



## UNITED STATES CAPITOL POLICE OFFICE OF INSPECTOR GENERAL

### Follow-up Audit of the United States Capitol Police Canine (K-9) Program

Report Number OIG-2020-08

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## ***INSPECTOR GENERAL***

### **PREFACE**

The Office of Inspector General (OIG) prepared this report pursuant to the Inspector General Act of 1978, as amended. It is one of a series of audits, reviews, and investigative and special reports OIG prepares periodically as part of its oversight responsibility with respect to the United States Capitol Police (USCP) to identify and prevent fraud, waste, abuse, and mismanagement.

This report is the result of an assessment of the strengths and weaknesses of the office or function under review. Our work was based on interviews with employees and officials of relevant agencies and institutions, direct observation, and a review of applicable documents.

We developed our recommendations based on the best knowledge available to OIG and discussed in draft with those responsible for implementation. It is my hope that the recommendations will result in more effective, efficient, and/or economical operations.

I express my appreciation to those contributing to the preparation of this report.

Michael A. Bolton  
Inspector General

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## Abbreviations and Acronyms

Calendar Year	CY
Canine Unit	K-9 or Unit
Collective Bargaining Agreement	CBA
Congressional Accountability Act	CAA
Corrective Action Plan	CAP
Fair Labor Standards Act	FLSA
Fiscal Year	FY
Government Accountability Office	GAO
Government Performance and Results Act of 1993	GPRA
Home-to-Work	HTW
Internal Controls and Risk Management Division	ICRMD
Office of General Counsel	OGC
Office of Human Resources	OHR
Office of Inspector General	OIG
Operational Services Bureau	OSB
Patrol/Mobile Response Division Operational Database	PODS
Person Borne Improvised Explosive Device	PBIED
Property and Asset Management Division	PAMD
Scientific Working Group on Dog and Orthogonal detector Guidelines	SWGDOG
Special Operations Division	SOD
Standard Operating Procedures	SOP
United States Capitol Police	USCP or Department

## EXECUTIVE SUMMARY

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In our previous report—*Performance Audit of the United States Capitol Police Canine (K-9) Program*, Report Number OIG-2013-04, dated April 2013—the Office of Inspector General (OIG) reported that the United States Capitol Police (USCP or Department) K-9 Unit (K-9 or Unit) did not establish adequate internal controls and processes that would ensure the integrity of its K-9 Program. To develop a more efficient and effective K-9 Program, OIG made 10 recommendations with which USCP concurred and agreed to address. As of April 27, 2016, OIG had closed the 10 recommendations based on Department comments and documentation.

In accordance with our *Annual Performance Plan Fiscal Year (FY) 2019*, OIG conducted this follow-up audit to determine whether the Department (1) took appropriate corrective actions in implementing the 10 recommendations in Report No. OIG-2013-04 and (2) implemented actions correcting the deficiencies identified in the report. Our scope included existing controls and guidance addressing recommendations outlined in our previous report as of September 30, 2019. After we started the audit, OIG refined the scope to include some documents related to Calendar Year (CY) 2019, through February 2020, because the Department assigned a new point of contact for the audit in January 2020, and K-9 operates on a calendar year.

Since the 2013 report, the Department has taken some steps to enhance its K-9 Program, but based on our validation testing, deficiencies related to 4 of the 10 prior recommendations reemerged. In this follow-up audit, OIG found that in addition to the 4 of 10 recommendations in which the deficiencies have reemerged, the Unit did not effectively manage or oversee its canine inventory or ensure the integrity of the program. Specifically, purchased canines were not always recorded on the official inventory or the canine roster. Additionally, the Unit returned a dog to the vendor for medical reasons but did not request a refund/credit or replacement dog before the 12-month medical warranty expired, resulting in questioned costs<sup>1</sup> of \$7,822.85.

In addition, the best practices guidance, *Scientific Working Group on Dog and Orthogonal detector Guidelines (SWGDOG)*, require that each canine team complete a minimum of 16

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<sup>1</sup> A “questioned cost” denotes that one or more of the following situations exist: (1) an alleged violation of a provision of a law, regulation, contract, grant, cooperative agreement, other agreement, or document governing the expenditure of funds; (2) a finding that, at the time of the audit, such cost is not supported by adequate documentation; or (3) a finding that the expenditure of funds for the intended purpose is unnecessary or unreasonable.



hours of training each month to maintain and improve the proficiency level of the team. However, K-9 did not have any written guidance regarding the training processes or the number of training hours required per month or annually. A training instructor in K-9 stated that because it did not have enough trainers or available training time to meet the 16 hours per month, the Unit used a more attainable standard of 10 hours per month. Of the [REDACTED] teams tested, [REDACTED] did not achieve the 10 hours of training per month and none of the teams achieved *SWGDOG*-required 16 hours. In addition, some of the teams did not receive any maintenance training for several months at a time during CY 2019.

A Unit official believed that transition of K-9 from its 4-day, 10-hour workweek to a 5-day, 8-hour workweek would provide an additional day for training availability and operational readiness and ensure that each canine team received the 16 hours of required training. Transitioning to an 8-hour day would also improve training opportunities for Canine technicians, allowing them to participate in the annual mandatory training the Department requires, and eliminate the 81 hours of overtime each pay period for handler care paid under the 10-hour workday. Such a restructuring of hours would result in an estimated \$166,000 annually in funds put to better use.

OIG, made nine new and modified repeat recommendations to correct deficiencies noted during this audit. On March 12, 2020, we provided a draft report to the Department for comment and attached their response in its entirety in Appendix B.

## BACKGROUND

The United States Capitol Police (USCP or Department) is the law enforcement agency within the legislative branch of the U.S Government tasked with protecting Congress—its Members, employees, visitors, and facilities—so it can fulfill its constitutional and legislative responsibilities in a safe, secure, and open environment. In support of that mission, the Operational Services Bureau (OSB) specializes in emergency response to support the Department's operational needs. That mission is accomplished in the form of specialized training, enforcement, coordination, planning, equipment, and response policy development. The Special Operations Division (SOD)<sup>2</sup> is a Division under OSB. SOD is divided into specialty Units, one of which is the K-9 Unit (K-9 or Unit). The Unit is responsible for tours of duty on a 24-hour basis, and security services designed to protect the jurisdiction of Congress, from all threats posed by criminal or civil disorder. Conventional explosive detection (Static) and Person-Borne Improvised Explosive Device (PBIED)

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<sup>2</sup> Formerly known as Patrol Mobile Response Division (PMRD.)

Detection teams contribute to the Department's strategic goal of preventing, detecting, and deterring criminal and terrorist activity from reaching their intended target with improvised explosive devices [REDACTED].



According to the September 30, 2019, *USCP Canine Unit Roster*, K-9 had [REDACTED] active canine teams, which included [REDACTED] teams in training. The number of teams by type as well as their roles, and responsibilities is shown in Table 1.

**Table 1: USCP K-9 Teams**

Type of K-9 Team	
Standard Explosive Detection (Static)	[REDACTED]
PBIED	

Source: OIG-generated based on the *USCP Canine Unit Roster* as of September 30, 2019.



K-9 operates on a calendar year basis except in budget and inventory matters. The Unit had [REDACTED] full-time equivalents, consisting of a commander, sergeants, training supervisor, training instructors, technician handlers, technician instructors, kennel master, and operations support assistant. The K-9 training facility and administrative offices are located at [REDACTED]

[REDACTED] The facility has classrooms, training fields, veterinary office and equipment, officers' locker room and break area, fitness center, and storage areas.

K-9 personnel use Form [REDACTED], to record sweeps, locations, and results of the teams' activities. Data from the [REDACTED] is maintained in a database system referred to as Patrol/Mobile Response Division Operational Database (PODS.)

The Property and Asset Management Division (PAMD) is responsible for inventory/asset management and disposal of Department canines through transfer, sale, or donation when the canine is no longer serviceable. [REDACTED] is a commercial-off-the-shelf software application that USCP designated as the official system of record for USCP assets. The USCP asset records are stored, processed, and maintained within that system.



Scientific Working Group on  
Dog and Orthogonal detector  
Guidelines

*Scientific Working Group on Dog and  
Orthogonal detector Guidelines*

(SWGDOG) was established to improve discipline practices and build consensus with international, Federal, State, and local partners and was initially sponsored exclusively by the Federal Bureau of Investigation. SWGDOG also establishes best practices for detection teams and improves interdiction efforts as well as courtroom acceptance of dog alert evidence by improving the consistency and performance of deployed detector dogs. According to Department officials, K-9 adheres to SWGDOG.

In a previous report—*Performance Audit of the United States Capitol Police Canine (K-9) Program*, Report Number OIG-2013-04, dated April 2013—the Office of Inspector General (OIG) reported K-9 did not establish adequate internal controls and processes that would adequately ensure the integrity of its program. OIG made 10 recommendations to develop a more efficient and effective K-9 Program, with which USCP concurred and agreed to address. The Department developed corrective action plans (CAPs) to satisfy the recommendations. As of April 27, 2016, OIG had closed all 10 recommendations based on Department comments and documentation.

The Department's Internal Controls and Risk Management Division (ICRMD), established under the Office of the Chief Administrative Officer, performed an audit remediation and validation review of K-9 for October 1, 2017, through September 30, 2018—Fiscal Year (FY) 2018. The purpose of the ICRMD review was to validate that the Unit was continuing to adequately remediate recommendations from the 2013 audit. ICRMD issued an *Audit Remediation and Validation Report, Operational Services Bureau (OSB), Canine (K-9)*



*Unit*, dated March 11, 2019, and reissued the report on July 18, 2019. The ICRMD report identified findings and gaps in K-9's processes and developed corresponding recommendations for USCP consideration designed to improve operational efficiencies, strengthen internal controls, and to ensure the integrity of K-9.

As a legislative branch entity, many laws and regulations that apply to executive branch agencies do not apply to USCP. We believe, however, that those laws and regulations represent appropriate guidance and industry best practices for USCP.

## OBJECTIVES, SCOPE, AND METHODOLOGY

In accordance with our FY 2019 *Annual Performance Plan*, OIG conducted a follow-up audit of USCP K-9 Program. OIG objectives were to determine whether the Department (1) took appropriate corrective actions in implementing the recommendations contained in Report No. OIG-2013-04 and (2) implemented actions corrected the deficiencies identified in the report. Our scope included existing controls and guidance addressing recommendations outlined in our previous report as of September 30, 2019.

After we started the audit and learned of ICRMD review and that K-9 operated on a calendar year basis except for budget and inventory and to ensure that we did not duplicate the other auditors' work, OIG refined the scope to include some documents related to CY 2019 and through February 2020. Because the Department assigned a new point of contact for the audit, we interviewed K-9 officials in November 2019 and again in January 2020 about the progress made by K-9 to implement the recommendations. The two K-9 points of contact had differing views and perceptions on actions the Unit implemented. Therefore, OIG conducted additional analysis of evidence and compliance through February 2020.

To update our 2013 work, we conducted site visits, interviewed officials, and obtained related documentation from USCP used for monitoring program and inventory management; certification and training; [REDACTED] and PBIED sweeps; performance goals, criteria, measures, and results; donated canines; home-to-work (HTW) vehicles; canine retirement and kenneling protocols; and overtime for canine technicians while in a non-canine capacity.

To determine compliance with directives and SOPs for the period October 1, 2018, through September 30, 2019, we judgmentally selected 4 weeks, one from each quarter—October 21 to 27, 2018; January 20 to 26, 2019; April 14 to 20, 2019; and August 11 to 17, 2019—to



test the weekly explosive magazine inspection and inventory and quarterly random inspection of the magazine inspection log.

From the *USCP Canine Unit Roster* as of September 30, 2019, which identifies [REDACTED] active canine teams ([REDACTED]), we judgmentally selected [REDACTED] active K-9 teams ([REDACTED]) to verify maintenance, annual, and biannual training and certification. From the total population of [REDACTED] ATLAS activations documented in PODS for October 1, 2018, through September 30, 2019, we judgmentally selected 1 day from each quarter (4 days)—October 24, 2018; January 29, 2019; May 22, 2019; and August 6, 2019—and traced data from Form [REDACTED] to PODS.

OIG traced 100 percent, or [REDACTED], canines obtained and/or purchased during FY 2019 from invoices and receiving reports to the canine roster dated September 30, 2019, as well as the PAMD official *Inventory Summary Report* dated January 14, 2020, to validate that the Department purchased canines from valid vendors rather than accepting privately owned donated dogs. OIG also tested 100 percent or [REDACTED] K-9 teams with HTW vehicles as of September 30, 2019, to determine handlers lived within 50 [REDACTED] miles of the Capitol Complex.

Standard Operating Procedure (SOP) [REDACTED] dated December 11, 2013, was outdated and did not align with K-9's business process. OIG, therefore, did not test the Unit's PBIED controls and procedures. In addition, OIG did not physically verify existence of the Unit's explosive inventory because of K-9's concern for safety. OIG did, however, take steps to understand the PBIED and explosive inventory processes and controls.

To address both of our objectives, we reviewed relevant Federal laws, USCP regulations, and guidance, along with previous OIG and ICRMD work. We took steps to understand and evaluate information using criteria such as *USCP Strategic Plan for FY 2015-2019*; USCP directives and SOPs; *SWGDOG* best practices; Government Accountability Office (GAO) *Standards for Internal Control in the Federal Government*; the Office of Management and Budget Circular No. A-11, *Preparation, Submission, and Execution of the Budget*, Section 51.7, Performance goals, measures, and indicators; Office of Management Budget Circular No. A-50, *Audit Followup; Government Performance and Results Act of 1993 (GPRA)* (Pub. L. 103-62); and *GPRA Modernization Act of 2010* (Pub. L. 111-352); Congressional Accountability Act (CAA) (section 1302, title 2 of United States Code (2 U.S.C 1302), *et seq.* as amended), *Fair Labor Standards Act (FLSA)* (29 U.S.C 201, *et seq.*); and *Collective Bargaining Agreement (CBA) Between the FOP/U.S. Capitol Police Labor Committee and the USCP*, dated June 8, 2010.

We conducted this follow-up audit in Washington, D.C., from October 2019 through February 2020, in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate



evidence that will provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

On March 12, 2020, we provided a draft copy of this report to Department officials for comments. See Appendix A for a complete list of new and modified repeat recommendations. OIG incorporated Department comments as applicable and attached their response to the report in its entirety as Appendix B.

## RESULTS

Since our 2013 report, the Department has taken some steps to enhance its K-9 Program, but based on our validation testing, K-9 needs to take additional actions to address 4 of 10 prior recommendations in which deficiencies reemerged (Recommendations 1, 2, 3, and 5.) For the remaining 6 of 10 recommendations (Recommendations 4, 6, 7, 8, 9, and 10), K-9 actions corrected the deficiencies identified in our past report.

### **Recommendation 1 – Program and Inventory Management, Certification and Training, and PBIED SOP**

**OIG 2013 Report Recommendation 1:** We recommend that the United States Capitol Police, Canine Unit, immediately develop and document cognizant repeatable business processes that include best practices and written internal control policies and procedures addressing program management, inventory management, training, and recertification, and clearly document and communicate those controls to all personnel. In addition, the Canine Unit should finalize and fully implement the Person Borne Improvised Explosive Detection standard operation procedures.

Source: **OIG-2013-04.**

In our 2013 report, OIG recommended that K-9 develop and document cognizant, repeatable business processes that include best practices and written control policies and procedures to address program and inventory management, certification and training, and finalize its draft PBIED SOP.

#### **Program Management**

GAO *Standards for Internal Control in the Federal Government*, dated September 2014, state:



Management clearly documents internal control and all transactions and other significant events in a manner that allows the documentation to be readily available for examination. The documentation may appear in management directives, administrative policies, or operating manuals, in either paper or electronic form. Documentation and records are properly managed and maintained.

K-9 did not, however, establish adequate controls and processes for ensuring the integrity of its program. For example, K-9 still had not established and documented the lifecycle program for its canines. According to PAMD, a dog is not a depreciable item and in their experience a dog's useful life is around 8 years. Although the Department updated and issued numerous SOPs, it still did not have an internal control manual or written procedures for inventory management, training, or certification for conventional explosive detection canines (Static).

### **Inventory Management**

K-9 did not have written controls, procedures, or policies related to the inventory of dog food. The Unit's practice was to distribute dog food monthly to each handler, who would sign for the amount issued. OIG conducted a 100-percent inventory of dog food and reconciled the count to the *Monthly Dog Food Inventory Log* (log) as of January 10, 2020. The count did not reconcile with the log. After several phone calls, K-9 personnel explained that one of the trainers had removed one bag of dog food for a canine handler to pick up later in the day. However, the technician never showed, so the trainer returned the bag to the storage container. Nevertheless, the trainer subsequently adjusted the inventory log for the returned bag.

Further, instances existed where officers incorrectly completed the dog food log. For instance, on January 6, 2020, the log for "Digestive Fiber Care dog food," showed five bags. On January 9, 2020, the balance was three bags, yet there was no explanation or entries as to the two-bag difference.

Although the Unit maintained numerous inventory records—*Monthly Dog Food Inventory Log* and [REDACTED] *Issued Dog Food and Equipment Logs*, one for each handler to sign for receipt of monthly dog food, it was difficult and burdensome to analyze or reconcile. Thus, OIG did not reconcile the inventory log to each team's receipt log. Effective inventory management requires maintaining accurate records that include knowing supplies purchased, used, and on-hand.

The Department further did not have an accurate official inventory of canines in [REDACTED]—the official system of record for USCP assets. OIG traced each canine name on the *Inventory Summary Report*, dated January 14, 2020, to the *USCP Canine Unit Roster* as of September 30, 2019. Although the K-9 roster and the official inventory agreed—[REDACTED] canines



as of September 30, 2019—the names of the dogs did not match. For example, the official inventory showed Canine [REDACTED], but the dog's name was not shown on the Unit's roster. K-9 retired Canine [REDACTED] in 2019, according to the Unit's unofficial listing of retired canines. In addition, the Unit identified Canine [REDACTED] on its active roster, but PAMD did not identify the canine on the Department's official inventory. Yet, for FY 2018 and 2019, K-9 certified its canine inventory as correct. The deficiencies primarily occurred because K-9 did not keep PAMD fully informed of purchased and retired canines.

### **Certification and Training**

According to *SWGDOG SC 2*, "Canine Team Certification," certification for the named canine team shall be valid for 1 year. OIG judgmentally selected [REDACTED] active K-9 teams ([REDACTED]) from the *USCP Canine Unit Roster* as of September 30, 2019, to validate annual certification for CY 2019. Our review of training records showed that all of the teams tested [REDACTED] — received and passed the required annual certification for CY 2019.

According to *SWGDOG SC 2*, the certifying official or officials shall not be routinely involved in the day-to-day training of the canine team being evaluated. In addition, GAO *Standards for Internal Control in the Federal Government* state key duties and responsibilities need to be divided or segregated among different people to reduce the risk of error or fraud. No one individual should control all key aspects of a transaction or event. However, K-9 training instructors are also the certifying officials, which may be a conflict of interest or cause undue pressure to ensure teams are certified.

According to a former [REDACTED] official, trainers of canine teams are a separate unit from the canine technicians and report to different chains of command. [REDACTED] did that to create a clear separation of duties and so canine trainers would not feel pressured by command to certify teams. [REDACTED] canine trainers report to the training division, while [REDACTED] K-9 teams report to the patrol division. According to a USCP official, familiar relationships within K-9 occur and separation of training instructors and technicians through a different reporting chain of command would be very helpful in preventing conflicts of interest.

Certification does not relieve the canine team from regular maintenance training, periodic proficiency assessments, or following other recommended *SWGDOG* guidelines. Yet, K-9 did not have written SOPs regarding the training processes, standards adopted, or the number of training hours required either monthly or annually. According to a K-9 official and trainer, K-9 follows *SWGDOG* standards, which state a canine team shall complete a minimum of 16 hours of training per month to maintain and improve the proficiency level of the team. According to a canine training instructor, however, handlers and canines receive only 10 hours of training a month based on a calendar year. The instructor explained that



K-9 did not have available time or a sufficient number of trainers to achieve the 16 hours of monthly training and elected to use a more attainable training goal of 10 hours a month.

The Unit also did not prepare a formal training schedule, but used a white board to communicate the K-9 teams scheduled for training each week. Further, K-9 did not record training in the Department's official training system—[REDACTED] Directive [REDACTED], dated February 14, 2019, states [REDACTED] is a computerized database for documenting and scheduling in-service training. [REDACTED] is the official system of record for courses of instruction offered, sponsored, or contracted by the Department. According to a K-9 official, the Unit was scheduled to begin entering training data in [REDACTED] in 2020.

To determine whether K-9 teams actually received 10 hours of maintenance training per month, OIG judgmentally selected [REDACTED] active K-9 teams ([REDACTED]) to validate CY 2019 training. We calculated the average training hours for CY 2019 and based on this analysis, [REDACTED] percent, or [REDACTED] teams tested, did not achieve the Unit's goal of 10 hours of maintenance training per month. In fact, one [REDACTED] team had an average of only 3 hours of maintenance training a month, as shown in Table 2. Our analysis also showed that some teams tested did not receive any maintenance training for some months during CY 2019. None of the K-9 teams tested received 16 hours of monthly training for CY 2019, as SWGDOG recommends.



A K-9 official suggested that one solution to correct the lack of training for K-9 teams was to return the Unit to an 8-hour workday. Under a 10-hour workday, the Unit cannot achieve training standards without incurring excessive overtime. The 8-hour day would provide one additional day of training and allow the Unit to reach the *SWGDOG* standard without incurring additional overtime. In fact, the official stated that moving to an 8-hour shift would cut the 81 hours of overtime each pay period for handler care overtime costs paid

under the 10-hour day, resulting in an estimated \$166,000 annually in funds put to better use.

Further, under the 10-hour day, canine technicians are ineligible to attend mandatory Department refresher training not offered during their shift. That is because of the CBA, which states an employee cannot work more than 16 hours unless in an emergency situation. Thus, K-9 staff cannot attend mandatory in-service training, which is offered in 8-hour blocks without exceeding that 16-hour threshold. The official further explained that there would be challenges to an 8-hour day, such as scheduling different start times for Sections 2 and 3 and the overwhelming desire of handlers and training staff to remain on a 4-day workweek. Nevertheless, the focus, in the end, should be on how to achieve the 16 hours of maintenance training per month following consensus best practices to allow comparison with other teams, thereby ensuring that K-9 is fully prepared for its mission.

### **PBIED Standard Operating Procedure**

On July 30, 2014, the Department issued SOP [REDACTED] The SOP, however, does not identify the following:

- Nationally recognized performance standard used to assess the capabilities of PBIED K-9 teams
- Number of initial training weeks or hours for the handler and canine
- Number of maintenance training hours required monthly or annually
- Process for ensuring teams receive maintenance training and annual certification
- Where the training records are maintained or how long maintained





As of February 2020, the Department did not have a specific SOP addressing static team certification or training, which was [REDACTED] percent of the K-9 teams, according to the September 30, 2019, canine roster, [REDACTED]. A training official confirmed that SOP [REDACTED] applies only to PBIED teams and not static canine teams.

According to a canine training instructor, certification requirements that apply to static teams are similar to

PBIED teams. The difference is that PBIED teams require additional testing.

## Conclusions

Deficiencies identified in the 2013 report reemerged during our 2019 work. K-9 did not establish adequate controls and processes for ensuring the integrity of its program. Our follow-up work identified repeat findings in the areas of program and inventory management, and training and certification. For example, K-9 did not have written controls, procedures, or policy related to the lifecycle program for its canines, inventory processes—dog food or canines. As a result, the Department did not have an accurate inventory of canines in its official inventory system.

K-9 further did not have written SOPs regarding the training processes, standards adopted, or the number of training hours required either monthly or annually. K-9 training instructors also are certifying officials, which may cause undue pressure to ensure teams are certified. In fact, none of the K-9 teams tested received 16 hours of maintenance training recommended by *SWGDOG*. Only 30 percent of K-9 teams tested received the Unit's more attainable goal of 10 hours of maintenance training per month during CY 2019. K-9 further did not record its training in the Department's official [REDACTED].

Although the Department updated and issued the PBIED SOP, the document does not identify the performance standard used to assess the capabilities of PBIED K-9 teams, the number of initial training weeks or hours for the handler and canine, number of maintenance training hours required monthly or annually, process for ensuring canine technicians receive maintenance training and annual certification, and where training records are maintained or



how long maintained. Most importantly, K-9 did not have a written SOP for certification and training of static teams. Thus, OIG makes the following modified repeat recommendations.

**Recommendation 1:** We recommend the United States Capitol Police immediately update and document repeatable business controls and processes that include program management and inventory management and clearly communicate those controls to Department personnel and hold staff accountable for certifying inventory data and compliance with Department policies and procedures as well as documenting noncompliance issues in supervisors' performance appraisals.

**Recommendation 2:** We recommend the United States Capitol Police establish a written standard operating procedure for certification and training of standard explosive detection canine teams (Static). The standard operating procedure should specifically identify: the performance standards used to assess the K-9 teams; number of initial training weeks or hours for handler and canine; number of maintenance training hours required monthly; accountability process for ensuring canine technicians receive training and annual certification; where the training records are maintained and how long maintained.

**Recommendation 3:** We recommend the United States Capitol Police consider transitioning the Canine Unit from its 4-day, 10-hour workweek to a 5-day, 8-hour workweek, which will provide an additional day for training availability and operational readiness ensuring that each K-9 team receives the 16 hours of monthly maintenance training as required by *Scientific Working Group on Dog and Orthogonal detector Guidelines*. Transitioning to an 8-hour day would improve training opportunities for canine technicians, achieve the maintenance standards based on the *Scientific Working Group on Dog and Orthogonal detector Guidelines*, and eliminate the 81 hours of overtime each pay period for handler care paid under the 10-hour workday, resulting in an estimated \$166,000 in funds put to better use annually.

**Recommendation 4:** We recommend the United States Capitol Police establish a process or different reporting mechanism that ensures certifying officials are not the primary training instructors (trainers) involved in the day-to-day training of canine teams as the *Scientific Working Group on Dog and Orthogonal detector Guidelines* requires, which would reduce the perception of conflict of interest.

**Recommendation 5:** We recommend the United States Capitol Police update Standard Operating Procedure No. [REDACTED]

[REDACTED] to identify the performance standards used to assess Person Borne Improvised Explosive Device Canine (K-9) teams; number of initial training weeks or hours for handler and canine; number of maintenance training hours required monthly; accountability process for ensuring canine technicians receive maintenance training and annual certification; where the training records are maintained (system) and how long maintained.

## Recommendation 2 – ATLAS Activations

OIG 2013 Report Recommendation 2: We recommend that the United States Capitol Police Canine Unit prepare, document, and retain weekly [REDACTED] activations schedules as well as ensure that supervisors are held accountable for verifying that data are accurate and that each Section performs the required daily [REDACTED] sweeps.

Source: OIG 2013-04.

Our 2013 report states that K-9 did not comply with its SOP and lacked documentation to support that the three Sections [REDACTED]

[REDACTED] OIG recommended that K-9 prepare, document, and retain weekly ATLAS schedules as well as ensure supervisors are held accountable for verifying that data and ensure each Section performs an ATLAS activation. During our follow-up work, OIG found some of the same compliance issues identified in our 2013 report.

The Department updated and issued SOP [REDACTED], dated July 24, 2019. The SOP defines K-9 ATLAS [REDACTED] that each shift will perform daily explosive detection sweeps. The activations provide the opportunity to [REDACTED]. It also provides a visible show of force to Members of Congress, staffers, the general public, [REDACTED]

[REDACTED] also requires sworn employees, when assigned to a scheduled ATLAS activation, to respond to the designated location and conduct the ATLAS. According to the Department's CAP, "(D) Ensure Accountability," assigned officials would conduct daily inspections to ensure completion of activation assigned to personnel, and issue counseling and, if necessary, discipline. Yet, based on our validation testing of documentation, K-9 teams did not perform scheduled ATLAS activations as assigned. Sworn employees



performed only [REDACTED], or 63 percent, of scheduled ATLAS activations. According to a K-9 official, a team may not conduct a sweep for various reasons such as higher priorities.

[REDACTED]

[REDACTED]

We also noted, as reported in our 2013 report, that K-9 handlers did not provide legible data on [REDACTED] which led to incorrect data entered in PODS. K-9 addressed this deficiency by mandating a supervisory review of [REDACTED] for clarity and accuracy. In our follow-up work, however, and [REDACTED], we noted differences in the total number of ATLAS sweeps recorded on [REDACTED] and data recorded in PODS.

[REDACTED]

The OSB Administrative Assistant stated that canine technicians “fill out” the [REDACTED] in different ways. For example, some canine technicians combine their ATLAS activations with other types of sweeps, such as vehicle sweeps. As a result, the data in PODS did not always reflect the actual total of ATLAS sweeps. K-9 did not have written instructions for completion of Form [REDACTED], but an official stated the Unit is working on an internal SOP that would address completion of the form. In accordance with the Department’s CAP, OIG also requested evidence of the training provided related to the new SOP. As of February 2020, the Department had not provided any evidence of training. In an email dated



February 14, 2020, the Department confirmed that the training on the SOP was probably informal and held during a daily “Roll Call.”

██████ requires that the K-9 Section Commander, at least quarterly, conduct a random inspection of the ██████ and PODS to ensure accountability of data. Based on documentation provided on January 15, 2020, the Section Commander did not complete the *Quarterly Random PODS Inspection List* (Inspection List) for the 3rd and 4th quarters of CY 2019. On February 4, 2020, the Department provided another Inspection List for CY 2019, which showed the 3rd and 4th quarters completed. This Inspection List showed the Section Commander signed but did not date the 3rd Quarter document. For the 4th Quarter Inspection List, the Commander signed and dated—January 28, 2020—about a month after the close of CY 2019.

## Conclusions

K-9 teams did not perform scheduled ATLAS activations as assigned. Sworn employees performed only ██████, or 63 percent, of scheduled ATLAS activations. K-9 did not schedule ATLAS activations for Sections 1 and 3 as required. K-9 handlers did not provide legible data on the ██████, which lead to incorrect data being entered into PODS. K-9 addressed this deficiency by mandating a supervisory review of all ██████s for clarity and accuracy. In our follow-up work, however, we noted differences in the total number of ATLAS sweeps recorded on ██████s and the data recorded in PODS. In addition, the Section Commander did not complete the Inspection List as required for the 3rd and 4th quarters of CY 2019. Thus, OIG makes the following modified repeat recommendation.

**Recommendation 6: We recommend the United States Capitol Police immediately enforce compliance of Standard Operating Procedure No. ██████, dated July 24, 2019, and ensure that Canine Unit personnel are accountable for compliance with the Standard Operating Procedure. In addition, the Department should update the Standard Operating Procedure to include accountability language for noncompliance and provide guidance as to what a quarterly random Patrol/Mobile Response Division Operational Database system inspection consists of and provide training on the new Standard Operating Procedure.**



### Recommendation 3 – Weekly Magazine Inspections

**OIG 2013 Report Recommendation 3:** We recommend that the United States Capitol Police Canine Unit immediately enforce compliance of Standard Operating Procedure No. [REDACTED] and ensure that Canine Unit personnel are accountable for noncompliance with the Standard Operating Procedure.

Source: OIG-2013-04.

In our 2013 report, OIG recommended that K-9 enforce compliance with its weekly magazine inspection and semi-annual explosive inventory guidance. Based on our validation testing, some of the same compliance issues identified in our 2013 report still existed during this review. The Department updated SOP [REDACTED], dated November 21, 2013. The SOP requires the following:



OIG judgmentally selected 4 weeks (1 week from each quarter) between October 1, 2018, through September 30, 2019—October 21, 2018 to October 27, 2018; January 20, 2019 to January 26, 2019; April 14, 2019 to April 20, 2019, August 11, 2019 to August 17, 2019—to test compliance with the SOP. As stated in our methodology, OIG did not visually or physically verify existence or condition of the training explosive inventory. We reviewed the *Weekly Inspection Log*; *Canine Training Weekly Magazine Inspection Check List*; [REDACTED]; and the *Quarterly Random Magazine Inspection Log Check List*.

Based on our testing, K-9 did not conduct weekly inspections as required. Specifically, K-9 did not have evidence that would support the weekly inspection for the week of January 20, 2019 to January 26, 2019. That occurred because the supervisor did not ensure that training officials completed the inspection as required. For the other 3 weeks tested, documentation showed K-9 conducted the inspections. For the 4 weeks tested, two K-9 training instructors also signed and dated the [REDACTED] prior to and at the conclusion of explosive detection classes. The K-9 Section Commander further signed and dated the



*Quarterly Random Magazine Inspection Log Check List for FY 2019.* We further verified that K-9 maintained the explosive inventory reports.

The Department's CAP states that to ensure adherence and accountability to the SOP as outlined, officials will conduct weekly inspections to ensure completion of the weekly magazine inspections and semi-annual explosive inventories by assigned personnel and issue counseling, and/or discipline, if necessary. The Department, did not, however, add accountability language or measures for noncompliance to the SOP. According to a K-9 official, the Unit did not issue any counseling and/or discipline for noncompliance with the SOP. In accordance with the Department's CAP, OIG requested evidence of training provided related to the new SOP. As of February 2020, the Department had not added accountability language or measures for noncompliance with the SOP or provided any evidence of training. In an email dated February 14, 2020, the Department confirmed that the training related to the SOP was probably informal and held during a daily "Roll Call."

### **Conclusions**

The Department updated SOP [REDACTED]. The Department also prepared a CAP, which states that K-9 would hold personnel accountable for adherence to the SOP. Although, we noted noncompliance issues, K-9 did not issue any counseling or discipline statements to personnel for not conducting weekly inspection of explosive detection magazines during. In addition, the Department did not add accountability language to the SOP or provide evidence of training. Thus, OIG makes the following modified repeat recommendation.

**Recommendation 7:** We recommend that the United States Capitol Police Canine Unit (K-9) immediately enforce compliance of Standard Operating Procedure [REDACTED]

[REDACTED], dated November 21, 2013, and ensure that K-9 personnel are held accountable for noncompliance with the Standard Operating Procedure. In addition, the Department should update the Standard Operating Procedure to include accountability language for noncompliance and provide refresher training on the new Standard Operating Procedure.

## Recommendation 4 – Recertification, Rotation

**OIG 2013 Report Recommendation 4:** The United States Capitol Police should consider periodic recertification or even re competition against Scientific Working Group on Dog and Orthogonal Detector Guidelines best practices before issuing an existing handler another canine. In addition, open competition or a rotational policy for Canine could enhance team performance and overall security for Capitol Complex; thereby, ensuring the integrity, efficiency, and effectiveness of the Canine Program. In addition, the Department should align the Canine Technician announcement narrative with the announcement heading and include any changes to the Canine Program.

Source: **OIG-2013-04.**

In our 2013 report, we recommended that the Department consider periodic recertification against *SWGDOG* best practices before issuing a handler another dog. In addition, OIG asked the Department to consider a rotational policy and align canine technician announcement narrative with any changes to its program. The Department updated canine announcements and orientation letters with additional discipline language. The Department also considered a rotation policy.

Our 2013 report states, “According to the K-9 vacancy announcement, ‘Candidate must have no sustained [REDACTED] disciplinary action(s) within the last 18 months for Time/Pay; no [REDACTED] warning actions within the last 12 months and no [REDACTED] within the past three years of the closing date of this announcement.’ However, some K-9 technicians received [REDACTED]s and [REDACTED]. According to a K-9 official, with the assistance of [Office of Human Resources], K-9 requested removal of at least one technician. The Department did not, however, remove the individual from K-9 and as a result, has no assurance that the Unit is maintaining the best-qualified candidates.”

We believe that OIG’s intent was that supervisors should evaluate and reevaluate technicians regarding disciplinary matters before and after becoming a member of K-9 and ensure that the requirements are clearly delineated within the technician vacancy announcements. A March 2, 2015, Department response to OIG states that the K-9 has an in-depth certification process for new as well as experienced handlers. In addition, the Department had an annual performance appraisal requirement for employees including canine technicians.

The Department has issued two announcements for canine technicians—June 2017 and April 2019—since our last audit. OIG reviewed the two announcements for related discipline language.



The 2017 announcement states:

OHR [Office of Human Resources] will conduct a disciplinary action review. The hiring manager at his/her discretion may elect not to select a recommended candidate for reasons such as: substandard performance; serious sustained misconduct; and/or pending investigations internally or externally.

The 2019 K-9 technician announcement states:

OHR will conduct a disciplinary action review to determine if there are pending investigatory and/or disciplinary matters, which will be made known to the selecting official. Prior to making his/her selection, the selecting official shall review any available Department documents, to include application documents and each candidates' complete career disciplinary record, results of selection process phases, and may, at their discretion, conduct interviews if necessary, with all recommended candidates. The selecting official may, at his/her discretion, not select a recommended candidate for reasons such as:

1. Substandard performance;
2. Serious sustained misconduct; and/or
3. Pending investigatory and/or disciplinary matters internally or externally.

USCP updated its K-9 technician announcement narratives with a more robust review of disciplinary matters before USCP hired a candidate for a canine technician position. As stated previously, the Department has an annual performance appraisal system, which requires that supervisors evaluate and reevaluate annually new as well as existing canine technicians. The Department response to OIG dated March 2, 2015, also states, "the Department took into consideration a rotational policy for the Canine Unit. We determined that it would not be beneficial to the overall operations of the Canine Unit, due to the inability to maintain the most experienced and qualified handlers, to include the current certified canine trainers."

## Conclusions

The Department updated its canine technician announcement narratives with additional language related to discipline. The Department also has an annual performance appraisal system, which requires that supervisors evaluate annually new as well as existing Canine technicians. The Department further considered a rotation policy for canine technicians, but determined that the policy would not be beneficial to the overall operations of the Unit. Although K-9 stated the Unit adheres to *SWGDOG*, none of the documents reviewed cited the *SWGDOG* criteria. Since OIG has previously addressed the *SWGDOG* criteria, we are not making a new recommendation in this area.

## Recommendation 5 – Performance Criteria

OIG 2013 Report Recommendation 5: We recommend that the United States Capitol Police establish performance criteria for evaluating its Canine Program's effectiveness.

Source: **OIG-2013-04.**

In our 2013 report, OIG recommended K-9 establish performance criteria for evaluating its program's effectiveness. GAO *Standards for Internal Control in the Federal Government* requires that management establish activities to monitor performance measures and indicators. Measurements may include comparisons and assessments relating different sets of data to one another so that analyses of the relationships can be made and appropriate actions taken. Management designs controls aimed at validating the propriety and integrity of both entity and individual performance measures and indicators.

The *Government Performance and Results Act (GPRA) of 1993* (Public Law No: 103-62) also requires that Federal agencies create a performance report that lists performance indicators established in the agency performance plan, the criteria to which the program performance will be compared to, with the actual program performance achieved compared with the performance goals. Further, if performance goals are not met the agency must explain why those goals were not met and create a plan to remediate deficiencies.

Although K-9 reported performance outputs such as number of sweeps, the Unit did not provide complete performance information or show how its program supported the Department's strategic goals or objectives nor did it consistently list the criteria (standards) for which the performance measures were to be determined. For example, the October 30, 2019, *Canine Unit Audit Response*, "Canine Program Performance Criteria," states "USCP canine program provides initial training, ongoing in-service training and conducts an annual certification process in accordance with the *Scientific Working Group on Dog and Orthogonal [detector] Guidelines (SWGDOG)* for [REDACTED] Canine Teams." K-9 also reported a goal of certifying and maintaining [REDACTED] canine teams at a 100-percent readiness level. Additionally, "Canine Team meets annual in-service training requirements, pass annual certification and ready to deploy to alert on all trained odors."

Another performance criteria K-9 identified was the [REDACTED] which refers to the number [REDACTED] done during training at [REDACTED] and during offsite training. A K-9 official stated that to best of their knowledge, no national standard exists related to monthly hides nor did the official believe [REDACTED] is a valuable measurement as the results of the [REDACTED] is a much better measurement of team performance.



As previously discussed, K-9 did not cite performance criteria (*SWGDOG*) in its written SOPs or communicate such performance goals, objectives, and measures to applicable personnel. For example, *SWGDOG SC 2* requires that canine teams receive 16 hours of maintenance training per month, which prepares teams for its annual certification. However, K-9 did not mention the 16-hour requirement in its program performance criteria. In fact, the Unit reported that it would only provide 10 hours of “ongoing/in-service” training per month for each team. The *USCP Strategic Plan for FY 2015-2019*, also states that Department leadership will develop informative performance measures by defining clear expectations for each mission set and major lines of business. Further, the Unit did not communicate its performance goals, objectives, measures, and criteria to applicable training and operational personnel. Actually, at least one K-9 official was not aware of any performance criteria or measures and stated none of this information was ever communicated to the Unit as a whole.

## Conclusions

K-9 did not describe its contribution to Department strategic goals, or effectively measure its program, nor achieve the high level of readiness as stated in its Canine Unit Audit Response, Program Performance Criteria. As a result, this may lead to gap or gaps in readiness that could affect safety at the Capitol Complex. Thus, OIG makes the following modified repeat recommendation.

**Recommendation 8: We recommend the United States Capitol Police immediately document and communicate consistent goals, objectives, measures, and indicators for its Canine Program linking to the Department’s strategic goals and objectives; thereby, ensuring accurate, reliable, and meaningful performance measures and accountability.**

## Recommendation 6 – Benefits and Privileges for Retired Canines

**OIG 2013 Report Recommendation 6: We recommend that the United States Capitol Police stop using appropriated funds to provide benefits and privileges to United States Capitol Police employees who own retired canines until a Government Accountability Office decision is requested and rendered.**

Source: OIG-2013-04.

The Department’s actions corrected the deficiency identified in our past report. In a June 4, 2013, memorandum, then-Deputy Chief directed that OSB immediately cease all benefits and privileges for retired canines. The benefits included:



- Dog food
- Kenneling privileges
- Once-a-year examinations, to include all booster shots
- Use of HTW vehicle to transport the retired canine for the annual veterinarian examination
- Use of administrative leave for handlers:
  - To transport retired canines to the annual veterinarian examinations
  - To coordinate all final arrangements required in anticipation of a canine's passing (including the pick-up of a canine from the crematory)
- The purchase of an urn at the time of retired canine's passing

The Department also issued SOP [REDACTED], dated April 20, 2018, which requires a [REDACTED] and documents identifying details and the condition code of a piece of USCP property no longer used by the Department; [REDACTED] which documents transfer of USCP property to another internal Bureau, Office, Division, or Section, or to another agency or individual; and an [REDACTED] which transfers ownership of a canine from the Department to an individual. [REDACTED] states, "The United States Capitol Police is hereby relieved of all responsibilities in connection with \_\_\_\_\_. I understand that I am responsible for all future expenses to include food and veterinary care..." as shown in Figure 2.

We tested 100 percent, or [REDACTED], canines retired during 2019 and traced each canine name to the, *PAMD Inventory Summary Report* dated January 14, 2020, the *USCP Canine Unit Roster* as of September 30, 2019, [REDACTED], as well as the [REDACTED]. We noted no exceptions during our validation testing, except canine inventory management, which we discuss under Recommendation 1.



## Conclusions

In a June 4, 2013, memorandum, the then-Deputy Chief directed that OSB immediately cease all benefits and privileges for retired canines. The Department also issued SOP [REDACTED], which requires [REDACTED] for transferring ownership of a canine from the Department to an individual. Because OIG previously addressed the canine inventory exceptions, we are not making a new recommendation in this area.

## Recommendation 7 – Donated Canine Program

**OIG 2013 Report Recommendation 7:** We recommend that the United States Capitol Police Canine Unit immediately establish written policies and procedures for the donated canine program and evaluate the cost-effectiveness of accepting privately donated canines for its canine training program.

Source: OIG-2013-04.

In our 2013 Report, OIG recommended that K-9 establish policies and procedures related to its donated canine program. K-9 has taken actions to correct the previously identified deficiency. Specifically, the Department updated and issued SOP [REDACTED], dated May 20, 2015, which states “USCP will not accept any privately owned canines for donation.”

K-9 last acquired a privately-owned donated canine on February 9, 2012. The Unit had one donated canine [REDACTED] on its active roster as of September 30, 2019. During FY 2019, K-9 purchased/obtained [REDACTED] “green canines” from two vendors on three separate dates—February 28, 2019, March 7, 2019, and August 28, 2019. OIG traced 100 percent, or [REDACTED] canines, obtained during FY 2019 from invoices and receiving reports to the *USCP Canine Roster* dated September 30, 2019, as well as to the Department’s official *Inventory Summary Report* ([REDACTED]) dated January 14, 2020, to validate the Department did not accept privately owned donated dogs.

K-9 did not account for three purchased canines—Canines [REDACTED]—purchased on Invoice 193023A dated February 28, 2019, with a total cost of \$23,468.55—on either its canine roster or the Department’s official inventory as shown in Table 4. That occurred primarily because the Unit did not have supporting documentation such as a vendor invoice readily available to support purchased, returned, or replacement canines. However, on January 7, 2020, the Department assigned a new K-9 point-of-contact, who provided an informal training spreadsheet titled “K-9 Procurement Roster updated September 3, 2019” (procurement roster.)



According to the procurement roster, the Unit changed Canine [REDACTED] name to [REDACTED] and Canine [REDACTED]'s name to [REDACTED] on May 28, 2019, but did not document the change on the Unit's active K-9 roster or the official inventory. In addition, the procurement roster showed the Unit returned Canine [REDACTED] to the vendor for medical reasons on August 1, 2019, and did not get a replacement dog before vendor warranties expired. Thus, OIG questions \$7,822.85, the invoiced cost for Canine [REDACTED]. As of February 2020, the Unit had not provided evidence of a vendor credit/invoice or dog replacement for Canine [REDACTED].

**Table 4 – Exceptions Noted in Canine Inventory**

<i>Canine Name</i>	<i>Breed</i>	<i>Invoice Date</i>	<i>Cost</i>	<i>Recorded on Canine Roster</i>	<i>Recorded on Inventory</i>	<i>Comments</i>
[REDACTED]	GSP	2/28/19	\$7,822.85	No	No	Name Change [REDACTED]
[REDACTED]	GSP	2/28/19	\$7,822.85	No	No	Returned to Vendor 8/1/2019 NOT Replaced
[REDACTED]	GSD	2/28/19	\$7,822.85	No	No	Name Change [REDACTED]
<b>TOTAL</b>			<b>\$23,468.55</b>			

Source: OIG generated from vendor invoices, canine roster, and inventory, for FY 2019.

## Conclusions

The Department provided satisfactory evidence that the Department did not accept any donated canines during FY 2019. However, the Unit did not have supporting documentation readily available to trace canines to a vendor invoice when K-9 purchased or obtained replacement canines. Thus, OIG makes the following recommendation.

**Recommendation 9:** We recommend that the United States Capitol Police establish controls that will ensure it can trace purchased canines and replacement canines to vendor invoices as well as to the K-9 roster and the official inventory; thereby, providing adequate evidence that the Department did not accept donated dogs. In addition, the Department should seek reimbursement or a credit of \$7,822.85 for Canine [REDACTED], who was returned for medical reasons to the vendor on August 1, 2019, prior to the expiration date of the medical warranty and not replaced as of February 2020.



## Recommendation 8 – Efficient Use of Canines

**OIG 2013 Report Recommendation 8:** We recommend the United States Capitol Police Canine Unit protect against waste and inefficiency in use of its canines. Specifically, (1) include Sergeants' canines in the daily operational manpower obligations by assigning the active canines to K-9 technicians, (2) use all Person Borne Improvised Explosive Detection canines in Person Borne Improvised Explosive Detection operations, establish protocols and document authorization for canine retirement, and develop a timeframe that a canine can remain kenneled until assigned to a handler/technician or placed on the adoption list.

Source: OIG-2013-04.

Our 2013 report states that K-9 did not fully use PBIED canines in daily operations or use canines assigned to Sergeants in its daily operations. OIG concluded that assigning active canines to technicians rather than sergeants would provide additional manpower on posts and more canines available for out-of-town deployments. According to the canine roster, only one sergeant had an active canine, which the Unit used for routine canine sweeps, when K-9 needed additional manpower, according to K-9 officials. The canine roster listed [REDACTED] PBIED canines, which the Unit assigned to canine technicians. Further, according to a K-9 official, the Unit uses all PBIED canines in the field. Our 2013 Report also states that K-9 did not establish protocols for authorizing retirement, adoption, or kenneling of its canines.

Based on our review, the Department issued SOP No. [REDACTED], dated May 20, 2015, which specifically states "The K-9 Training Supervisor will submit, in writing, a recommendation through the chain of command to retire any canine, due to one or more of the following: age, medical, or performance." SOP [REDACTED], dated April 20, 2018, also establishes disposal procedures for transfer, sale, or donation when the canine is no longer serviceable to the Department.

On September 26, 2017, the Department issued SOP No. [REDACTED], which establishes uniform procedures for kenneling active canines. SOP No. [REDACTED] further states an unassigned canine will not be kept in the Department's inventory for longer than 6 months without approval of the Division Commander.

### Conclusions

The Department established and documented protocols for canine retirement and the timeframe a canine may be kenneled. Thus, OIG is not making a new recommendation in this area.



## Recommendation 9 – Home-to-Work Vehicle

**OIG 2013 Report Recommendation 2:** We recommend that the United States Capitol Police finalize its draft Standard Operating Procedure [REDACTED]; thereby, use its scarce resources in a more efficient and effective manner.

Source: **OIG-2013-04.**

In our 2013 Report, OIG recommended K-9 finalize its draft SOP ([REDACTED]) related to home-to-work vehicles. K-9 has taken actions to completely correct the previously identified deficiency. Specifically, the Department updated and revised SOP No. [REDACTED] to a Department Directive [REDACTED], dated April 25, 2016. Directive [REDACTED] states the Department provides HTW vehicles for K-9 handlers assigned active working K-9s for the purpose of transporting assigned K-9s to and from their residences. In order to be assigned an official HTW vehicle, operators must reside no more than 50 [REDACTED] miles away from the Capitol, unless a specific written authorization is provided by the Chief of Police (Chief).

Our analysis of 100 percent, or [REDACTED], active K-9 teams with HTW vehicles as of September 30, 2019, showed 1 of the [REDACTED] teams did not live within 50 [REDACTED] miles of the Capitol Complex, as the Directive requires. The Directive also allows the Chief to waive the 50 [REDACTED] miles requirement. On April 1, 2019, the Chief approved a waiver for this K-9 handler.

### Conclusions

The Department updated and revised SOP No. [REDACTED] to a Department Directive [REDACTED], dated April 25, 2016. Because the Department's actions corrected the deficiency and the controls are working as intended, OIG is not making a new recommendation in this area.



## Recommendation 10 – Overtime Code for K-9 in Non-Canine Capacity

**Recommendation 10:** We recommend that the United States Capitol Police establish a code in its time and attendance system to capture overtime for Canine Unit technicians worked in a non-Canine Unit capacity while earning technician pay. The Department also should seek a legal opinion as to whether Canine Unit technicians should be paid at the higher rate while working overtime in a non-Canine Unit capacity. Additionally, the Department should consider reducing or restricting overtime for Canine Unit technicians in a non-Canine Unit capacity, which could result in a potential cost savings.

Source: **OIG-2013-04.**

In our 2013 Report, OIG recommended that the Department establish a code in its time and attendance system to capture overtime for canine technicians working in a non-Canine Unit capacity while earning technician pay. According to the Department's response dated July 9, 2014:

The Department has standard operating procedures in place for employees to be assigned to additional duty either assigned, drafted or as a qualified substitute. A qualified substitute is a full-duty employee assigned to *any organizational element* of the Department that will meet the operational requirements for the assignment. To restrict Canine Officers when they are qualified substitutes would violate Department policy and the FOP/USCP Collective Bargaining Agreement. Additionally, all overtime is already coded within the [REDACTED] System as 'FTE Shortage ...' with detailed information along with comments entered by their official as to where that employee was detailed.

USCP did not create an overtime code for tracking the overtime of canine technicians. Consequently, USCP could not determine the amount of overtime attributed to when working in a non-canine capacity. OIG reviewed the CBA to determine if restricting overtime to officers, based on their duty assignment, would violate the CBA. According to our analysis, restricting overtime would not be a direct violation of the CBA. CBA Article 3, Section 03.01(a)(2)(B), provides that USCP can assign work and determine the personnel by which operations are conducted. Thus, USCP could limit overtime for canine technicians, if needed.

We reviewed the legal opinion of the USCP Office of General Counsel (OGC) on the matter, CAA, FLSA, and the CBA about whether canine technicians should be paid at the higher rate while working overtime in a non-canine capacity. OGC stated that the FLSA provisions, made applicable to the USCP by the CAA, require that USCP canine technicians must be paid overtime for each hour worked in excess of the established 85-hour work period at the rate of one and one-half times their regular rate of pay regardless of the "capacity," role, or position they are working in and regardless of the post or duty to which they are assigned.

The CAA (2 U.S.C §1302) provides that FLSA applies to legislative branch employees, which includes the Department. Regarding overtime pay, FLSA (29 U.S.C § 207[b]) provides that employees of a collective bargaining agreement shall receive not less than one and one-half times the regular rate at which they are employed. Further, CBA section 18.02 states that additional compensation hours in excess of the 85-hour threshold will be compensated at a rate of one and one-half (1.5) times the regular hourly rate of pay. OIG agrees that canine technicians should be compensated at a rate of one and one-half (1.5) times the regular hourly rate when performing overtime in a non-canine capacity.

## **Conclusions**

USCP deliberated over limiting K-9 overtime and chose to forgo tracking overtime for technicians while in a non-canine capacity with a specific time and attendance code. OIG analysis also showed that technicians should receive overtime at a rate of one and one-half (1.5) times their regular rate of pay even when performing overtime in a non-canine capacity. OIG is not making a new recommendation in this area. Nevertheless, OIG iterates that the Department should track canine technicians' overtime in order strengthen the use of data and evidence to drive better decision-making and achieve greater impact and efficiencies.



# APPENDICES

## ***List of Recommendations***

**Recommendation 1:** We recommend the United States Capitol Police immediately update and document repeatable business controls and processes that include program management and inventory management and clearly communicate those controls to Department personnel and hold staff accountable for certifying inventory data and compliance with Department policies and procedures as well as documenting noncompliance issues in supervisors' performance appraisals.

**Recommendation 2:** We recommend the United States Capitol Police establish a written standard operating procedure for certification and training of standard explosive detection canine teams (Static). The standard operating procedure should specifically identify: the performance standards used to assess the K-9 teams; number of initial training weeks or hours for handler and canine; number of maintenance training hours required monthly; accountability process for ensuring canine technicians receive training and annual certification; where the training records are maintained and how long maintained.

**Recommendation 3:** We recommend the United States Capitol Police consider transitioning the Canine Unit from its 4-day, 10-hour workweek to a 5-day, 8-hour workweek, which will provide an additional day for training availability and operational readiness ensuring that each K-9 team receives the 16 hours of monthly maintenance training as required by *Scientific Working Group on Dog and Orthogonal detector Guidelines*. Transitioning to an 8-hour day would improve training opportunities for canine technicians, achieve the maintenance standards based on the *Scientific Working Group on Dog and Orthogonal detector Guidelines*, and eliminate the 81 hours of overtime each pay period for handler care paid under the 10-hour workday, resulting in an estimated \$166,000 in funds put to better use annually.

**Recommendation 4:** We recommend the United States Capitol Police establish a process or different reporting mechanism that ensures certifying officials are not the primary training instructors (trainers) involved in the day-to-day training of canine teams as the *Scientific Working Group on Dog and Orthogonal detector Guidelines* requires, which would reduce the perception of conflict of interest.



**Recommendation 5:** We recommend the United States Capitol Police update Standard Operating Procedure No. [REDACTED] to identify the performance standards used to assess Person Borne Improvised Explosive Device Canine (K-9) teams; number of initial training weeks or hours for handler and canine; number of maintenance training hours required monthly; accountability process for ensuring canine technicians receive maintenance training and annual certification; where the training records are maintained (system) and how long maintained.

**Recommendation 6:** We recommend the United States Capitol Police immediately enforce compliance of Standard Operating Procedure No. [REDACTED] dated July 24, 2019, and ensure that Canine Unit personnel are accountable for compliance with the Standard Operating Procedure. In addition, the Department should update the Standard Operating Procedure to include accountability language for noncompliance and provide guidance as to what a quarterly random Patrol/Mobile Response Division Operational Database system inspection consists of and provide training on the new Standard Operating Procedure.

**Recommendation 7:** We recommend that the United States Capitol Police Canine Unit (K-9) immediately enforce compliance of Standard Operating Procedure No. [REDACTED] dated November 21, 2013, and ensure that K-9 personnel are held accountable for noncompliance with the Standard Operating Procedure. In addition, the Department should update the Standard Operating Procedure to include accountability language for noncompliance and provide refresher training on the new Standard Operating Procedure.

**Recommendation 8:** We recommend the United States Capitol Police immediately document and communicate consistent goals, objectives, measures, and indicators for its Canine Program linking to the Department's strategic goals and objectives; thereby, ensuring accurate, reliable, and meaningful performance measures and accountability.

**Recommendation 9:** We recommend that the United States Capitol Police establish controls that will ensure it can trace purchased canines and replacement canines to vendor invoices as well as to the K-9 roster and the official inventory; thereby, providing adequate evidence that the Department did not accept donated dogs. In addition, the Department should seek reimbursement or a credit of \$7,822.85 for Canine [REDACTED], who was returned for medical reasons to the vendor on August 1, 2019, prior to the expiration date of the medical warranty and not replaced as of February 2020.



## DEPARTMENT COMMENTS



### UNITED STATES CAPITOL POLICE

OFFICE OF THE CHIEF  
110 D STREET, NE  
WASHINGTON, DC 20510-7218  
March 25, 2020

Phone: 202-224-4808

COP 191204

#### MEMORANDUM

**TO:** Michael A. Bolton  
Inspector General

**FROM:** Steven A. Sund  
Chief of Police

**SUBJECT:** Response to Office of Inspector General draft report *Follow-up Audit of the United States Capitol Police Canine (K-9) Program* (OIG-2020-08)

The purpose of this memorandum is to provide the United States Capitol Police response to the recommendations contained within the Office of Inspector General's (OIG) draft report *Follow-up Audit of the United States Capitol Police Canine (K-9) Program* (OIG-2020-08).

The Department generally agrees with the recommendations and appreciates the opportunity to work with the OIG to further improve upon the policies and procedures in place for the Canine (K-9) Program. The Department will assign Action Plans to appropriate personnel regarding each recommendation in effect in order to achieve long term resolution of these matters.

Thank you for the opportunity to respond to the OIG's draft report. Your continued support of the women and men of the United States Capitol Police is appreciated.

Very respectfully,

A handwritten signature in black ink, appearing to read "S. Sund".

Steven A. Sund  
Chief of Police

cc: Assistant Chief Chad B. Thomas, Uniformed Operations  
Assistant Chief Yogananda D. Pittman, Protective and Intelligence Operations  
Richard L. Braddock, Chief Administrative Officer  
[REDACTED] USCP Audit Liaison

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## ***CONTACTING THE OFFICE OF INSPECTOR GENERAL***

Success of the OIG mission to prevent fraud, waste, abuse, or mismanagement depends on the cooperation of employees and the public. There are several ways to report questionable activity.

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Call us at 202-593-3868 or toll-free at 866-906-2446. A confidential or anonymous message can be left 24 hours a day/7 days a week.

Toll-Free - 1-866-906-2446



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**Write us:**

***United States Capitol Police  
Attn: Office of Inspector General  
499 South Capitol St. SW, Suite 345  
Washington, DC 20003***



**Or visit us:**

***499 South Capitol Street, SW, Suite 345  
Washington, DC 20003***



You can also contact us by email at: [oig@uscp.gov](mailto:oig@uscp.gov)

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**When making a report, convey as much information as possible such as:  
Who? What? Where? When? Why? Complaints may be made anonymously or you may request confidentiality.**

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### **Additional Information and Copies:**

To obtain additional copies of this report, call OIG at 202-593-4201.

