



UNITED STATES CAPITOL POLICE

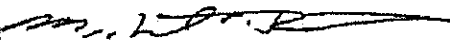
WASHINGTON, DC 20510

INSPECTOR GENERAL

June 24, 2019

MEMORANDUM

TO: Steven A. Sund
Chief of Police

FROM: Michael A. Bolton 
Inspector General

SUBJECT: *Management Advisory Report: Pre-employment Psychological Evaluation Contract Issues (Report Number OIG-2019-11)*

During the analysis of the United States Capitol Police (USCP or the Department) Recruiting Program conducted during Fiscal Year 2019, we became aware of issues regarding the USCP contract for pre-employment psychological evaluations. The Office of Inspector General (OIG) interviewed Department officials and employees of the contractor and reviewed the contract and various other documentation in support of the contractual requirements. During interviews and review of documentation, we noted the following issues:

- The contractor to which USCP awarded the contract had an unfair competitive advantage because it previously assisted the Department in preparing the Statement of Work (SOW).
- The Technical Evaluation Panel (TEP) did not follow Office of Acquisition Management (OAM) instructions and rated previously submitted proposals on factors that the Department did not list in the request for proposal.
- The TEP did not appropriately consider past performance and selected a vendor whose past performance did not meet the requirements of the SOW.
- OIG noted several contract issues. For example, the contractor did not provide reports to USCP within the contractually required timeframe. Between September 2017 and September 2018 the price per evaluation changed from \$500 to \$1,100 with no additional benefit to the Department. OIG identified \$47,520 in improper payments of which \$1,740 were questioned costs. From April 18, 2018, through August 23, 2018, the preliminary result of pass or fail for 22 candidates changed by the time the contractor submitted its final report to USCP.

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- The contractor's qualifications did not comply with the contract or best practices. The contract requires that the contractor's personnel be a "... licensed, doctoral level clinician. . . ." In some instances, the contractor's personnel did not meet those requirements. Additionally, best practices from the International Association of Chiefs of Police (IACP) and the California Commission on Peace Officer Standards and Training require that licensed psychologists perform evaluations. In some instances, a licensed psychologist did not conduct the USCP evaluations.
- OIG noted inconsistencies in signatures on pre-employment psychological evaluation reports.
- OIG noted poorly written and inaccurate reports. For example, several reports contained instances in which the candidate's gender or name was misidentified. In some cases, the reports contained inaccuracies that would have affected the candidate's viability if USCP had not noted the inaccuracies.
- The failure rate on pre-employment psychological evaluations far exceeded the national average. Information obtained from the IACP Police Psychological Services Section indicated that the national average failure rate was 15 percent. The average failure rate during the life of this contract was 46.4 percent. Additionally, the failure rate significantly fluctuated from month to month—fluctuating from as low as 26 percent during one month to as high as 81 percent during another. This affected USCP's ability to fill recruit classes.
- The contractor threatened to discontinue work over an invoice not yet required for USCP to pay. The contractor also threatened to discontinue work on at least one other occasion and also threatened to withhold reports on another occasion.
- OIG noted other instances of non-compliance with the contract. For example, the contract requires monthly progress reports, however, the contractor did not submit any progress reports to USCP. In addition, reports failed to include language required by the contract. In 1 of 13 sampled evaluations, the contractor did not maintain the audio recording of the psychological interview as required by the contract.

The *Government Accountability Office's Standards for Internal Control in the Federal Government*, dated September 2014, state, "Management should design control activities to achieve objectives and respond to risks." It further states, "Management holds service organizations accountable for their assigned internal control responsibilities." However, USCP did not implement controls that would ensure the integrity of the contract. Without appropriate controls for ensuring the integrity of this contract, USCP may not receive the expected level of service from the contractor. Thus, OIG recommends the following:

Recommendation 1: We recommend that the United States Capitol Police review the appropriateness of its contract for pre-employment psychological evaluations and determine whether additional controls will ensure compliance with the contract.

Recommendation 2: We recommend that the United States Capitol Police take immediate action to collect unallowable costs of \$1,740.

Because of the nature and brevity of this work, OIG did not conduct this work in accordance with generally accepted government auditing standards. Had we followed such standards, other matters might have come to our attention, and we may have identified additional issues.

cc: Acting Assistant Chief Chad B. Thomas
Mr. Richard Braddock, Chief Administrative Officer
[REDACTED] Audit Liaison



OFFICE OF INSPECTOR GENERAL

AUDIT RESOLUTION PROCESS AND TERMINOLOGY

Management Decision occurs when:

- the office assigned action for a recommendation informs OIG that it concurs with the recommendation;
- the office assigned action for a recommendation informs OIG that it disagrees with the recommendation in whole or in part, and OIG accepts the support or basis for disagreement and informs the office that implementation in whole or in part is not required; or
- disagreement between the designated action office and OIG on compliance with the recommendation has been resolved by the impasse official (Chief of Police or designee).

Final Action occurs as follows:

- The designated action office has concurred in a recommendation and has presented satisfactory evidence that it has implemented the recommendation or has completed an alternative measure that meets the intent of the recommendation.
- The designated action office disagrees with the recommendation and OIG accepts the basis for disagreement and informs the action office that further action on the recommendation is not required (closed, acceptable noncompliance).
- The designated action office disagrees with part of the recommendation, OIG accepts the basis for disagreement, and the action office presents satisfactory evidence that the remainder of the recommendation has been implemented.
- The impasse official has instructed: the action office to comply, and the office presents satisfactory evidence of compliance; or has informed OIG that the Department disagrees with the recommendation and that compliance will not occur.

Recommendation Tracking Terminology:

Recommendations are considered unresolved, resolved, or closed. Each of these categories is defined below.

Unresolved - A recommendation is considered unresolved when the designated action office has:

- not responded to the recommendation or failed to obtain clearance of its response by the offices identified by OIG as participants in the compliance process;
- failed to address the recommendation in a manner satisfactory to OIG; or
- indicated its disagreement with the recommendation in whole or, in part, and an impasse decision has not been issued.

Resolved, pending further action - A recommendation is considered resolved when the:

- designated action office agrees with the recommendation but has not presented satisfactory documentation that it has implemented the recommendation or some other acceptable course of action that satisfies the intent of the recommendation;
- action office informs OIG that it disagrees with all or part of the recommendation and OIG agrees to accept partial compliance or noncompliance; or
- impasse process has led to a positive or negative final management decision.

Closed - A recommendation is closed when:

- OIG acknowledges that the designated action office has provided satisfactory evidence that the recommendation has been implemented;
- OIG acknowledges to the action office that an alternative course of action to that proposed in the recommendation will satisfy the intent of the recommendation, and satisfactory evidence showing the alternative action has been completed is provided to OIG;
- OIG agrees that partial implementation is acceptable and has been completed or that noncompliance is acceptable;

The IG Act defines the term “questioned cost” as a cost that is questioned by OIG because of:

- an alleged violation of a provision of law, regulation, contract, or other agreement or document governing the expenditure of funds;
- a finding that, at the time of the audit, such cost is not supported by adequate documentation; or
- a finding that the expenditure of funds for the intended purpose is unnecessary or unreasonable.

The IG Act defines the term “recommendation that funds be put to better use” as funds that could be used more efficiently if management took actions to implement and complete the recommendations, including:

- reductions in outlays;
- deobligation of funds from programs or operations;
- withdrawal of interest subsidy costs on loans or loan guarantees, insurance, or bonds;
- costs not incurred by implementing recommended improvements related to Department operations or a contract or grant;
- avoidance of unnecessary expenditures noted in pre-award reviews of contracts or agreements; or
- any other savings that are specifically identified.