



Assessment of Outside Employment and Voluntary Work

Report Number: OIG-2023-06

July 2023

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At a Glance:

The United States Capitol Police (USCP or Department) requires that all employees receive prior approval before participating in outside employment or voluntary work.

The Department has a formal process for documenting the approval process as well as worked to educate USCP employees on Department policies for outside employment and voluntary work. However, the Office of Inspector General (OIG) identified instances where USCP offices and employees did not comply with the Department's policies and procedures regarding outside employment and voluntary work.

Specifically, OIG identified weaknesses in the process for ensuring that submitted forms were complete and accurate. Through further evaluation, OIG identified that the Department's directive does not give the Office of Human Resources (OHR) the authority for ensuring that forms are complete and accurate before they are filed.

OIG also found a few instances where USCP employees participated in outside employment and voluntary work without submitting the required documentation and approval.

Background:

On April 23, 2019, the Department put into effect Directive [REDACTED] to ensure USCP employees abide by U.S. House of Representative Ethics Rules, regulations,

and Federal laws as well as USCP's ethics and rules of conduct. Specifically, the directive requires that "For paid outside employment activities, employees must submit a [REDACTED] *Request for Permission to Engage in Outside Employment*, through their chain of command, up to and including the Chief Administrative Officer (CAO), Assistant Chief of Police (ACOP), and Chief of Police (COP)...." Additionally, "If continuing to engage in paid outside employment or voluntary work, employees will submit annually a [REDACTED] through the chain of command and no later than 30 days prior to the expiration of the prior form(s)."

The directive specifies which types of outside employment and voluntary work are prohibited for USCP employees. For example, any outside employment or voluntary work requiring use of official USCP resources including time, vehicles, office space, equipment, email, official mailing lists, official letterhead, or USCP uniforms, credentials, weapons, ammunition, or badge/patch/seal or requires the employee to perform work for an outside entity while on official duty is prohibited. Also, any employment or voluntary work that could affect the efficient performance of duty associated with the Department, which might be incompatible with the maintenance of good order or efficiency of the Department, or which might be construed as a conflict of interest, is also prohibited.

Of the 2,342 total USCP employees, as of September 30, 2022, 83 employees (3.5 percent) submitted a request through a [REDACTED] to participate in outside employment or voluntary work during 2021 and 2022. The types of outside employment or voluntary work employees requested

included real estate agents, gym instructors/personal trainers, cake decorators, religious volunteer work, parent teacher association, and school coaches.

Results:

USCP employees and offices did not always comply with outside employment policies and procedures. For example, the Department's Directive [REDACTED] requires that any employees paid for outside employment or who participate in volunteer work must submit the appropriate form to gain prior approval through their chain of command, up to and including the CAO and ACOP. However, OIG identified business cards and flyers advertised on USCP bulletin boards that included two employees involved in outside employment but who had failed to obtain approval through the required process.

Additionally, three employees approved through the Department's process to participate in outside employment prior to 2021, continued their outside employment without completing the annual renewal request forms.

Further, of the 96 forms completed during the scope of our review, 26 had one or more approvers sign the form without checking the "approve" or "disapprove" box before forwarding up the chain of command for further approval as Department's policy requires. Finally, of the 96 forms, there were 4 instances where a required approver did not sign and designate either approve or disapprove on the form, although the form was forwarded up the chain of command.

The Department has worked to educate and remind employees about the outside

employment/voluntary work requirements through Department-wide bulletin reminders. USCP relies on employees to self-report their outside employment and voluntary work.

The Directive specifies responsibilities for each reviewer. OHR is the final step in the process and is designated by the directive to track and file employee forms, conduct annual reviews of requests on file, and maintain employee personnel files in accordance with USCP Records Management, which includes the completed [REDACTED] forms. Although designating that the COP, ACOP, and CAO ensure requests are in compliance with the USCP directive, the directive does not provide OHR the authority to review forms to ensure they are complete and accurate before they are filed.

Unless those USCP employees participating in outside employment or voluntary work do self-report, an inherent risk exists that employees could be participating in activities that do not comply with Department standards and ethics.

Recommendation 1: We recommend that the United States Capitol Police update Directive [REDACTED] to provide the Office of Human Resources with the authority to ensure that [REDACTED] forms are complete and accurate before being filed.

Conclusion:

Although the Department had a formal process for documenting the approval process as well as worked to educate USCP employees on Department policies for

outside employment and voluntary work, OIG identified instances where USCP employees participated in outside employment and voluntary work without receiving the required approval or without completing the required annual renewal form. Additionally, several forms were approved without reviewers properly completing the [REDACTED] either by not signing the form or by not checking the approve or disapprove box indicating the reviewers approval or disapproval.

Unless employees participating in outside employment or voluntary work self-report, an inherent risk exists that employees could be participating in activities that do not comply with Department standards and ethics.

Additionally, without providing OHR with the authority for ensuring forms are complete and accurate, employees can continue to submit request forms for outside employment and voluntary work that are not in compliance with Department policy.

APPENDICES

Objectives, Scope, and Methodology

In accordance with our *Annual Performance Plan Fiscal Year 2023*, dated November 2022, OIG conducted an assessment of the USCP's policy of outside employment. OIG objectives were to determine if the Department (1) established adequate internal controls and processes for ensuring compliance with Department policies, and (2) complied with applicable policies and procedures, as well as applicable laws, regulations, and best practices.

To determine if the Department established adequate internal controls and processes for ensuring compliance, we researched the Department's website and PoliceNet for applicable guidance and training. To determine compliance with applicable policies and procedures, we reviewed USCP [REDACTED] forms for compliance with the Department's policy. Additionally, we identified business cards and flyers advertising outside employment by USCP employees.

We conducted this review in Washington, D.C., from January through May 2023. We did not conduct an audit, the objective of which would be the expression of an opinion on Department programs. Accordingly, we did not express such an opinion. OIG did not conduct this analysis in accordance with generally accepted government auditing standards. Had we conducted an audit and followed such standards, other matters might have come to our attention.

Recommendations

Recommendation 1: We recommend that the United States Capitol Police update Directive [REDACTED] to provide the Office of Human Resources with the authority to ensure [REDACTED] forms are complete and accurate before being filed.

Department Comments



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July 13, 2023

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COP 231069

MEMORANDUM

TO: Ronald P. Russo
Inspector General

FROM: J. Thomas Manger
Chief of Police

SUBJECT: Response to Office of Inspector General draft report *Assessment of Outside Employment and Voluntary Work* (Report No. OIG-2023-06)

The purpose of this memorandum is to provide the United States Capitol Police response to the recommendation contained within the Office of Inspector General's (OIG) draft report *Assessment of Outside Employment and Voluntary Work* (Report No. OIG-2023-06).

The Department generally agrees with the recommendation and appreciates the opportunity to work with the OIG to further improve upon the policies and procedures in place for the Outside Employment and Voluntary Work Program. The Department will assign Action Plans to appropriate personnel to address and remediate this recommendation.

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 blue ink, appearing to read "J. Thomas Manger".

J. Thomas Manger
Chief of Police

cc: Jason R. Bell, Acting Assistant Chief for Protective & Intelligence Operations
Sean P. Gallagher, Acting Assistant Chief of Police for Uniformed Operations
Magdalena Boynton, Chief Administrative Officer
[REDACTED] Program Manager / Audit Liaison

