonstrated that the threats that are made against Congress and Members are very real.

What our Special Agents did on that Alexandria baseball field was an example of our Department’s unwavering commitment to carrying out our mission. Their actions underscore the vital role we play in protecting and serving the Congressional community.

As law enforcement officers, we do not know what we may face each day. We train and prepare so we can respond to any threat in an instant because lives depend on it. We must be cognizant of any potential threats at all times. We are constantly working to ensure that the Department's tactics do not become predictable or routine and that our personnel are always prepared.

The reality is that the Capitol Complex remains an attractive target to foreign and domestic terrorists; therefore we must continually assess the risks and adjust our strategies for addressing any threat. The Department is working closely with the Capitol Police Board to augment and strengthen the formal processes related to off-campus security and Member protection.

It is with this in mind that we have worked to align these security realities with our strategic priorities and available resources. Our top priorities continue to be the Capitol Police Board's security initiatives that will mitigate vulnerabilities and enhance the overall safety of the Capitol Complex.

The USCP constantly works to maintain a level of security necessary to balance access and security. Over the past year, the Department has managed an ever-increasing number of demonstrations, has swiftly responded to critical incidents and civil disobedience, and has investigated numerous, credible threats against Members of Congress or the U.S. Capitol. At the same time, the number of visitors coming to the Capitol Complex has been steadily increasing. In 2017, USCP officers screened 12.5 million individuals at building entrances and interior checkpoints.

Our special agents in the Investigations Division are aggressively pursuing all leads and investigating threats from many sources. As a result of last June's active shooter incident, there is a heightened awareness by Members and staff of how important it is to be aware of their surroundings and the actions of others for their own personal safety and security. Individuals are now more apt to report unusual activities. Last year, the number of threat assessment cases that we opened and investigated nearly doubled.

We are continually assessing potential risks and adjusting our strategies for addressing any threat. This includes re-evaluating the size and structure of our dignitary protection teams and making adjustments where necessary as well as developing new ways to leverage uniformed assets into the overall protection model to provide an overarching protective program.

The Department maintains a significant, visible presence throughout the Capitol Complex and other venues where groups of Members are assembled. This includes having a security presence even where we are not physically located. We routinely collaborate with the House and Senate Sergeants at Arms to assess Members' state and district office security and provide recommendations on ways to improve and enhance security measures and practices. We also continue to provide security awareness briefings for both local and district staff.

Another key to keeping people safe is sharing information and building partnerships with other law enforcement agencies. We work closely and communicate daily with the numerous law enforcement agencies that share policing responsibilities throughout the National Capital Region. The Department coordinates activities with our partners to manage large scale events such as demonstrations, marches, and instances of civil disobedience in overlapping jurisdictions. For National Special Security Events, such as the State of the Union Address, multiple agencies collaborate to develop security plans and to staff joint incident command centers to execute these plans. Our special agents also work closely with state and local police departments to coordinate security arrangements for Members while they are at public events in their home states or districts.

We have also implemented or improved communication that provides important alerts to the Congressional community in case of emergencies that could be as routine as approaching inclement weather or as serious as a potential terrorist attack within the Capitol Complex.

In September 2017, the USCP, Architect of the Capitol, U.S. House of Representatives, and U.S. Senate launched a single Joint Emergency Mass Notification System (JEMNS) to eliminate duplicative systems and unify the messages and the means for distributing important information to Members and staff. Following the successful roll-out to the congressional community, the Library of Congress elected to utilize JEMNS for their employee notifications and is currently engaged in the testing phases for a planned rollout during Calendar Year 2018. Based on available data, the

overall transition to JEMNS has been seamless, and the overall project has been very beneficial to Legislative Branch entities through the consolidation of assets and the consistency and reliability of alerts and messaging.

Another joint initiative that the Department is engaged in is the planned upgrading of the Joint Audible Warning System. Following the September 11, 2001 attacks, the USCP developed and acquired an annunciator system that expanded audio alerts to areas within the Capitol Complex that were not covered by public address systems. Similar to the JEMNS project, the USCP and its Legislative Branch partners are preparing to upgrade the current annunciator system in the near future.

As I noted earlier, the Department has grown and transformed to address new and emerging threats over the past year. We have also made great strides in implementing law enforcement best practices to further our strategic efforts as a model law enforcement agency.

In order to ensure consistent, transparent, and effective management practices, as well as measure our successes, we regularly benchmark our efforts to nationally recognized standards set by professional law enforcement organizations such as the International Association of Chiefs of Police (IACP), Police Executive Research Forum (PERF), and the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA).

In November 2017, the USCP received its sixth consecutive accreditation from CALEA. The Department was awarded CALEA's Gold Standard with Excellence – the highest rating a law enforcement agency can receive during the evaluation process, which is reserved for Departments that exhibit strong organizational health, the efficient use of resources, and exemplary service delivery. In order to receive this distinction, the Department developed and implemented more than 400 professional standards that were established by CALEA and evaluated by their assessors. The USCP was further recognized for having been accredited for 15 or more continuous years with the enhanced Certificate of Meritorious Accreditation.

Our Executive Management Team, and the Department as a whole, has also benefitted from the assistance of the United States Capitol Police Office of Inspector General (OIG). The OIG

routinely conducts audits, reviews, and investigations and makes recommendations to the USCP for business improvements, including audits of our programs that I have requested. The Department continues to make significant progress in closing OIG recommendations. Since the OIG was established in 2006, the Department has successfully closed nearly 85 percent of the 403 recommendations made by the OIG.

As Chief, I value the OIG's assistance in our efforts to further improve our operations and performance. Mr. Bolton has been the Acting Inspector General since April 2018, following the retirement of our prior IG, and I appreciate the OIG's assistance in our efforts to further improve operations and performance. Further, I am pleased to report that the Department received its sixth consecutive unmodified "clean" opinion on our Fiscal Year 2017 financial statements from the OIG. The long-term resolution of recommendations related to internal controls, business processes, and material weaknesses remains of the highest importance to me and our management team.

I also work closely with the Fraternal Order of Police Labor Committee leadership on a host of issues of mutual concern. We have collaboratively worked to implement policy and procedures, as well as address the concerns of the rank and file. While we sometimes see issues through a different lens, the Chairman of the Labor Committee and I both want what is best for our employees. We and our staffs work diligently to ensure that we come to a resolution on topics with the shared goal of supporting our overall mission.

Protecting the facilities and other physical assets throughout the Capitol Complex goes hand-in-hand with our overall operational plans. On June 8, 2017, the USCP assumed responsibility for protecting the O'Neill House Office Building, thereby increasing the Department's security portfolio, and required integrating USCP physical security requirements into the facility, as well as increasing USCP manpower to staff the new, required posts.

Today, in anticipation of the opening of the new child care center in the O'Neill Building early next year, we are continuing to work with House Officers and the Architect of the Capitol to provide direction and expertise regarding the installation of necessary physical security upgrades and are examining the new staffing requirements associated with these new mission requirements.

When I testified before this Committee last February, I outlined a multi-year strategy that provides additional physical security throughout the Capitol Complex and addresses three critical new mission sets. In coordination with the Capitol Police Board and our oversight committees, we have worked to hire and train the necessary sworn personnel as the phases of these projects are completed and/or funding is appropriated.

Chief among these projects is the effort to enhance security in and around the House garages. In addition to supplementing personnel within the facilities, additional physical security hardware is being installed at the entrances from the garages into the House Office Buildings. When the Architect of the Capitol completes its construction projects in the Rayburn Garage and the Cannon House Office Building, the USCP will be positioned to complete the planned House Garage security perimeter. The Department anticipates implementing the staffing for garage security in May 2019.

Another important tool that we have successfully utilized in the past year is the enhanced screening portals located outside the House and Senate Galleries. Working in close coordination with the Capitol Police Board, this technology was installed outside the House and Senate Galleries last summer. This screening process is complementary to that used with the metal detectors currently in use throughout Congressional buildings. We are seeking additional resources in our Fiscal Year 2019 budget request to add sworn personnel to staff the enhanced screening portals at the Capitol Visitor Center entrances for secondary screening purposes, which will further strengthen our security posture against known and unknown threats.

While physical security elements are an important part of any security plan, our officers on post throughout the Capitol Complex 24 hours a day, 365 days a year, are truly our first responders and the last line of defense during any crisis or potential attack.

With the recent addition of pre-screeners at numerous posts outside of the House and Senate office buildings, we are increasing our abilities to better secure and screen at building access points and thereby reducing the Capitol Complex's exposure to threats.

The Capitol Police Board and I believe this initiative is critical to the safety and security of the Capitol Complex. Having pre-screeners at every access point, especially at the high volume door entrances, is necessary to ensure that any threat is met and stopped outside of our buildings. Specifically, they are posted to observe the public entering the buildings; to provide direct communications with the interior officers in the event of an emergency; to engage observed armed individuals, and to serve as a visible deterrent to those desiring to attack an entrance. The ultimate goal in deploying these pre-screeners is to identify and mitigate threats before they reach the interior security screening checkpoints.

An added benefit to utilizing pre-screeners is that they also monitor and manage the lines of people cued to enter the buildings. The Department is sensitive to ensuring a positive visitor experience and our officers re-direct visitors to other entry doors for screening, which also enhances their overall safety and security.

Congress has provided the necessary resources to continue to staff these positions in accordance with our multi-year plan, and we remain very appreciative for your unwavering support of this life-safety initiative that protects our officers, Members, staff, and the visiting public. In fact, the additional resources we have received from Congress in the past year have allowed us to realize several of our strategic goals. This includes recruiting the new officers and civilian employees needed to achieve enhanced security initiatives, and has allowed us to promote officers into leadership positions that has resulted in the appropriate supervisor ratio, furthering enabling us to move these initiatives forward while supporting our workforce.

The Department's greatest assets are its employees. And, for this reason, the Department is committed to working closely with the Capitol Police Board and Congress to ensure that we continue to invest our resources into training, updating and replacing key equipment and systems, and ensuring that our employees have the tools they need to successfully do their jobs as well as advance their careers within the Department.

The USCP promotion process is extensive, inclusive, and transparent. As I mentioned earlier, the Department recently received its sixth consecutive accreditation from CALEA. Included in the 400 CALEA professional standards that we have implemented is a detailed evaluation and

selection process that begins “with the identification of employees who appear to have the potential for assuming greater responsibility and who possess the skills, knowledge, and abilities required to perform at that level. All elements used to evaluate candidates for sworn personnel for promotion are job related and nondiscriminatory.”

The Department’s promotion processes for the ranks of Sergeant, Lieutenant, and Captain are administered by an independent third party. Executive level candidates are evaluated on their written responses to five executive core competencies and one mandatory technical competency statement. They also participate in an interview process where individuals are expected to explain why they are qualified for the position they are seeking and demonstrate the level and quality of the experiences that they will bring not only to the position but to the Department as a whole.

Those promoted are selected based on their performance during the interview processes as well as an evaluation of their overall employment records, their ability to communicate and articulate what skills and expertise they will contribute to the overall success of the Department, and their leadership abilities. The assignments given to the new commanders are determined based on operational needs, and the Department’s overall objective to further develop well-rounded, experienced leaders. All promotions are based on merit and are designed to move the agency forward for years to come.

Over the past year, the Department has promoted more than 90 officers to the rank of Sergeant, Lieutenant, Captain, Inspector, and Deputy Chief. I am pleased to announce that our newest Deputy Chief, Yogananda Pittman, has over 17 years of law enforcement experience as well as 14-years in our Uniformed Services Bureau. She will be attending the FBI National Academy, is a member of the National Organization of Black Law Enforcement Executives, and Women in Federal Law Enforcement, and for the past 2½ years has led our Office of Accountability and Improvement. She has also served as a mentor to new officers, and was a co-chair of our annual Combined Federal Campaign committee, among other collateral duties for which she volunteered. Deputy Chief Pittman, our new Inspectors, and all the other sworn personnel who have joined our command ranks all bring a wealth of experience and expertise to their positions. They have the Department’s full support, and I know the Congress joins me in congratulating them on their achievements.

The USCP is committed to practicing diversity management in order to leverage the unique skills, talents, and expertise that everyone brings to the Department. By embracing these differences, not only are we positioned to recruit, retain, and promote the best and the brightest, we will continue to successfully accomplish our mission. This includes identifying, training, mentoring, and promoting those individuals who will be the Department's next generation of leaders.

In this regard, I have asked our Chief Administrative Officer to lead an effort with our Diversity Officer to review the promotion, hiring, and other work development processes to determine if any barriers exist that would, either through perception or practice, keep our workforce from reaching its full potential. Additionally, I have asked them to continue to enhance these processes to ensure they are consistent with best practices, while remaining inclusive and equitable.

Later this year, we also will be implementing a number of new initiatives that will enrich our employees' professional and personal development. This includes moving to a new simplified performance evaluation program that focuses on performance planning, communication, and appraisals measured against straightforward competencies for each position in the Department. The revised process has been simplified and is designed to improve communication between supervisors and employees. We also plan to issue a revised discipline process that will continue to be transparent but more easily understandable by the employees not covered by discipline provisions in a collective bargaining agreement. In addition, we will be launching a new honorary recognition program that will reward employees for their excellence in executing our mission.

The Department has also been exploring several options for our employees to participate in wellness programs featuring professional development training as well as health and fitness classes to further help them maintain a healthy work/life balance. We are also establishing a formal mentoring program, as well as a peer support program, both that are championed by the USCP Diversity Officer, that we plan to rollout to the Department in 2019. These programs cross-cut through all sworn and civilian rank levels so that the USCP can better support our employees on their career paths.

As Chief, it is my goal to recruit officers who reflect the makeup of those working in and visiting our U.S. Capitol and engaging in the legislative process. It is also imperative that we build a strong leadership bench to build upon the Department's legacy with a clear eye toward its future. We are making every effort to expose our employees and commanders to new ideas and the newest technologies to help keep us competitive and prepared for new and emerging threats. We appreciate the support and resources that Congress has provided to us so that we can successfully achieve our mission.

As always, our mission continues to be serving and protecting the Congress and the legislative process. I also want to ensure that each one of our employees goes home safe every day. We continue to work very closely with our federal, state, and local law enforcement partners, and monitor national and world events to provide the level of security required to protect the Capitol Complex, Members of Congress, staff, and the visiting public.

Mr. Chairman, I want to thank you again for this opportunity to provide an update on the Department's priorities and activities. I know that we all are committed to serving our country whether we are elected or appointed officials, or we elected to put on the USCP uniform. What unites all of us is our dedication to public service and to keeping everyone safe and secure.

The CHAIRMAN. Thank you, Chief Verderosa.

The Chair will now recognize Mr. Bolton for 5 minutes for the purposes of his opening statement.

You might slide that a little closer to you there, Mr. Bolton.

STATEMENT OF MICHAEL BOLTON

Mr. BOLTON. Good afternoon. And thank you for the opportunity to appear before the Committee on House Administration to discuss the United States Capitol Police operations and workforce.

My name is Mike Bolton. I am the Acting Inspector General for the United States Capitol Police. I have been Acting IG since April of 2018. I would like to thank the Committee for its sustained and unwavering support of the United States Capitol Police Office of Inspector General.

The OIG is dedicated to ensuring that the department, board, and committees are accurately informed of audit and investigative reviews through the submission of our independent reports. These comprehensive reports serve the department in achieving the goals of their mission and providing a financially responsible operation as well as a safe and secure environment for all Members, staff, public employees, and visitors to the Capitol complex.

However, none of this would be possible without the support of the Congress and that of the Capitol Police Board. We very much appreciate our discussions with you and your staff about our work and future projects. These discussions have provided us with a regular opportunity to provide the Committee with important updates about our activities, challenges, and focus.

The Inspector General Act established for most agencies an OIG and sets its mission, responsibilities, and authority. The unique nature of the IG function can present a number of challenges for establishing and maintaining effective working relationships. To work most effectively together, the agency and its OIG need to clearly define what each considers a productive relationship and then consciously manage those goals in an atmosphere of mutual respect.

By providing objective information for promoting government management, decisionmaking, and accountability, OIG contributes to the agency's success. OIG is an agent of positive change, focusing on eliminating waste, fraud, and abuse and identifying problems and recommendations for corrective actions by our agency leadership.

OIG provides the agency, board, and Congress with objective assessments of opportunities to be more successful. Under the direct supervision of the Chief, OIG must keep the board and Congress fully informed of significant OIG activities.

Given the complexity of management and policy issues, OIG and the agency may sometimes disagree on the extent of the problem and the need for and scope of corrective action. However, such disagreements should not cause the relationship between the OIG and the agency to become unproductive.

Annually, the OIG prepares a summary of the most significant management challenges facing the department. The challenges reflect continuing vulnerabilities that OIG identified over the last several years as well as new and emerging issues the department

will face in the coming year. Some of those areas that GAO considers its high-risk series may include leadership commitment, capacity, action plan, monitoring, demonstrated progress.

In 2016, OIG began using the above criteria to measure the department's progress. Since our last report, the department has shown solid, steady progress for the majority of its top management and performance challenges.

The top management challenges facing the department are protecting and securing the Capitol complex, strengthening cybersecurity strategies to address increasing threats, strong integrated internal control systems, managing Federal contracting more effectively, and human capital management.

Of the five challenges of the 2017 list, at least four partially met all the criteria for removal from the performance and management challenges.

OIG narrowed Challenge 1 from 2017, "interagency communication, coordination, and program integration need improvement," to "protecting and securing the Capitol complex" because the department strengthened how intelligence on terrorism, homeland security, and law enforcement information is shared and coordinated with its Federal, State, and local partners.

Challenge 5, human capital management, is still, however, in need of attention.

For 2018, department challenges remain at five. Overall, progress has been made possible through the concerted actions of the Chief, the Chief Administrative Officer, and the leadership and staff within the department.

Thank you for the opportunity to appear before you today. I will be very happy to answer any questions the Committee may have at this time.

[The statement of Mr. Bolton follows:]

STATEMENT OF ACTING INSPECTOR GENERAL MICHAEL A. BOLTON
UNITED STATES CAPITOL POLICE
OFFICE OF INSPECTOR GENERAL

Committee on House Administration
United States House of Representatives
June 26, 2018

Good afternoon and thank you for the opportunity to appear before the Committee on House Administration to discuss the United States Capitol Police: Operations and Workforce. My name is Michael A. Bolton. I am the Acting Inspector General for the United States Capitol Police (USCP or Department). I have been Acting IG since April 2018.

I would like to thank the Committee for its sustained and unwavering support of the United States Capitol Police, Office of Inspector General (OIG). The OIG is dedicated to ensuring that the Department, Board, and Committees are accurately informed of audit and investigative reviews through the submission of our independent reports. These comprehensive reports serve the Department in achieving the goals of their mission in providing a financially responsible operation as well as, a safe and secure environment for all members, staff, public employees, and visitors to the Capitol complex. However, none of this would be possible without the support of the Congress and that of the Capitol Police Board. We very much appreciate our discussions with you and your staff about our work and future projects. These discussions have provided us with a regular opportunity to provide the Committee with important updates about our activities, challenges and focus.

The Inspector General Act establishes for most agencies an OIG and sets out its mission, responsibilities, and authority. The unique nature of the IG function can present a number of challenges for establishing and maintaining effective working relationships. To work most effectively together, the agency and its OIG need to clearly define what each considers a productive relationship and then consciously manage toward that goal in an atmosphere of mutual respect.

By providing objective information for promoting Government management, decision-making, and accountability, OIG contributes to the agency's success. OIG is an agent of positive change, focusing on eliminating waste, fraud, and abuse, and on identifying problems and recommendations for corrective actions by agency leadership. OIG provides the agency, Board, and Congress with objective assessments of opportunities to be more successful. Although not under the direct supervision of the Chief, OIG must keep the Board and Congress fully informed of significant OIG activities. Given the complexity of management and policy issues, OIG and the agency may sometimes disagree on the extent of a problem and the need for and scope of corrective action. However, such disagreements should not cause the relationship between OIG and the agency to become unproductive.

The Office of Inspector General is comprised into three areas of responsibility: Audits, Investigations, and Administration. Audits examines the economy and efficiency of USCP programs and operations, including program results, compliance with applicable laws and regulations, and fair presentation of financial reports. OIG conducts audits which are accomplished in accordance with generally accepted government auditing standards (GAGAS) published by the Comptroller General of the United States.

Investigations utilizes specific law enforcement authorities, tools, and techniques to conduct investigations and prevent fraud, waste, and abuse in the programs and operations of USCP. Investigative work is intended to result in appropriate actions to and resolve allegations and to prevent and deter future instances of illegal or fraudulent acts or misconduct. In addition, Investigations conducts systematic and independent reviews and investigations of operations. Reviews are generally focused on management and internal controls and investigations are generally in response to allegations of employee misconduct or mismanagement issues. Furthermore, Investigations maintains the OIG Hotline, a confidential channel for complaints or concerns about violation of law or regulation, gross waste of funds, abuse of authority, or mismanagement.

Administration ensures that the people, money, technology and equipment, and policies are in place so that OIG can function efficiently and effectively. Responsibilities include asset

management; budget formulation and execution; human resources; workplace training; information technology; and policy preparation for OIG. Administration also facilitates OIG's planning and reporting activities and prepares crosscutting documents on OIG accomplishments.

Annually, the OIG prepares a summary of the most significant management challenges facing the Department. The challenges reflect continuing vulnerabilities that OIG identified over the last several years as well as new and emerging issues the Department will face in the coming year. The Government Accountability Office (GAO) uses five criteria that reflect whether agencies met, partially met, or did not meet issues on its High-Risk Series—*Progress on Many High-Risk Areas, While Substantial Efforts Needed on Others*, GAO-17-317, published February 15, 2017. The five criteria are:

- **Leadership Commitment – Demonstrated** strong commitment and top leadership support.
- **Capacity** – Agency with the capacity (that is, people and resources) to resolve risks.
- **Action Plan** – Corrective action plan defining the root cause and solutions as well as providing for substantially completing corrective measures, including steps necessary for implementing recommended solutions.
- **Monitoring** – Program instituted that would monitor and independently validate the effectiveness and sustainability of corrective measures.
- **Demonstrated Progress** – Ability to demonstrate progress in implementing corrective measures and resolving the high-risk area.

In 2016, OIG began using the above criteria to measure the Department's progress. Since our last report, the Department has shown solid, steady progress for the majority of its top management and performance challenges.

The top Management Challenges facing the Department are: (1) Protecting and Securing the Capitol Complex, (2) Strengthening Cybersecurity Strategies to address increasing threats, (3) Strong Integrated Internal Control Systems, (4) Managing Federal Contracting more effectively, and (5) Human Capital Management.

Of the five challenges on the 2017 list, at least four partially met all of the criteria for removal from the performance and management challenges. OIG narrowed Challenge 1 from 2017, *Interagency Communication, Coordination, and Program Integration Need Improvement*, to *Protecting and Securing the Capitol Complex*, because the Department strengthened how intelligence on terrorism, homeland security, and law enforcement information is shared and coordinated with its Federal, state, and local partners. *Challenge 5—Human Capital Management*—is still, however, in need of attention. For FY 2018, Department challenges remain at five. Overall, progress has been possible through the concerted actions of the Chief of Police (Chief), the Chief Administrative Officer (CAO), and leadership and staff within the Department.

Thank you for the opportunity to appear before you today. I would be very happy to answer any questions the Committee may have at this time.

The CHAIRMAN. The gentleman yields back.
The Chair will now recognize Mr. Papathanasiou for 5 minutes.

STATEMENT OF GUS PAPATHANASIOU

Mr. PAPATHANASIOU. Thank you, sir.

Good morning, Chairman Harper, Ranking Member Brady, and Members of this Committee. I would like to thank you for giving me the opportunity to testify before you on behalf of the United States Capitol Police Labor Committee Fraternal Order of Police. I am deeply humbled and honored.

Before I begin my opening remarks, I would like to take a moment to thank Chairman Harper and Ranking Member Brady on their years of service and wish you both luck in retirement. You have been great allies for law enforcement, especially the Capitol Police.

Ranking Member Brady, we have personally had many productive meetings throughout the years, and I am happy to see that you are leaving on top now that your Philadelphia Eagles are Super Bowl champions. Congratulations.

As I enter my 16th year with the Capitol Police, I have been with the union's executive board, serving as the first vice chairman since 2009 and now as chairman since 2016. And joining me today are members of my executive board: First Vice Chairman Officer Keith McFaden, Second Vice Chairman Officer Vincent Summers; and legal counsel for the union, Megan Mechak.

Our labor union plays a vital role in the operation and success of the Capitol Police. As outlined in our collective bargaining agreement, also known as the CBA, we contribute to effectively accomplishing the mission of the U.S. Capitol Police by fostering a positive and constructive relationship between management and the sworn employees. However, there is always room for improvement, and there is still work to be done.

As the department continues to grow and the mission changes, we must adjust to these changes. I have been fortunate to have a good working relationship with Chief Verderosa and Assistant Chief Sund, but these relationships don't occur overnight. Collectively, we have worked on building a mutual respect for each other, which goes a long way. We meet regularly to resolve issues. Although we don't always agree, we are all committed to the success of the USCP.

Some of the issues and concerns we have addressed in our meetings and will continue to pursue together include: officer morale; wellness of the officers on the front line; balance of work and family life; pay scale issues and pay cap issues.

Unfortunately, we have many areas of disagreement, including: ignoring legally binding arbitration rulings; ignoring decisions by the Office of Compliance; CBA negotiations are at a standstill pending negotiability appeals filed before the Office of Compliance and pursued to the Federal appellate court; progressive discipline not being adhered to as outlined in the CBA.

As a result of these issues and concerns, the union will continue to pursue and promote the following: fair treatment of all bargaining unit members; good faith negotiations; resist cuts to pensions to the USCP and all of Federal law enforcement; enhance law

enforcement retirements as we outlined in the 2012 GAO actuary study; pursue the pay scale compression and increasing yearly pay cap; eliminate the biweekly pay cap so that officers don't lose benefits; promote resolving grievances at lower levels; promote the well-being of officers and improve working conditions, especially when officers are working long hours and under the elements of the weather on a daily basis; eliminate the hiring of retired double-dippers who take away positions from the bargaining unit employees.

These are just some of the crucial issues we need to work on to make positive changes for both management and employees. These issues ultimately affect us all. At the end of the day, we are all one team, a team dedicated to the department's mission, which is to promote the safety of the congressional community.

I am proud of the men and women of the U.S. Capitol Police that wear the badge with honor and dignity. I am proud to be their union leader. As we put our lives on the line on a daily basis, it is time we make positive changes.

Thank you for allowing me to address this committee, and I look forward to any questions you may have. Thank you.

[The statement of Mr. Papathanasiou follows:]

**TESTIMONY OF GUS PAPATHANASIOU
CHAIRMAN
FRATERNAL ORDER OF POLICE, U.S. CAPITOL POLICE LABOR COMMITTEE
BEFORE THE
U.S. HOUSE COMMITTEE ON HOUSE ADMINISTRATION
JUNE 26, 2018**

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- Officer morale.
- Wellness of the Officers on the front line.
- Balance of work and family life.
- Pay Scale issues and pay Cap issues.

Unfortunately, we have many areas of disagreement, including:

- Ignoring legally binding Arbitration rulings.
- Ignoring decisions by the Office of Compliance.

- CBA negotiations are at a standstill pending negotiability appeals filed before the Office of Compliance, and pursued to the federal appellate court.
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- Fair treatment of all bargaining unit members.
- Good faith negotiations.
- Resist cuts to pensions to the USCP and all of federal law enforcement.
- Enhance law enforcement retirements as we outlined in the 2012 GAO actuary study.
- Pursue the pay scale compression and increasing the yearly pay cap.
- Eliminate the bi-weekly pay cap so that officers don't lose benefits.
- Promote resolving grievances at lower levels.
- Promote the well-being of officers and improve working conditions, especially when officers are working long hours and under the elements of the weather on a daily basis.
- Eliminate the hiring of retired double dippers who take away positions from bargaining unit employees.

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Thank you for allowing me to address this committee and I look forward to any questions you may have.

The CHAIRMAN. I want to thank each of you for your testimony. And it is now time for the Members to ask questions, and I will recognize myself for 5 minutes.

And I will start with you, Mr. Bolton, if I may. I certainly want to thank you for being here today.

In your testimony, you said that one of the USCP's top management challenges is human capital management. Can you describe this challenge a little more? And do you believe the USCP is doing enough to address that challenge?

Mr. BOLTON. Yes, sir. I would be glad to.

Human capital is not unique, in a sense, to Capitol Police. It is all throughout Federal Government, especially in law enforcement, based on my experience. They are managing their human capital, but the issues that they have, like other Federal law enforcement agencies, is recruitment, retention, retirement benefits.

And you always have that trying to balance between having adequate numbers of officers on post with your overtime and your restriction of that and being able to maintain the security that needs to be maintained.

The Capitol Police are doing a good job in managing their human capital. There is always room for improvement.

Just recently, just to bring up an issue with the recruit class 191, I believe it is, yes, 16 individuals ended up being disqualified or dropped from their training regimen. But keeping in mind that training is part of recruitment, in a sense, till the end. But they have taken other steps to even strengthen their training and recruitment since our report as well, and they have already taken those steps.

So they are managing it, but there always needs room for improvement.

The CHAIRMAN. Okay.

Chief Verderosa, first of all, thank you for everything that you do and for what the men and women of the USCP do on a daily basis to protect this pretty massive campus that we have here.

In the IG's last report detailing the top management challenges facing you and USCP, the IG's office found that the USCP must revise its performance management system and provide more meaningful goals and objectives to employees that link performance to the department's overall strategic plan and their goals.

How do you monitor performance, and how do you ensure that the leadership goals of the department are carried throughout all layers of the department?

Chief VERDEROSA. That is a great question, sir. I appreciate it.

One of our initiatives is to transform our personnel evaluation system into a meaningful document that actually assesses not only the general goals of the strategic plan but specific benchmarks for what officers do in their particular area of responsibility.

So we want the counseling session, when you bring someone in to talk about performance, to actually mean something. We want to tie it to promotional opportunities and also opportunities to transfer to specialty areas, to give incentives for better performance, increased motivation, that kind of thing.

I think it is incredibly important, and our human resources are our most important asset, the people. I believe that all supervisors

need to be able to communicate effectively with the people who work for them. People deserve to know where they stand. They deserve to know whether they are doing well, whether they need improvement.

And that is a two-way street; that is a conversation. And as those conversations occur within the chain of command, we are better able to assess our individual employees and provide them with the meaningful feedback that they deserve.

The CHAIRMAN. Great. Thank you.

And I now recognize the Ranking Member, Mr. Brady, for 5 minutes for questions.

Mr. BRADY. Thank you, Mr. Chairman.

First, for the Chief, in your testimony you discussed the new missions the police have undertaken—garage security in the old building, Members events, to name a few.

I think that Congress has done okay in getting you the bodies and equipment you need for this year and next, but what about the future staffing and what about the equipment you need for the next 2, 3, and 4 years from now? What can we be doing today to make sure you can plan appropriately?

Chief VERDEROSA. Thank you, sir. That is a great question.

The resources we have requested are within the structural limit of what we can right now train in addition to our attrition. I think there are a number of initiatives that will help us maintain the workforce at sufficient numbers. For instance, over the last 5 years, we have had 27,000 applications; we have hired about 500 employees. Our attrition is low. I think we have a great handle on—and thanks, in part, to great benefits and a great starting pay and a great payroll system. We want to maintain our employees, and we want to give them the best working conditions that we can do.

As we finish our Capitol Police Board initiatives for providing mitigation to the vulnerabilities, we will seek to continue to try to draw down the difference between our mission responsibilities and the mission gap in personnel. I know that the Inspector General recently reviewed overtime usage, and they came to the same conclusion that other auditors had found in the past, that we are significantly understaffed. So I think, once we work on the new mission sets, we will be able to better hire and retain personnel to sort of bridge that gap between the necessary overtime and the mission responsibility.

And that goes a long way to what the Chairman of the FOP is talking about—better quality work and off-duty experience.

Mr. BRADY. Thank you, Chief.

And for Officer “Papa,” can you elaborate on the legally binding arbitration issues that you brought up in your testimony? And what exactly does that mean, and how does it impact your membership?

Mr. PAPATHANASIOU. Thank you, sir.

Yes, we currently have several pending cases that are going to the courts. And the department has ignored arbitration rulings and rulings by the Office of Compliance that are legally binding. And the cases just drag on and on, wasting taxpayer money, you know, as far as we are concerned.

You know, when an arbitrator and the Office of Compliance has ruled to bring officers back to work and the department just ignores it, I think it is just a cat-and-mouse game that legal counsel plays throughout the system to drag these cases on and on.

So that is my answer to that question.

Mr. BRADY. Thank you.

Mr. Chairman, on 9/11, when we had that catastrophe, I was in my office, and the police officers came coming in and knocking on all our doors and told us we had to leave. I didn't want to leave because I wanted to watch what was happening. And I said to them, I said, "Well, why do we have to leave? And what are you doing? You are going to leave with me." They said, "No, no. We've got to make sure the building is evacuated. We've got to run through the whole building." And I still resisted. They said, "Please. We don't want to use force. Will you please leave?" I said, "Fine," you know.

And then about 2, 3 days later on the House floor, getting a briefing from Homeland Security and the Senate, and there was a mysterious package in between the Senate and the House floor. Again, we had to evacuate, running down the steps, running out of shoes, some people. And, again, our Capitol Police were standing there, and they are coming in and we are rushing out.

As you mentioned, Mr. Chairman, the incident on the baseball field, how they handled that. And some of them have lost their lives protecting us.

I mean, when you leave your house, you give your loved ones a kiss goodbye and put on a bulletproof vest, and, hopefully—because I know my dad did the same thing—that you may see them again.

So my question, I guess, to Gus—and the Chief can elaborate—what would you do if you heard a loud noise right now or you saw a mysterious package in the hallway?

Mr. PAPATHANASIOU. You want me to answer the question, or the Chief?

Mr. BRADY. Sure. You can answer it.

Mr. PAPATHANASIOU. All right.

We have protocols in place, shelter in place. Obviously, you know, we want to go home to our loved ones, but there are policies and procedures in place for the department and the officers to follow.

At the end of the day, like I said, you know, we want to keep the congressional community safe. We first need to know what is going on with the package or, you know, what the incident is. So, like you said earlier, the officers are running in. They are going to danger, you know?

And we want to keep the congressional community safe. And, at the end of the day, we want to go home to our family, like you said. Most of all, we want you, the Members of Congress, to go home to your loved ones back in your districts or wherever you are from, and we want the staffers and the visitors, you know, to also go home to their loved ones and feel safe when they are here.

And I think the Capitol Police has, as they have done in the past, they have done a good job, you know, the officers on this department, to run to danger, to protect everybody here in this institution, here on this campus, and also away from this campus. It is

a lot to do, and I have the utmost confidence in the officers on this department to complete the mission.

Mr. BRADY. Thank you.

And, Chief, thank you for the job that you do. You wanted to—
Chief VERDEROSA. Appreciate it.

I would like to follow up. And I support Gus and his statement in reference to this question, and I will simplify it a little bit. We work together. Whether we are officer, manager, or the Chief of Police, we are here to protect and serve Members.

We often agree on many issues, the union and I and management officials. I can tell you without hesitation that the officers and employees of the Capitol Police are courageous, they are brave, and they are very dedicated. I think that plays out on a regular basis. I think you see that on a daily basis.

We do have some differences. We do have some legal challenges. Respectfully, I see some of the arbitration and litigation cases through a different lens. I see it as exercising management's right to follow the designated appeal process of the Office of Compliance and the Federal circuit. I think there are a couple of challenges we need to get resolved, and I think, once those are resolved, I think all of the other issues will probably fall in place.

So I value the professionalism of the union leadership and the union shop stewards. I think they play an integral role in helping me and Gus make positive change for the department.

I think we see much more common ground than we see divisiveness. There are certain issues, whether it is a disciplinary matter, which is clearly a matter to be followed via the CBA—and through management's right to hold people accountable. It is in the contract. So we see how we interpret the contract a little differently.

I think that most of those issues are few and far between, because 99.9 percent of the police department act on a daily basis within the rules and within the guidelines, and I think those are the exception and not the rule.

So I hope that helps clarify the answer.

Mr. BRADY. Thank you, Chief. Thank you, and thank you, Gus, and thank your men and women, and thank your family. And my family and I thank you, and God bless you for the job you do to keep us safe.

I yield back, sir.

Chief VERDEROSA. Thank you, sir.

The CHAIRMAN. The Chair now recognizes the Vice Chairman of the Committee, Mr. Davis, for 5 minutes.

Mr. DAVIS. Thank you, Mr. Chairman and Ranking Member Brady.

Thank you, Chief and Inspector General and Gus. I won't try and pronounce your last name correctly. But I do appreciate what each and every one of you do. And there is a, you know, big place in my heart for the Capitol Police officers that work here every single day, and I do my best to try and get to know and joke with each and every one of them, especially Gussy here.

Can you tell Potter to get a little faster on the dog going in the Capitol today? I think he was harassing me about the football game. It is a really sore subject. Can you make sure that every

football player works overtime somewhere else in 2 years when we play again?

Chief VERDEROSA. I am trying, sir.

Mr. DAVIS. Yeah. Yeah.

Chief VERDEROSA. Slowly.

Mr. DAVIS. Not trying hard enough, obviously. But it is always great to have good competition, and you guys have a great operation.

Chief, I want to start with you. Thanks again for being here today.

Chief VERDEROSA. Yes, sir.

Mr. DAVIS. I really do appreciate your leadership in making sure that the campus has, you know, safety in mind for Members, constituents, and visitors and they get a chance to see democracy in action.

Part of your strategic plan is to become a continually learning organization by using lessons learned from successes and shortfalls. I think this is an important goal, especially when used to prevent something like last year's baseball practice. Thank you for what you did that day too. I appreciated your being there, and I think it was a great message to send to those Members who don't get to interact with you as much as I do and others.

Without going into much detail on sensitive security matters, can you provide some examples of how the Capitol Police has learned from the shooting in Alexandria? And have you put new policies and procedures in place that you can talk to us about?

Chief VERDEROSA. Yes, sir. I appreciate the question.

Obviously, critical incidents cause you to reflect on what you do well and where you need to adjust your measures. You always have to continually adjust what you do. You don't want to create a pattern, and you don't want to get caught behind the curve. You want to always be leaning forward.

So, as we look at, for instance, Member security at external events, obviously, we had been in a mode where we provided security for assignments of protection on a regular basis. We have since widened that net, and we have looked at better ways to be able to coordinate with outside law enforcement in areas where we feel that we can gain some support.

For instance, since the shooting up until January, we coordinated over 400 off-campus Member liaisons with outside law enforcement coverage for townhall events, for venues where a Member is in their district and they are having an event open to the public. We get an incredible amount of cooperation from local law enforcement.

We also have expanded our ability to protect with our own dignitary protection unit on various venues. And I think from the balance of the year from the shooting, we had 46 deployments of dignitary protection, that enhanced coverage that we didn't have prior to that.

And along those lines, as well, we are looking at coverage more globally. When I say that, we are looking at all the assets that we have that we bring to the table, many of which, thank you to the Congress for providing the resources for, such as our SWAT team, such as our hazardous devices unit, patrol officers. They are being

transformed into providing coverage at events and venues where we didn't have that before.

And, also, some of the things that came as a result of the shooting provided us with tools and technology to help us better assess those events to have more information so that we can either use that information to our advantage to provide coverage or we can pass on to our law enforcement partners who may be covering events for us out in the districts and States.

Mr. DAVIS. And, Chief, I appreciate that. As somebody I know who has coordinated, as, you know, before last year, I wouldn't have thought about security at events, but now it is unfortunate. We get spoiled out here because we see security all around. We take it for granted, what your men and women do every day. I can't say thank you enough to David and to Crystal and to all of you as officers.

I am going to ask one last question to Gus, but, before that, I want a one-word answer: Are you sure you guys have got the transponders program correctly——

Chief VERDEROSA. Yes, sir.

Mr. DAVIS [continuing]. For all detailees? Thank you. And it is double-checked?

Chief VERDEROSA. They are checked.

Mr. DAVIS. Thank you.

Gus, do you find better communication right now between your members and the Chief and administration since the baseball shooting in getting a lot of your priorities for your members put in place?

Mr. PAPATHANASIOU. Yes, sir. The communication between myself and the Chief is night and day from what it was with the prior administration on this department. So things have changed, I think, for the better.

But, like I said in my testimony, there is still work that needs to be done. And I would like to work with the Chief and the Assistant Chief and, you know, with my team, as well, to improve the department and get it headed in the right direction.

Mr. DAVIS. Thank you.

Mr. PAPATHANASIOU. Thank you, sir.

The CHAIRMAN. The Chair now recognizes the gentlewoman from California, Ms. Lofgren, for 5 minutes.

Ms. LOFGREN. Well, thank you very much.

You know, as I was listening to the testimony, I was reflecting how transformed the Capitol Police are from when I first worked in the Capitol. Both Mr. Davis and I were staffers before we were elected to Congress, and when I was on the staff here, the Capitol Police were patronage. And I remember, you know, making friends with some of the officers. You know, they were officers, but they were really just students, and it was a way to have a job. And this has been completely transformed into a professional organization.

And it is good to have this testimony today, hearing from everyone. Everyone acknowledges there are more things to do, but I think everyone has also acknowledged the progress that has been made. So that is a little piece of good news.

I was reviewing the hearing that we had last year, and one of the questions I had, and it hasn't been answered yet, is, obviously,

we do provide mutual aid to other organizations. I am not suggesting that that is wrong, but the primary focus is the protection of the U.S. Capitol.

And I am assuming that we have written protocols for the provision of mutual aid, and I would like to see them. And it may be that we should do that in a confidential setting. You know, we don't want terrorists to know what the protocols are. But I would like to know what they are and review them.

And I am wondering if we could arrange to do that at some point, Chief.

Chief VERDEROSA. Certainly. We have memorandums of understanding with some of our partner agencies. We have, obviously, verbal agreements. In any emergency, we are going to respond as needed. Assuming that we have adequate protection here on the Hill——

Ms. LOFGREN. Right.

Chief VERDEROSA [continuing]. We can respond under the law to emergency situations.

We have a very good working relationship here in D.C. It is probably just because of the way the jurisdictions are designed here. There are so many different entities that have a part in, you could say, one major event, where the Park Police have The Mall, Metropolitan Police have Third Street and have some of the avenues——

Ms. LOFGREN. Right.

Chief VERDEROSA [continuing]. And then we have Capitol Grounds.

We meet regularly. We have a very close personal relationship. We meet with the board, particularly, on a quarterly basis. When there is a large event coming, whether it is the State of the Union or inaugural, we actually meet on a monthly basis.

We also attend regularly liaison meetings. There was one yesterday at the Metropolitan Police. They have a weekly meeting where we discuss intel, large-scale events, and all the types of things that are going to occur.

The relationship between the agencies has never been better. We have officers who sit on FBI task forces as task force officers. They are embedded within these other agencies, and they become collective in the team that provides us with the ability to, one—and particularly this is important when we are investigating threats. We have people who are situated, as such, on the violent crimes task force——

Ms. LOFGREN. Right.

Chief VERDEROSA [continuing]. That are able to quickly talk to the resident agent in a particular area, and we get immediate response.

Ms. LOFGREN. Well, that is good news. I remember, after the 9/11 attacks, one of the questions asked—we had a joint meeting with our Sergeant at Arms and the Capitol Police. And one member asked, "When did the Secret Service call?" And the answer was, "Well, we're still waiting for the call." And that was, you know, a month later.

Chief VERDEROSA. Right.

Ms. LOFGREN. So I think those incidents have caused us to work together.

But I am still concerned about this scenario where you have a terrorist threat and their idea is to create a diversion to actually drain the protecters from their primary mission. And I am interested what protocols are in place to address that scenario. But we will do it outside of the public meeting.

And I will just end with this. I think this is probably our last oversight hearing with the chair and ranking member, both of whom are retiring. I thank them both for their hard work and their caring about this department and everything else. And I certainly—I will be seeing them over and over again, but the interest that they have both shown in the department is really important, and we all recognize that and wish them well in the future.

I yield back.

The CHAIRMAN. The gentlewoman yields back. And we appreciate your kind words very much.

The Chair will now recognize the gentleman from North Carolina, Mr. Walker, for 5 minutes.

Mr. WALKER. Thank you, Mr. Chairman.

Just one point I would like to make, as far as regarding Gus. I think, no matter what the position, if we had more people like you involved in day-to-day operations throughout the entire government, we would be a better place. I always love your spirit and your ability to connect and reach out. So keep up the good work.

Mr. Bolton, your office identified several management challenges facing the USCP. The word “several,” is that more than 10? Less than 10? A good amount?

Chief VERDEROSA. Five.

Mr. WALKER. Five, okay, including the need for strong integrated control systems. Can you tell us why these internal controls are so important to the Capitol Police operations? And can you provide some examples of where stronger internal controls are needed?

Mr. BOLTON. Internal controls for any agency is extremely important. What your internal control does, one, is gives you a repeatable business position, that whatever your day-to-day activities, whether it is time and attendance, accounting for sick leave, manpower, is a repeatable business despite no matter if someone retires—if Richard Braddock decided to retire tomorrow, we can continue on operations and have a continuous—without interruption.

Internal controls also prevent, as in the Inspector General world, fraud, waste, and abuse. By having strong internal controls, it eliminates the potential for having fraud or waste, such as—and it is not that it happened, but even recently when we had a report on compensatory time, where we needed to have a little stronger internal control in deciding when it is scheduled overtime or unscheduled, it is comp time, where they are—and where we had, then, strong internal—where, if it is or unscheduled leave, that individual hasn’t made the required 40 hours for that week. Now, if it is scheduled, obviously, they cancel it, and they can have that overtime. We just wanted to have a stronger internal control to prevent any potential—

Mr. WALKER. Sure.

Mr. BOLTON [continuing]. Of that problem. That is why it is very important throughout government to have strong internal controls.

Mr. WALKER. Absolutely.

And a tough question here, but do you feel like these suggestions, these recommendations are being taken to the level of trying to implement some of these controls? Are they hearing the suggestions? Can you just briefly touch on that?

Mr. BOLTON. Yes, sir. In fact, I would say the Capitol Police, under the leadership of Matt, has done a very good job in closing our recommendations.

Mr. WALKER. How many have they closed? How many have you recommended, and how many have they closed?

Mr. BOLTON. From when we first initiated—and we started up in 2006—we have made a total of 403 recommendations to the department. Out of that, 344 have been closed.

I just closed two additional recommendations this morning based on the response by the department and the paperwork. So they were at 61 this morning before I came over, and now they are down at 59.

Now, granted, a majority of those recommendations are in the human resources, but that is going to be tied to a lot of the financial statement audits that we have. And some are repeat findings. A lot of that is, again, having those internal controls.

Mr. WALKER. Is it safe to say that some may never close because of the way that it is laid out?

Mr. BOLTON. I would say eventually it would be closed.

Some of the recommendations do involve monetary considerations. Generally, that is what we try to avoid in the Inspector General—although sometimes you just can't avoid it. But we try not to place a burden on a department where it is going to be required for them to have an additional budget increase—

Mr. WALKER. Sure.

Mr. BOLTON [continuing]. In order to close it. We try to avoid those. Some of them are unavoidable.

Mr. WALKER. Fair.

Chief, let me ask you a quick question here, if I could, please. How are the OIG recommendations instituted across the department from a long-term perspective?

Chief VERDEROSA. Oh, it is critical to our long-term health. You know, I have been working with, first, GAO and then the Inspector General's Office for well over 10 years in looking at these. One of my goals—and, obviously, we want to improve as an agency—

Mr. WALKER. Sure.

Chief VERDEROSA [continuing]. Always. I actually leverage the audit findings and recommendations. I actually ask for some of the more difficult audits to be conducted. Because I know that without the recommendations I may not get a lot of energy and resources. So I actually want the Inspector General to look at these things to help us.

For instance, we have a swipe card system where we do time and attendance. Virtually every employee works a different schedule. I have 2,000 employees, and 1,900 of them are law enforcement officers that are working different shifts, different hours. They stay over for different reasons. They may have an arrest; they may have a demonstration.

Every one of those personnel has to have their time and attendance certified within a 2-week period. It is very difficult to run

around and chase people with a piece of paper. This year, we automated a lot of our time and attendance process. So now you can pick up a smartphone at home and dial in via VPN and certify your time in a timely manner.

So we went from here on the continuum of internal controls, particularly in time and attendance, because 85 percent of my budget is payroll.

Mr. WALKER. Sure.

Chief VERDEROSA. And I have a tremendous responsibility to safeguard the money the government provides to me. I am a steward of the government's money. We have moved the bar to about here. By the end of this year, through automation, I am hoping that we will have the bar here.

My top priority for human resources and payroll processing is to remove the material weakness that we get on a financial statement audit on time and attendance processing, to at least downgrade it to the next level. So it is a goal. Long term, it is for the health of the agency.

And I value Mr. Bolton's input. And I also value the union working with us and trying to find better ways to make that process easier to certify time and attendance. You know, let's make it easier, if we need to change the rules on swiping in, swiping out, or have drop-down menus for the time and attendance clerks. When the officers come to work, I want them to focus on security, not on their payroll or not on their HR issues. So it is very important that we look at it globally for the long-term health.

Mr. WALKER. Thank you, Chief. My time has expired.

Thanks to all the panel for being here today.

Chairman, I yield back.

The CHAIRMAN. The gentleman yields back.

I want to thank each of you for your time and the information you have given us.

Without objection, all Members will have 5 legislative days to submit to the chair additional written questions for the witnesses, which, should we have any, we will forward to you and ask that you respond as promptly as possible so they can be made a part of the record.

Without objection, this hearing is adjourned.

[Whereupon, at 12:03 p.m., the Committee was adjourned.]



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UNITED STATES CAPITOL POLICE

OFFICE OF THE CHIEF
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July 19, 2018

COP 181043

The Honorable Gregg Harper
Chairman
Committee on House Administration
United States House of Representatives
1309 Longworth House Office Building
Washington, D.C. 20515

The Honorable Robert A. Brady
Ranking Member
Committee on House Administration
United States House of Representatives
1307 Longworth House Office Building
Washington, D.C. 20515

Dear Chairman Harper and Ranking Member Brady:

Thank you for the opportunity to respond to additional Questions for the Record from the Members of the Committee on House Administration following the June 26, 2018, hearing, "United States Capitol Police: Operations and Workforce."

Please find enclosed the Department's responses. If you have any questions regarding this document, please do not hesitate to contact my office. Due to the law enforcement and security sensitive nature of the Department's cyber security program, I respectfully request that the answers provided on cyber security not be published.

Again, I thank you for the opportunity to further discuss our mission and accomplishments for the record. Your continued support of the Department and the women and men of the United States Capitol Police is greatly appreciated.

Very respectfully,

Matthew R. Verderosa
Chief of Police

**United States Capitol Police: Operations and Workforce
Questions for the Record**

**Committee on House Administration
U.S. House of Representatives**

Questions for the Record Submitted by the Majority

1) How is the USCP facilitating transparency in decision-making within the chain of command and across the organization?

Specific operational decisions are made based on law enforcement intelligence and coordination with partner agencies charged with national and regional security. The information gathered is shared with commanders during operational planning. Rank and file officers receive pertinent information at roll call briefings, through notifications to specific units, or during specialized briefings.

Decisions on administrative issues are made based on standardized business processes. For example, the United States Capitol Police (USCP) Force Development Business Process, which drives the Department's budget formulation process, involves the development of business cases for new initiatives, which are presented to the executive management team. As business cases are approved through the multi-level vetting process, they are ultimately voted on by the command structure. Business cases are developed at the first-line operational level and presented by mid-level managers.

Policy decisions are based on the review of existing policy, and examples of best practices employed by other law enforcement entities. The policy review process is based on subject matter expertise and vetted through the chain of command. For those policies that affect working conditions of the rank and file, the policies are provided to the Union(s) for negotiation on impact and implementation. The Department often works with the Union to ensure their concerns are understood during the policy development process.

As noted in the Department's testimony, over the past year, the Department has promoted more than 90 officers to the rank of Sergeant, Lieutenant, Captain, Inspector, and Deputy Chief. The Department employs standardized contracted promotion processes for the ranks of Sergeant, Lieutenant and Captain. The USCP uses established professional firms selected through the competitive bid process to identify companies that specialize in conducting promotion processes. This approach ensures that any appearance of bias is eliminated, and all promotions are made based on performance skill sets that are ranked by outside assessors (Sergeant and Lieutenant), and by a combination of internal and external assessors for the rank of Captain.

For senior level positions such as Inspector or Deputy Chief, the published promotion processes are based on the Office of Personnel Management's (OPM) executive core competencies. Written submissions are graded by a panel of assessors made up of key Department executives selected by the Chief of Police. These submissions, along with the personal interview questions that are based on the OPM executive core competencies, are considered and reviewed by the Office of Human Resources, assessed by the selection panel, and validated by legal counsel prior to a recommendation being made to the Chief. The entire process is scored based on objective criteria. This criteria includes evaluation of the employees' records, accomplishments, assignment experiences, discipline records, and their articulation of their accomplishments both in writing and orally to distinguish their leadership abilities and ability to communicate effectively. In order to be successful, a candidate must demonstrate their accomplishments and leadership style based on the OPM criteria.

For disciplinary matters, the Department employs a comprehensive system that affords employees full due process and that has been legally validated. Employees may be represented by designated agents, including legal counsel, at the investigation phase, during the hearing, or while contesting a violation, as well as during any appeal, grievance, and ultimately during any arbitration hearings for employees covered by the collective bargaining agreements. Once a final decision is made regarding serious discipline, a comprehensive memorandum is drafted explaining the reasoning for the decision.

2) What is the role of the United States Capitol Police Board (Board) in decision-making? Is the process transparent?

As a non-voting, ex officio member of the Capitol Police Board (Board), the Chief works collaboratively with the Board as an equal member of the Board on major security initiatives to protect and secure the Capitol Complex. The Board provides direction and guidance regarding which activities are carried out. The Board is also receptive to initiatives and programs developed by the Department. The Board expects the Chief to manage the Department and set its priorities. From the Chief's perspective, the Board is extremely transparent in its work.

3) Relatedly, how are stakeholders informed of Board decisions?

The Board members collectively communicate specific security information to the congressional community as necessary. Board decisions also are carried out by the Department in coordination with our stakeholders.

- 4) In the USCP's strategic plan for fiscal years 2015-2019, one of the Department's "transformational priorities" includes ensuring that the USCP has qualified and trained leaders. How is the USCP accomplishing this objective? How do you empower supervisors across the organization to implement management's priorities?**

Upon selection as a Sergeant, Lieutenant, or civilian supervisor, the new leader is enrolled in the Department's Supervisor Leadership training program. This 80-plus-hour course is coordinated by the Training Services Bureau, and the training sessions are led by external training contractors and Department senior leadership. Instructors cover a vast array of topics as part of the course work including Emotional Intelligence; Introduction to Being a Leader; Building a Team; Interviewing and Selection Skills; Employee Relations; Diversity, and Ethics. There is additional external training, such as the FBI National Academy, that leaders at the higher levels are selected to attend to further enhance their leadership abilities.

Supervisors are empowered through their positions within the chain of command. Upon becoming a Sergeant or a higher rank, supervisors are assigned to lead a group of employees and they are assigned responsibilities equivalent to their rank or position. As a result, they are trained to carry out management's priorities as their own priorities. Supervisors are made well aware of their new responsibilities through the chain of command and failure to adapt to their new role may result in coaching, counseling, and correction action, such as disciplinary action, if needed. Sworn personnel must participate in a promotion process by applying through a vacancy announcement to achieve a higher rank and greater responsibilities.

Those supervisors promoted are selected based on their performance during the interview processes as well as an evaluation of their overall employment records, their ability to communicate and articulate what skills and expertise they will contribute to the overall success of the Department, and their leadership abilities. The assignments given to the new commanders are determined based on operational needs, and the Department's overall objective to further develop well-rounded, experienced leaders. All promotions are based on merit and assignments, and are made based on the needs of the Department, personal preference, and seniority.

- 5) In March 2018, 16 recruits from a class of 48 failed to graduate from the USCP training academy. How are the USCP's hiring and training standards determined? What is the cost per recruit - from the time an individual is recruited through training to hiring?**

The USCP hires officers based on standards established by the Capitol Police Board. The training standards are approved by the Chief of Police, and are based on job responsibilities and position descriptions for police officers in the OPM 0083 series. Testing criteria is developed and implemented by both the Federal Law Enforcement Training Center standards as well as the USCP Training Academy standards. Curriculum is regularly reviewed and revised based on Supreme Court decisions, changes in laws, widely accepted law enforcement practices, and also to address emerging threats.

Every police department whether it is at the federal, state or local level, manages risk when conducting academy training. Students must meet high professional standards to be sworn in as a law enforcement officer. However, the USCP mitigates risk by following a robust and comprehensive hiring process that is designed to identify the best and brightest students whom the Department believes are capable of completing the training program.

This success is completely dependent upon students making a conscientious effort to meet these high standards. Over the past 10 years, the Department has hired and trained hundreds of recruits while maintaining low attrition levels. The curriculum is objectively based and has been validated over time. It is also significant that the instructor cadre has remained constant over the same years. It is important to note that two-thirds of the above-mentioned class of 47 students successfully passed all of the requirements. One-third of the students from Recruit Class 191 failed because they did not successfully master the basic information and skills that were taught during the six months of extensive training.

Due to the anomaly of the higher failure rate in this class, the Chief asked the Inspector General to review the training matter to ensure that the Department was consistent in our training program, and to determine how this situation might have occurred. The Inspector General concluded that this class received, hour-for-hour, the same training as all the other classes and they had many opportunities to receive additional assistance in instruction. The Inspector General also noted that these students neglected to accept personal responsibility for their performance failures when they were part of a large class, and had the same instruction and instructors as their classmates and hundreds of previous students who successfully passed the training requirements. In keeping with the Department's best practices, we are taking the lessons learned during this experience and are implementing the Inspector General's recommendations to ensure we continue to improve our training and processes, and maximize the training experience for both the recruits and the Department as a whole.

Our recruitment vetting, hiring, and training processes are very thorough. The USCP invests approximately \$18,000 to recruit, outfit, and train one recruit officer. New recruits train for three months at the Department of Homeland Security's Federal Law Enforcement Training Academy, and an additional three months at the USCP's training academy, during which time they receive six months of pay. As of January 2018, the starting annual salary for a new recruit is \$60,615, so they gross approximately \$30,000 during training.

6) A large portion of the USCP budget is dedicated toward recruiting and training its workforce. What is the Department doing to ensure its employees are incentivized to remain for the long term?

Most of our officers will tell you that they joined the United States Capitol Police because they take great honor in protecting Congress and the U.S. Capitol; they are devoted to public service. As

of March 2018, of the nearly 1,900 USCP sworn personnel, 939 officers have served on the Department for 10-24 years, and 129 officers have been on the Department 25-39 years.

One advantage our Department has over other law enforcement agencies is officer pay and benefits. The starting salary for a new recruit (Private) is more than \$60,000, which is at or near the top for federal law enforcement professionals in the National Capital Region. Following their six months of training, newly-sworn personnel are promoted to the rank of "Private with Training," and they receive a raise with their new rank. After successfully working for 30 months on the Department, sworn personnel are promoted to the rank of "Private First Class" (PFC), which is accompanied by another raise in compensation. There is also an equivalent within-grade increase provided as with other federal employees, except that the USCP increases are based on total time with the Department, and not contingent on time served in a specific grade or rank. Therefore, these within-grade increases occur more frequently for USCP employees.

When an employee is retirement eligible, they will receive an annuity like other federal employees, but as a member of the U.S. Capitol Police, they will receive 1.7 percent of the highest three years of federal salary for their first 20 years of service and one percent for each year after that based on the FERS. While this is afforded to a limited number of other groups, including Congressional employees, the Office of Personnel Management specifically cites the U.S. Capitol Police as a group entitled to this benefit, which also helps to attract and retain employees.

In Fiscal Year 2017, the Department invested \$10.7 million -- less than 3 percent of its annual budget -- in its recruiting efforts. This includes not only the vetting, training, and hiring of new recruits, but also the salaries of our full-time training and recruiting staffs as well as other expenses involved with attracting the best and the brightest to serve as both USCP officers and civilian employees. (Some of these recruiting efforts are detailed in the response to Question 8.)

Another employee incentive is the opportunity to apply for numerous, diverse assignments and experience career growth through promotion. Twice each year, an officer may participate in the Officer Voluntary Reassignment Program. This opportunity affords an officer with the ability to change shifts and divisions and, as an officer becomes more senior on the Department, opens more doors for them to grow in their careers and enhance their skill sets and to better control their personal work/life balance. In addition, sworn personnel are invited to apply, through regularly-posted vacancy announcements, to join specialty units across the Department, including Patrol, Containment Emergency Response Team, Crime Scene Search, K-9, Hazardous Devices (Bomb Squad), Investigations, and Dignitary Protection. These are typically positions that are comparable to the PFC level, so there is also the ability for officers to rise above the rank of PFC through promotion processes.

The most recent Sergeant and Lieutenant promotion processes resulted in more than 75 and 30 promotions, respectively, within the past two years. There is also a promotion process for the rank

of Captain, and regular vacancy postings for Inspector and Deputy Chief. As a result, there is no shortage of opportunities for officers to further their careers within the sworn ranks.

As noted earlier, a key incentive for employees is our mission. In addition to the tremendous pride our officers have in carrying out our mission, in annual employee surveys they have noted the overall positive work environment, and excellent benefits such as the student loan repayment program, as reasons for committing to long-term careers with the Department. They also noted the opportunities they have to participate on Department-wide task forces that allow them to help shape and direct future opportunities that will benefit their careers and potential advancement.

7) The USCP's strategic focus includes maximizing efficiency and effectiveness through best practices and promoting accountability through employee engagement and a positive work environment.

a) How is accountability promoted at the lowest levels of the organization?

A USCP officer is trained for six months; the first three months at the Department of Homeland Security's Federal Law Enforcement Training Center, and an additional three months at the USCP's Training Academy. The Department goes above and beyond what many other federal law enforcement agencies do with regard to training because we require the additional three months to properly train a USCP officer -- not simply a "federal law enforcement officer" -- because we do have a unique mission by serving the Legislative Branch of our government. This training is more advanced because our officers are expected to not only carry out their individual duties across the Capitol Complex each day; they must also be prepared to make split-second decisions to fulfill the Department's mission. The USCP is the only police department in this country that does what we do with the high visibility with which we do it. Therefore, it is imperative that our officers receive the appropriate, Department-specific training so they can succeed as both law enforcement officers and as ambassadors for the Congress in their many dealings with the public and those wanting to exercise their First Amendment rights. We provide our employees with the necessary tools and training, and after they are in the field, we ensure that they are empowered to make quality decisions because lives depend on it. However, with that autonomy comes accountability for the decisions they are called upon to make.

b) How is management engaging the workforce and creating a positive work environment?

Our executive leadership team regularly engages with employees to create a positive and inclusive work environment. As the Chief, I regularly communicate with employees through "From the Desk of the Chief" messages where I share information provided directly to me by the Congressional community and/or visitors. It is also a way for me to recognize the successful execution of security operations associated with major events such as the State of the Union,

and to highlight outstanding achievements of individuals within the Department, such as when our officers saved a life last February by performing CPR on a tourist. Through our Public Information Office (PIO), our Communications Director continues to make improvements to our employee Intranet site to provide regular, consistent Department notices and information. To increase employee engagement, over the past nine months, the PIO has launched a “Photo of the Week” feature that spotlights employees on the job as well as a weekly employee e-newsletter. This is in addition to our employee publication, *The 1828 Journal*, which receives content from employees and celebrates our employees and their accomplishments.

The complexities of our mission coupled with the significant weight of the responsibilities associated with protecting the Congress and the U.S. Capitol, have a tremendous impact on an employee's efforts to maintain a healthy work/life balance. Therefore, the Department is updating its policies and programs to further enhance our employees' work experience and help them reach their full potential.

Later this year, we will be implementing a new performance evaluation program that focuses on performance planning, communication, and appraisals measured against straightforward competencies for each position in the Department. This revised process has been simplified and streamlined from the existing evaluation system. We also plan to issue a revised discipline process that will continue to be fair and transparent but more easily understood by employees for those not covered by the collective bargaining agreements. We will also be launching a new honorary recognition program that will reward employees in a timely manner for their excellence in executing our mission.

The Department has also been engaged with the Chief Administrative Officer of the U.S. House of Representatives to leverage some of the offerings that will be available to House employees through the new wellness program. From professional development training courses, to health and fitness activities, we believe this is a valuable partnership for the Department and our employees.

Additionally, we are establishing a formal mentoring program, as well as a peer support program; both endorsed by the USCP Diversity Officer and that are scheduled to rollout to the Department in 2019. These programs will engage sworn and civilian employees at all levels, so that we can better support our most valuable assets in their career paths as well as in the aftermath of critical incidents. In consultation with the Office of Employee Assistance, our longstanding partner in providing counseling and support services to our workforce, these programs will assist in offering support and guidance for our employees.

Most importantly, USCP leaders lead by example. They demonstrate leadership by being in the field, at all levels, from the Chief to Sergeant, attending roll calls, supervising daily activities, and serving as incident commanders during major events; they are engaged with and

available to the troops; they reinforce our commitment to our mission, and they provide direct and essential feedback to employees.

c) How are personnel decisions made?

In terms of promotion processes, as stated above, the Department employs standardized contracted promotion processes for the ranks of Sergeant, Lieutenant, and Captain based on objectively measured skill sets. The Department uses established, professional firms through the competitive bid process to identify companies that specialize in conducting promotion processes. This approach ensures that any appearance of bias is eliminated, and all promotions are based on performance-based skill sets that are graded by outside assessors (Sergeant and Lieutenant), and by a combination of internal and external assessors for the rank of Captain. For senior level positions, such as Inspector or Deputy Chief, the published promotion processes are based on the OPM executive core competencies: leading people, leading change, results driven, business acumen, coalition building, and technical qualifications. Written submissions are graded by a panel of assessors made up of key Department executives selected by the Chief. These submissions, along with the personal interview questions that are based on the OPM executive core competencies, are considered and reviewed by the Office of Human Resources, scored by the evaluation panel, and validated by legal counsel prior to a recommendation being made to the Chief for final approval. This criteria includes evaluation of employees' records, accomplishments, assignment experiences, discipline records, and their articulation of their accomplishments both in writing and orally to distinguish their leadership and communications capabilities. In order to be successful, a candidate must demonstrate their accomplishments and leadership style based on the OPM criteria. After individuals are selected, the Chief notifies the Capitol Police Board of their promotions.

Reassignments for officers are conducted through a published skill-based vacancy announcement or through the Officer Voluntary Reassignment Program (OVRP) in which officers can request reassignment through an electronic process. This process is guided by (1) the needs of the Department, (2) personal preference, and (3) seniority. This typically happens twice each year.

Sergeants have a similar process in which they can seek specific assignments based on criteria similar to officers. Lieutenants are typically asked for a shift preference but serve assignments based on the needs of the Department. Captain, Inspector, and Deputy Chief assignments are determined by the Chief, Assistant Chief, and Chief Administrative Officer following their consideration of the needs of the Department. Additionally, some positions are assigned based on security clearance levels. Generally, once assignments are determined, the Capitol Police Board is informed.

With regard to hiring and promotions, there are processes in place that are consistently followed to ensure that the Department selects and places the best candidates at all levels of the

organization. These processes have been reviewed regularly by external parties and the Office of Inspector General, and they continue to be validated as the appropriate means for these functions. Other personnel decisions are made on a case-by-case basis and based on an accumulation of the facts and consultation with Department entities, including the Office of Human Resources and the Office of the General Counsel, to ensure that decisions are consistent, fair, properly reviewed and implemented, as well as being legally defensible.

8) What is the Department doing to recruit women and other under-represented groups to the organization?

The USCP is committed to recruiting women and under-represented groups to serve on the Department. The recruitment strategy is two-fold.

First, the USCP continues to evaluate relevant data to determine which under-represented groups are not successfully completing the USCP hiring process in relationship to those groups that are not applying to be considered for employment. Recent data suggests that while members of under-represented groups are successfully completing the hiring process; the larger issue appears to be that more members of under-represented groups need to be recruited to apply to work for the Department. For example, since December 2013, females have comprised nearly 25 percent of total USCP hires. However, during that same time, female applicants were 17 percent of the applicant population. Further analysis shows that 4 percent of all female applicants have successfully been hired since December 2013, compared to 2.4 percent of all male applicants.

Second, the Department is continuing its efforts to attract qualified applicants by routinely advertising on traditional application sites, such as USAJobs, as well as on affinity group websites. In addition, the Department has attended nearly 200 career fairs, college outreach sessions, public speaking events, military installation career events, community outreach events, and state and local law enforcement organizations throughout the United States. Further, the Department administered a collateral duty opportunity for current USCP sworn personnel to assist in recruiting efforts, so that potential applicants have the opportunity to interact with a diverse group of current sworn personnel. Additionally, in fall 2018, the Department will begin reaching out to women's sport organizations to broaden the potential applicant pool for women and minorities.

To achieve its goals, the USCP Recruitment Section, which is situated within the Office of Background Investigation and Credentialing, works collaboratively with the USCP Office of Inclusion, Diversity, Equity and Action to identify and to conduct outreach to groups that may not have considered a law enforcement career. Most recently, the Diversity Officer referred the Recruitment Section to an Asian Festival in Edison, New Jersey. The outreach conducted at the festival focused on providing information to individuals who may have never considered law enforcement as a career, outlining the USCP mission, and discussing available career opportunities.

9) What are the attrition rates for USCP? Are the rates higher for under-represented groups such as women and minorities? What is the basis for differing attrition rates?

In Fiscal Year 2017, the attrition rate was approximately six percent (just under six percent of authorized levels and just over six percent based on average staffing levels for the fiscal year). The attrition rates are lower for under-represented groups and this was documented in the Office of Inspector General (OIG) June 2018 report entitled, "Assessment of the United States Capitol Police Workforce Diversity." Per the report, while 42 percent of the workforce was represented from minority groups, only 39 percent of the separations in Fiscal Year 2017 were from minority groups.

The report did identify that more women separated in Fiscal Year 2017 (35.8 percent) as compared to the female population of the Department (22.3 percent). However, the same report identified increases for both minorities and females in senior-level positions over the past five years, with the USCP nearly at or exceeding government-wide levels for senior positions. The data also shows that the USCP has more female sworn personnel (18.1 percent) as compared to the U.S. law enforcement average (12.1 percent). Other law enforcement entities have a higher population of females in civilian positions than the USCP, but USCP civilians make up only 17 percent of the workforce, and the majority of those positions are not operational positions. Finally, the OIG report notes that, "Overall, the demographics and data on gender portray the Department in a positive light." The report recommended improvements be made to the qualitative data gathering process for workforce demographics, which the Department generally agreed to do. It will implement systems and processes accordingly to better track the reasons for separations of under-represented populations, and bring closure to this recommendation.

10) One aspect of the USCP strategic plan includes transforming the Department into a results-oriented and data-driven organization. How has data been used to improve the efficacy of operations and business processes?

The USCP uses data and leverages technology in many ways, both operationally and administratively, to manage the Department's operations and to meet our mission to protect Congress and ensure that constitutional and legislative responsibilities may be fulfilled safely. On a daily basis, the Department collects vast amounts of information and uses the information to guide its strategic alignment of resources.

One example of our use of real-time data involves our tracking of wait times at doors throughout the Capitol Complex during peak and non-peak times. By tracking these wait times, the Department can deploy additional officers to inform staff and visitors of other doors close by with shorter lines or, depending on the location, open additional screening portals to improve pedestrian flows.

Another example involves “lessons learned” from large scale events, such as Inaugurations, State of the Union addresses, or summer outdoor concerts. We use data collected, ranging from crowd size, arrival times, and pedestrian traffic flow, to improve and enhance our operational plans for future events. Lastly, on the administrative side, the Department uses data to guide management decisions and look for efficiencies by tracking budget execution, managing our time and attendance system, and a myriad of other administrative programs.

The Department continues to look for new ways to synthesize the vast information collected into meaningful analysis that can shape future decisions and allow for continuous improvement.

11) How many Directives and Standard Operating Procedures (SOPs) is the Department currently managing? How does the USCP ensure consistency across the organization in application of those Directives and SOPs?

As of July 12, 2018, the Department has 171 Directives, 632 SOPs and eight Interim Guidance policies. All employees are issued the policies and have access to our policy documents via hard copy in the Division offices and online on the employee Intranet site. Policies are regularly updated and vetted through the Union(s) for negotiation on impact and implementation. Policies and SOPs are developed at the unit level based on subject matter expertise. The Department benchmarks our policies against best practices and other law enforcement agencies’ enacted policies. Of the more than 460 CALEA accreditation standards, USCP must comply with 383 of them. There are 275 standards that require at least one written policy. The Department recently received its sixth consecutive CALEA accreditation award, in large part due to the excellent management of our internal policy documents.

12) What is the status of the Collective Bargaining Agreement with the Fraternal Order of Police?

The Department has a collective bargaining agreement in place. Although the agreement expired on June 8, 2013, the terms still remain in effect today as agreed upon in the collective bargaining agreement to the extent consistent with law. All rights and protections of both parties are in force and in effect.

Although the parties have made extensive efforts to negotiate a new contract, the parties disagree on one area of the law, and the Union filed a negotiability appeal on July 19, 2016. That appeal is currently pending before the United States Court of Appeals for the Federal Circuit. Once the courts have ruled on the legal issues, negotiations can continue and the contract can be finalized.

13) In documents submitted to the committee in Aug. 2017, the Cyber Security Division (CSD) reported results from internally conducted resilience assessments/ penetration testing that indicated a low level of maturity for cybersecurity protection and, particularly, cyber detection within the Capitol Police organization. The document also outlined historical efforts that were continuing and intimated at future endeavors to improve deficiencies within the cybersecurity program in the future. What steps have been taken since that report to address the deficiencies found and what feedback has been provided to update the committee on current levels of cyber security maturity within the Capitol Police?

What additional internal auditing is being conducted by the Capitol Police to validate that changes made in the last year have been effective? What oversight has been allowed by the Capitol Police to monitor progress of these improvements?

In October 2016, the USCP Office of Information Systems (OIS) published its five-year Strategic Plan that also covers its cyber security efforts. This plan was shared with the Committee on House Administration, was well received, and was referred to as a model for the Legislative Branch. Therefore, when asked to share our plan with the other Legislative Branch IT organizations, we were happy to do so.

The Department is proactively addressing previously-identified and new deficiencies by implementing a yearly operational plan that identifies key OIS initiatives that support the overarching OIS Strategic Plan. Additionally, the OIS Strategic Plan is reviewed annually to ensure it remains in line with mission drivers and keeps pace with the changing IT environment. Specific initiatives and projects that are either in planning, in progress, or have been completed are listed in a separate document.

The USCP has implemented an enhanced security operations center, automated incident correlation and response, a new security information and event management (SIEM) system, an improved vulnerability management and detection process, and an insider threat detection and alerting system. We also are piloting a network access control and authorization appliance. Additional external and internal penetration testing activities are planned to evaluate the effectiveness of the initiatives implemented to improve the Department's cyber security maturity level. We are monitoring these efforts, and weekly progress reports are provided to the OIS leadership, and monthly updates are submitted to the Chief of Police and the USCP Executive Team.

The Office of Inspector General continues to conduct regular internal audits, and the OIS team performs internal audits to ensure all planned work has been implemented. The OIG audits are briefed to the Capitol Police Board and our Oversight Committees for their situational awareness and tracking. At the working level, the CISOs and CIOs both have active Councils that share information on planned, in progress, and completed initiatives.

Lastly, the USCP plays an active role in the Legislative Branch Cyber Security Working Group (LBCWG) at which representatives from the Committee on House Administration and the Senate Committee on Rules and Administration also attend.

14) Does Capitol Police have a strategic plan for improving cyber security within the Agency? Has this plan been provided to oversight committees for review and comment?

Yes, the USCP published its Information Technology Strategic Plan in 2016. This plan was shared with the Committee on House Administration in spring 2017.

The USCP IT Strategic Plan outlines goals and objectives for protecting the Department against cyber threats. The plan recognizes cyber security as a priority with the goal of continually refining the USCP's cyber strategy to manage risks and address identified deficiencies quickly and thoroughly. The USCP's cyber strategy follows a cyber-maturity model that targets 17 specific cyber security areas of focus. The Information Security Division tracks the program status of each area from initiated programs through optimization.

The status of the Department's work in this area is monitored monthly by the Executive Team (Chief, Assistant Chief, Chief Administrative Officer and General Counsel), who are briefed by the Chief Information Officer and the Chief Information Security Officer.

15) In January 2016, oversight action was taken to bring all Legislative Branch agencies cyber security organizations and officers together to coordinate improvements to cybersecurity across the Legislative Branch. Describe the Capitol Police's efforts, engagement and contributions to support, facilitate and foster this collaboration. What steps has the Capitol Police taken to leverage resources and expertise across the Legislative Branch to improve its' cybersecurity program and posture?

As previously stated, USCP senior IT executives play an active role in the LBCWG. All regularly scheduled meetings are attended by a USCP representative. We share the group's vision that, where possible, all Legislative Branch agencies strive to foster a collaborative approach to enhance resiliency; enrich the efficiency, agility and effectiveness of cyber security; improve cybersecurity communication and coordination, and promote cost effective methods supporting the unique mission of each Legislative Branch Organization (LBO).

This collaborative team has established its Mission Statement and three primary goals that focus on cyber security effectiveness, communication, and coordination and cost effectiveness. Each of these goals are supported by underlying tasks.

As members of this group, the Department has been involved in several key initiatives to include:

1. Cyber security sharing of threat feeds (shared service provided by Senate)
2. Collaboration of Security Operation Centers (SOC) and threat intelligence
3. Teamed with the House on a shared contract vehicle for security awareness training (SANS)
4. Sharing information and participate with the other LBOs on penetration testing and assessment services
5. Participating in the study on multi-factor authentication across the LBOs
6. Full participation in the preparation, planning, writing and development of the resilience methodology and assessment across the LBOs
7. Actively participated in the House-led Cyber Guard Joint Session (2015-2017). Due to conflicting active initiatives within our organization, we were unable to attend this year's session.

In addition to the LBCWG, the USCP IT team participates in the legislative security operations center (SOC) working group, which rotates the hosts between all LBOs. The USCP will be presenting its incident automation process via the Swimlane tool in the coming weeks. A threat intelligence working group, held on a monthly basis and hosted by the Senate, enables the Department to collaborate and share new or potential threats relevant to LBOs. In early 2018, the USCP utilized a shared LBO LTIP tool for localized analysis and alerting against the shared threat feeds. Since 2015, the USCP has attended the Cyber Guard exercise involving other LBOs that has opened up communication between analysts and cyber security engineers across all agencies. During the implementation of the new Splunk SIEM, the USCP collaborated with technical engineers and administrators from two other LBOs for recommendations and assistance of system configurations.

Questions for the Record Submitted by the Minority**1) How many Members (or agents thereof) is USCP aware of having transported firearms in the Capitol?**

Pursuant to the October 31, 1967, Capitol Police Board Regulation pertaining to firearms (Regulation), there is no requirement that the USCP be made aware of a Member of Congress transporting a weapon in the Capitol. The Regulation notes that nothing in either the federal or D.C. statutes relating to possession of firearms "shall prohibit any Member of Congress from maintaining firearms within the confines of his office or any Member of Congress or any employee or agent of any Member of Congress from transporting within Capitol Grounds firearms unloaded and securely wrapped." In the past, the USCP has been made aware when there are Member inquiries regarding the ability to possess firearms on Capitol Grounds, and the Department has provided advice to the House Sergeant at Arms on this issue.

2) What is the process for notifying USCP of firearms being stored in an office?

The USCP has been made aware when there are Member inquiries regarding the ability to possess firearms on Capitol Grounds, and the Department has provided advice to the House Sergeant at Arms on this issue. However, there is no standing requirement that the USCP be made aware of a Member of Congress transporting a weapon in the Capitol.

3) What is done to ensure the safe storage of firearms in Members' offices?

The safe storage of firearms in Member offices is required by the Regulation cited above, and that responsibility resides with the Member. However, the USCP is available to provide advice and/or assistance regarding safe storage if requested.

4) House office buildings belong to and are open to the public so USCP must balance the security and safety of Members, staff, and visitors while not infringing upon citizens' First Amendment right to demonstrate and petition their government. How do you approach this balancing act, both philosophically and operationally?

The Department facilitates the open access to House office buildings by screening millions of visitors each year. There is a robust permitting process employed by the Capitol Police Board to ensure individuals may conduct First Amendment activities on Capitol Grounds. On any given day, there are numerous permitted activities found in the various approved demonstration areas. Daily, the Department facilitates the exercising of First Amendment rights of individuals and coordinates these activities based on Board regulations under the Traffic Regulations for Capitol Grounds.

Demonstration activity is illegal within Capitol Buildings. The USCP will not exercise prior restraint with groups that advise, or if we learn, they will conduct illegal demonstration activity within congressional buildings. We will however, treat all persons with respect while enforcing the law with regard to civil disobedience. For example, on June 28, 2018, the Department charged 580 individuals in the Hart Senate Office Building with D.C. Code §22-1307, Crowding, Obstructing, or Incommoding. The Department worked diligently with the group's organizers to ensure everyone's rights were respected within the bounds of enforcing the law and building rules and regulations.

Operationally, the Department leverages intelligence information and communicates with groups who desire to conduct civil disobedience. We manage staffing and resources in an efficient manner to minimize the impact to Congressional operations and the work of Congress while respecting the individuals we arrest for violations of the law. For example, the Department is able to leverage a "cite and release" program for non-violent, cooperative arrestees that saves enormous amounts of time and effort while making the process efficient for the offenders.

5) How many key leadership positions are currently vacant at USCP? Please identify the positions and the anticipated date they will be filled.

In Fiscal Year 2018, the Department was provided with the resources to fill all supervisory positions. There is currently one Deputy Chief position that is vacant. All Inspector, Captain, and Lieutenant positions are filled.

With regard to the two most-recent Deputy Chief selection processes, each process yielded only one candidate who was recommended for promotion. Those positions were filled. The Department anticipates conducting a new promotion process for the rank of Deputy Chief in early Fiscal Year 2019.

6) What is the status of negotiations for an updated collective bargaining agreement between management and the Fraternal Order of Police/USCP Labor Committee?

Although the parties made extensive efforts to negotiate a new contract, the parties disagreed on one area of the law and the Union filed a negotiability appeal on July 19, 2016. That appeal is currently pending before the United States Court of Appeals for the Federal Circuit. Once the courts have ruled on the legal issues, negotiations can continue and the contract can be finalized.

United States Capitol Police

Office of Inspector General

United States Capitol Police: Operations and Workforce – Questions for the Record

House Committee of House Administration

Question: What is the role of the United States Capitol Police Board in decision-making? Do you believe that the process is transparent?

Response: With Public Law 109-55 (August 2, 2005), Congress directed that the Capitol Police Board appoint an Inspector General for the Department. The Inspector General is under the general supervision of the Capitol Police Board. Neither the Capitol Police Board, the Chief of Police, nor any other member or employee of the Capitol Police may prevent or prohibit the IG from carrying out any the duties nor responsibilities assigned the IG.

The USCP OIG has no oversight role regarding the Board decision-making process. Without an oversight role, OIG has no evidence upon which to state an opinion about the transparency of the process. The IG is responsible for conducting and supervising audits and investigations relating to the programs and operations of the Department. OIG examines, evaluates and, where necessary, critiques programs and operations, recommending ways to carry out departmental responsibilities in the most effective, efficient, and economical manner possible. OIG also audits, investigates, and oversees matters related to Department programs and operations, consistent with applicable laws, regulations, and policies.

OIG may receive projects through proactive work, request from stakeholders, Board, Chief of Police, or information from a Department employee. Regardless of the source, OIG strives to be transparent and independent in their findings by keeping all stakeholders apprised of our work and any recommendations made as a result of our endeavors.

Question: In March 2018, 16 recruits from a class of 48 failed to graduate from the USCP training academy. How are the USCP's hiring and training standards determined? What is the cost per recruit – from the time an individual is recruited, through training, to hiring?

Response: The Department hires officers based on Capitol Police Board hiring standards. The training standards are approved by the Chief of Police and are based on job tasks and position descriptions for police officers in the OPM 0083 series.

USCP Training Services Bureau (TSB) is responsible for planning, developing, and implementing Department-wide training programs. TSB consist of four Divisions: Entry-Level Training, In-Service Training, Physical Skills, and Federal Law Enforcement Training Center (FLETC) Liaison.

The Department's Entry-Level Training Program has multiple phases. After a pre-FLETC orientation period, recruits must complete and graduate from the 12-week FLETC Uniformed Police Training Program. After successful completion of FLETC training, recruits must successfully complete and graduate from the 14-week Academy at Cheltenham, Maryland. After graduation from the Academy, recruits must successfully complete 8 weeks of Police Training Officer field training.

The Department expends approximately 18,000.00 dollars to recruit, outfit and train a recruit officer. In addition, the recruit officer, once they begin training, start to receive their annual salary, which from the start of training until completion of training is approximately 30,000.00 of their annual salary of approximately 60,000.00 dollars.

Question: The USCP's strategic focus includes maximizing efficiency and effectiveness through best practices and promoting accountability through employee engagement and a positive work environment.

- a) **How is accountability promoted at the lowest levels of the organization?** As part of a continued effort in promoting accountability, through heightened awareness of the OIG role, mission, and services, we actively participated in presentations to all new employees. We believe this initiative to be proactive and vital towards promoting accountability at the lowest levels of the Department.
- b) **How is management engaging the workforce and creating a positive work environment?** By providing objective information for promoting Government management, decision-making, and accountability, OIG contributes to the agency's

success. OIG is an agent of positive change, focusing on eliminating waste, fraud, and abuse, and on identifying problems and recommendations for corrective actions by agency leadership. Thus, helping the Department create a fair and equitable work environment.

- c) **How are personal decisions made?** OIG is not part of the personal decisions that are being considered or made. OIG's role in regards to personal decisions would only entail if the OIG received an allegation, complaint, or request from the Department, employee, or member of Congress alleging misconduct or violation of law. OIG would review policies and procedures relating to the process and determine if the process was followed fairly and within applicable laws and regulations.

Question: Is the Department doing enough to recruit women and other underrepresented groups to the organization?

Response: Minority representation in USCP civilian and total workforce compared favorably to both the nationwide population and the Federal Government population. Racial distribution of the USCP sworn workforce has remained consistent over the last 3 years. The USCP workforce has representation of females in civilian and sworn status, with higher percentages of females across the civilian pay grades. However, female representation was greater on the sworn side and less on the civilian side at USCP, when compared to those of nationwide law enforcement. On a percentage basis, USCP retained more minority and less females. The representation at USCP of minorities and females in senior-level positions has been increasing throughout the last 5 years and remains on par with the SES statistics throughout the Federal Government. However, although USCP's sworn senior-level development pool has had increases in its representation of minorities and females, minorities continue to represent a lower rate in the sworn senior-level development pool.

Question: Does the Department have a higher attrition rate among women than men? What is the reason for that?

Response: Our analysis of the racial distribution of total workforce in comparison with the external demographics data showed that USCP has a higher representation of minority overall. Female representation in the USCP workforce was also favorable—very close to that of the U.S. population at a national level. However, the higher representation of females in the Department's separated employees also means that USCP lost more females than they retained in FY 2017, on a percentage basis. The Department did not capture the reason why an employee voluntarily separated from the Department. Hence, OIG recommended, through our Diversity Report (OIG-2018-12) that the United States Capitol Police design and perform an effective self-evaluation of its diversity management program on a periodic basis. The self-evaluation would

include defining tracking methods for obtaining quantitative data on workforce demographics of the United States Capitol Police employees. In addition, the United States Capitol Police should identify segments within its workforce for which to collect qualitative data and accordingly improve qualitative data gathering methods.

Question: How does the USCP ensure consistency across the organization in application of the Directives and SOPs?

Response: The Department provides all employees' access to the Directives and SOP's through hard copies at the Division level and by electronic means via the Department's intranet. Policies are regularly updated and vetted within the Department. OIG also plays a role in ensuring consistency throughout the Department through our work in audits, evaluations, inspections and investigations. OIG's role is to evaluate existing policies and procedures to ensure that Directives and SOP's are updated, relevant, and complies with best practices throughout the government. By ensuring that the Department's Directives and SOP's are applied with consistency and following best practices, OIG can measure existing internal controls, and validate that the Department and employees are in compliance with policies and procedures.

Question: What is the status of the Collective Bargaining Agreement with the Fraternal Order of Police?

Response: The OIG is not part of the negotiations between the Department and Union. OIG understands that the Department and the Union are awaiting a ruling from the United States Court of Appeals for the Federal Circuit.

Response of Gus Papathanasiou to
Questions for the Record Submitted by the Majority

1. The USCPs strategic focus includes maximizing efficiency and effectiveness through best practices and promoting accountability through employee engagement and a positive work environment.

A) How is accountability promoted at the lowest level of the organization?

At the lowest levels of the organization, accountability is typically promoted through discipline. The Department regularly turns to discipline to enforce accountability when additional training or simply an admonition from an official.

B) Is management succeeding in engaging the workforce and creating a positive work environment?

No, in order to succeed Management needs to make an attempt to engage the workforce in creating a positive work environment. The Department has always had this "Us vs. Them" mentality which affects us all.

C) How is performance measured, and do officers believe good performance is rewarded appropriately?

Performance is measured thru the PECS system and good performance is rarely rewarded. Officers who go above and beyond, or have saved a life are always recognized, but outside the PECS evaluations done yearly, most supervisors rarely acknowledge the good performers.

2. How are personnel decisions communicated within the chain of command?

Decisions usually flow from the top down the chain of command. However, the information isn't always relayed appropriately. For example, the Department recently implemented a policy relating to scheduling on holidays. The policy as implemented was not communicated to Department officials, who were confused about how to implement it which caused further confusion among the bargaining unit staff. When the Union has attempted to negotiate training relating to new or changed policies, which we regularly do, we have been uniformly rebuffed.

3. Do officers receive clear direction from management? Do supervisors feel empowered to enforce standard operating procedures (SOPs)?

Officers sometimes, but not always receive clear direction from Management. In the Union's perception, supervisors, especially lower level supervisors, do not always feel empowered to enforce the Department's procedures. In fact, they actually violate or don't follow the SOPs and the CBA, which in turn leads the Union to file grievances and unfair labor practices.

4. What is the role of the Police Board in decision making, and is the process transparent?

This is a great question. The Capitol Police Board's ("CPB") role in the decision-making process is unclear to the Union, and not transparent in our experience. Employees and the public are not provided with advanced notice of CPB meetings, notice of proposed regulations, or notice of other purported administrative actions. However, the Department takes the position that CPB's actions are binding on Department employees.

For example, on June 9, 2016, the Department notified the Union that it planned to revamp its policy relating to employee absence and leave (Directive 2053.004). For the first time, that draft Directive described the CPB's Regulations Prescribing a Unified Leave System for Employees of the United States Capitol Police as a "publication[]" that should be referenced in conjunction with" the Directive. The Union proposed, therefore, that the Regulations be made available to employees on the Department's internal network (PoliceNet). The Department refused to negotiate this point, or to make the applicable Regulations widely available to employees. Ultimately, the Office of Compliance, which has authority to determine negotiability issues for the parties, concluded that the matter was negotiable. The Department sought review of that conclusion in the United States Court of Appeals for the Federal Circuit, where the matter is presently on appeal. The Department's refusal to make CPB's Regulations widely available to Department employees is the opposite of transparent.

By way of further example, according to the Department's procedures, the Chief of Police determines whether to terminate an employee. CPB can either act on that decision, or take no action, which results in the employee being terminated. Bargaining unit members are not provided with the information that CPB reviews in acting, or declining to act, on an employee's termination. Thus, bargaining unit employees do not know what information CPB has considered or even has available to it. The Union believes that CPB is provided with incomplete information.¹

¹ For example, the Department provided a partial copy of the Chief of Police's May 10, 2016 Termination Recommendation for Officer Christopher Donaldson during litigation relating to that termination (*after* Officer Donaldson had been terminated). That correspondence mentioned that Officer Donaldson had participated in a disciplinary review board hearing, but failed to mention that the panel determined that termination was *not* an

The parties' collective bargaining agreement provides that employees who are terminated may arbitrate their cases. This is an important benefit negotiated by the Union for its members.

When an employee, Officer Andrew Ricken, was terminated by the Department, the Union invoked arbitration on his behalf and prevailed at a hearing. In 2014, an arbitrator ordered that Officer Andrew Ricken be reinstated with backpay. The Department filed exceptions to the Office of Compliance Board of Directors, arguing that it did not have to arbitrate terminations for a variety of reasons. The Department's exceptions were denied.

However, after the Office of Compliance rejected the Department's arguments, CPB apparently enacted Order 15.03, issued on March 6, 2015, upon which it now relies to assert that terminations are not "reviewable or appealable in any manner." The Union did not receive any notice that the order was under consideration, nor did it have an opportunity to comment on the Order. In fact, on those occasions where the Union has attempted to address CPB, it has been rebuffed and not permitted to do so.

Fortunately, the Office of Compliance has subsequently rejected the Department's similar argument in three other cases, including negotiation of the parties' successor collective bargaining agreement and cases relating to the termination of Officer Christopher Donaldson.

The Office of Compliance Board of Directors' decisions mentioned above, detailing the futility of the Department's arguments on behalf of CPB, are attached.

CPB's lack of transparency and the lack of clarity in the decision-making process is further muddled, as to bargaining unit employees because CPB is represented by the same attorney who serves as the Department's Employment Counsel. Thus, the limitations on employee rights that the Department cannot achieve through legitimate negotiation and litigation, it will attempt to achieve by unpublished Orders and Regulations that do not follow the traditional administrative process, requiring notice and comment, presumably on the advice of counsel.

The Department takes the view that CPB Order 15.03 supersedes the parties' collective bargaining agreement. However, the Department also takes the view that CPB is not bargaining unit members' employer and it has no involvement in the parties' negotiation. Thus, while the Department asserts that CPB controls bargaining unit employees' working conditions (through issuing Regulations and approving the Chief of Police's termination decisions), the bargaining unit employees have no recourse to negotiate with, or even address, CPB.

appropriate penalty for him. Because Officer Donaldson was not provided with a copy of this correspondence, or the opportunity to address the CPB, the Union was unable to present this information on behalf of Officer Donaldson, who remains terminated from the Department despite a May 1, 2017 arbitrator's decision (later affirmed by the Office of Compliance Board of Directors) that he be reinstated.

5. In the USCPs strategic plan for fiscal years 2015-2019, one of the Departments "transformational priorities" includes ensuring that the USCP has qualified and trained leaders. Do officers believe their training is sufficient and that their supervisors are qualified?

Training is somewhat minimal. Aside from training upon initial hiring, most officers qualify to carry a firearm twice a year during a 2-hour block at the range. We are also asked to complete "on-line training" on a yearly basis. This is the only training that the majority of the officers complete. Certain specialty teams and some other parts of the Department go through other training specialized to their divisions, but most of our officers in Uniformed Services Bureau only receive the training I have described above.

6. Are Directives and SOPs applied consistently across the organization?

No. The reason being is like I stated above, some supervisors often violate or don't follow the SOPs, the CBA and the Directives which results in complaints filed by the Union.

For example, presently pending before an arbitrator is the Union's grievance asserting that the Department applied its absence and leave policy differently to one shift than others. Specifically, the Department requires employees assigned to the Senate 2 shift to present doctors' notes any time they want to use scheduled sick leave. Not only is this inconsistent with past practice, this procedure has not been adopted by any other Section within the Department. Similarly, Senate 2 supervisors refuse to grant employees' sick leave or compensatory time in conjunction with their days off and/or annual leave. This practice is inconsistent with all of the Department's other Sections.

When the Union brought this matter to the Department's attention through a grievance, its position was rejected and the grievance denied.

7. The USCP spends a lot of money recruiting and training its workforce. Are employees incentivized to stay with the USCP in the long term?

No. A great example is the 16 recruits that failed out a few days before graduation recently that the Acting Inspector General alluded to in his testimony. Of the 16, 1 of the recruits was recycled. This is the first time in the history of the USCP that so many failed out of 1 class. What a waste of money and talent to just allow 15 to be let go. Do you really believe 15 of them made it that far and weren't capable of joining the USCP? Who was held accountable for this failure within the USCP?

Proposed retirement cuts are also a deterrent in keeping officers long term. I addressed this in my testimony and we will continue to promote enhancing retirement benefits for those that put their lives on the line on a daily basis.

Additionally, the proposed pay scale compression, similar to what Mr. Irving was instrumental in obtaining for the Secret Service, would entice officers to stay long term.

8. Is the Department doing enough to recruit and support women and other underrepresented groups to the organization? What is the perception of Management by these groups?

That's another good question and probably a question for someone in recruiting. As far as the perception of Management by these groups is concerned, I strongly feel that their perception isn't favorable toward the Department and toward Management, especially with treatment of some female officers throughout the last 10+ years with wrongful terminations and discipline that's been imposed on females and some of the other groups.

For example, Officer Chrisvagi Sourgoustis currently has a lawsuit pending before the District Court for the District of Columbia. Case No. 1:16-cv-01096. She was a recruit to the Department who was not retained at the end of her probationary period. Although her record was imperfect during that period, the Union is aware of other, male officers who were similarly flawed but were retained by the Department with a longer probationary period.

By way of further example, when Officer Judy Gordon notified the Department that she may need leave protected by the Family and Medical Leave Act, the Department stripped her of her police powers based *solely* on the request. To vindicate her rights, Officer Gordon was required to file a federal lawsuit, which was ultimately heard by the United States Court of Appeals for the District of Columbia Circuit (*Gordon v. United States Capitol Police*, Case No. 13-5072 (per curiam) (Feb. 20, 2015)).

The Department's discriminatory application of its disciplinary powers is the most egregious example of the Department's failure to support women and other underrepresented groups (including people of color) in the Department, and perhaps the best evidence of Management's perception of those employees. For example, the Union is aware of twenty-three bargaining unit employees who have been proposed for disciplinary termination since approximately 2011. Of these employees, seven were female, or over 30% of those proposed for termination. According to information provided to the Union, women account for just 18% of the Department. Similarly, of the twenty-three employees proposed for termination, fifteen (approximately two-thirds) were persons of color. Just 40% of the Department's employees identify as a racial minority. The Union also believes that women and other underrepresented groups are punished more harshly for their misconduct.

The Department recently notified two employees they would be terminated if they did not resign due to failure to meet the Department's fitness for duty standards. They were not notified what standards they failed to meet, and the Department does not make its fitness for duty standards publicly available. The Department did not assist either employee in finding light

duty or other work that would allow them to remain employed by the Department. One of the employees is female and the other is a person of color.

The Union is also aware of additional current and former employees have filed lawsuits alleging racial, gender, and other discrimination by the Department. For example, the case of *Ross v. United States Capitol Police*, Case No. 1:14-cv-01400-KBJ, remains pending before the District Court for the District of Columbia. Ross is a former USCP officer who contends that the Department discriminated against him based on his race.

Bargaining unit employees' perceptions of Management is further harmed by its attorneys. The employees are aware that, in 2010, a Department attorney filed a lawsuit claiming that her supervisor, the Department's Employment Counsel, discriminated against her based on her race and gender. The employees know that Employment Counsel is deeply involved in decisions relating to discipline – he attends most meetings relating to disciplinary challenges. The allegations against Employment Counsel have resulted in the perception by many women and other underrepresented employees that the Department does not care to ensure that they are treated fairly, free from discrimination, and properly supported.

9. What is the status of the Collective Bargaining Agreement (CBA) with the Fraternal Order of Police? What precedent exists, if any, for allowing a CBA to expire? Will a new contract be negotiated?

As I stated in my testimony, the CBA is currently at a standstill pending a negotiability appeal presently before the United States Court of Appeals for the Federal Circuit. The appeal concerns the Department's position (described above) that terminations are not arbitrable, which has repeatedly been rejected by the Office of Compliance.

While the appeal is pending, we currently operate under our current CBA until we can resolve the issues at hand. I hope we can negotiate a new CBA, but right now we are at opposite ends of the spectrum with the Department on this important issue.

In closing, I would like to thank the committee for allowing me to address the Committee and to represent the Union as well as the Officers of the USCP. I'd be happy to sit down and meet with you to discuss these important issues and the issues that were presented as part of my testimony.