



Review of United States Capitol Police Recruiting Mechanisms and Reemployed Annuitant Program

Report Number: OIG-2023-08

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At a Glance:

USCP had recruiting mechanisms in place for augmenting officer staffing including the use of Reemployed Annuitants (RAs). USCP plans to use RAs as a temporary measure for augmenting officer staffing and bringing in trained officers with years of experience. As a result of USCP's increased recruiting efforts, the Department is making strides to becoming fully staffed.

Background:

The Office of Background Investigations and Credentialing (OBIC) is responsible for conducting United States Capitol Police (USCP or Department) sworn and civilian background investigations on potential employees, recruitment and outreach, building access card issuance, active and retired credentials, and supporting USCP stakeholders by conducting criminal record checks on employees and members of the congressional community. OBIC reports directly to the Chief Administrative Officer (CAO). Exhibit 1 illustrates the process of recruiting sworn personnel. The total time

for an applicant to become a sworn officer is approximately 3 to 5 months.

Exhibit 1: Process for Recruiting Personnel



Source: OBIC.

Recruitment for sworn personnel begins with USCP posting a police officer vacancy announcement on USAJOBS.¹ Current vacancy announcements open at the first of each month. USCP receives daily reports from USAJOBS of qualified candidates for review in APEX.² The adjudicators use the Peace Officer Background Investigation Tracking System (POBITS)³ to invite applicants to fill out Personal History Statements (PHS).⁴ During the adjudication phase, USCP conducts a criminal, driving, and credit records check to determine if an applicant meets *USCP Employment Suitability Standards* (Suitability Standards).

During the assessment phase, applicants attend an orientation session, take the Peace Officer Selection Test (POST) and Physical Readiness Test (PRT), and sit for a pre-hire

¹ USAJOBS is the Federal Government's official employment site and serves as the central place to find opportunities in hundreds of Federal agencies and organizations.

² According to the Department's website, APEX is USCP's first integrated talent management system designed to support professional development and ensure USCP employees can successfully achieve the Department's critical mission to protect and secure the U.S. Capitol and Congress.

³ POBITS is a computer-based background investigation tool used for managing, tracking, and reporting on candidates for the position of police officer.

⁴ The PHS is a questionnaire completed by an applicant for sworn and civilian positions and used in the background investigation to assist in determining an applicant's suitability for the position. The PHS includes information regarding citizenship, education, residences, financial history, employment history, military history, driving history, drug use, social media accounts, criminal history, and references.

interview. Applicants who successfully pass the POST and PRT usually receive a conditional offer of employment. Then OBIC invites the applicants to attend and participate in the examination phase.

The examination phase consists of psychological, medical, and physical readiness examinations. In the psychological examination, a USCP-hired contractor⁵ conducts a psychological examination that takes from 4 to 6 hours. The psychological testing is either in person or online. The medical examination determines if a candidate is medically qualified to perform the functional requirements of the job. The PRT consists of a 300-meter run, push-up test, and a 1.5-mile run. Candidates are required to certify they will be able to achieve or surpass the minimum standards based on their age and gender identity.

The field investigation phase consists of a background investigation of the candidate. The background investigation includes a thorough review and verification of the candidate's employment history; employer, residential, and personal references; and in-depth criminal and credit history as well as academic records.

⁵ OBIC uses various contractors to assist with recruiting sworn personnel.

⁶ The failure rate at each step is rounded and based on applicants that fail a particular step and may not represent the numerical representation in the chart because throughout the process applicants are removed for various reasons, which can skew the results. For example, in FY 2021, USCP reported that 62 percent of applicants failed the psychological examination. However, if one subtracts all the applicants removed before the psychological step the total applicants left would be 2,563. Of the 2,563 applicants, 480 failed the psychological testing leaving 2,083 applicants left in the process—or about

The candidate's official case file—a physical binder of documents—contains documentation obtained throughout the hiring process. In addition to the case file, USCP also keeps the candidate's records in POBITS.

Upon successful completion of the examination and field investigation phases, the results of an oral board, a final review and approval of the official case jacket is performed by OBIC, sworn personnel (Captain or above), and the CAO. OBIC then delivers the official case jacket to the Office of Human Resources, who sends the candidate an official notification for hire and provides further instructions regarding a start date.

During Fiscal Year (FY) 2021, USCP had 10,325 applicants for police officer vacancy announcements in USAJOBS as shown in the Table 1 below. After initial pre-screening of the 10,325 applicants, 2,001 (19 percent)⁶ failed to meet the minimum qualifications in USAJOBS. After USCP adjudication in POBITS of the remaining applicants, 5,014 (60 percent) did not move forward because of information obtained from their PHS, credit, criminal, and driving records check or did not complete all the POBITS requirements. The remaining applicants continued to the examinations

a 19-percent failure rate. OIG did not dispute the Department's failure percentages. The disparity between USCP's calculated percentage and OIG's percentage rate was because applicants were removed from consideration for various reasons including voluntarily withdrawing from the hiring process or involuntarily withdrew from the hiring process as a result of failure to provide requested information or failure to submit a PHS. Further, USCP designates candidates as inactive as a result of the applicant not scheduling examinations or receiving inconclusive examination results, which can also leads to removal from the hiring process.

phase that includes the POST, PRT, polygraph, psychological, and medical tests. Please note that the following steps may be taken in any order. For example, an applicant may pass the psychological exam and fail the polygraph exam. The Department provided the numbers associated with each step and reflect the loss of a certain number of applicants attributed to a specific step.

Of the remaining applicants, 479 (28 percent) failed the POST. Of those, 177 (52 percent) failed the PRT. For polygraph examinations, 91 (15 percent) applicants failed and 480 (62 percent) did not pass the psychological examination. As well, 128 of the applicants (23 percent) failed the medical examinations. The Department removed 1,850 applicants throughout the entire hiring process for various reasons, such as the applicant failing to provide needed information or failure to schedule examinations with the Department. The remaining 105 applicants, or about 1 percent of the original 10,325 applicants, ended up receiving conditional offers of employment from USCP.

Table 1: FY 2021 Failure Rate by Recruiting Step

Recruiting Steps	Failed at Each Step	Failure Rate Each Step
Total Applications	10,325	N/A
Failed Pre-Screening	-2,001	19%
Failed Adjudication	-5,014	60%
Failed POST	-479	28%
Failed PRT	-177	52%
Failed Polygraph	-91	15%
Failed Psychological	-480	62%
Failed Medical	-128	23%
Removed for Various Reasons	-1,850	N/A
Applicants Hired	105	

Source: OIG generated based on data provided by OBIC.

In a previous report—*Analysis of the United States Capitol Police Recruitment Program*, OIG-2019-09, dated August 2019—OIG reported that USCP did not have controls in place that would help identify, collect, process, and use qualitative information from preliminary steps of recruiting to the applicant's hire. The Department also did not track potential applicants identified during recruiting job fairs and new hires to a specific recruiting job fairs conducted during FY 2018. Additionally, USCP did not collect specific performance data that measured the outcome of the various types of recruiting efforts. Because they did not collect and report the names of interested candidates seen during recruiting events, recruiters could not follow up and/or track potential candidates through the assessment and hiring process. OIG made two recommendations addressing those issues. By June 2021, USCP had instituted measures designed to address the deficiencies from those listed in the report.

During its *Analysis of the United States Capitol Police Recruitment Program*, OIG-

2019-09, OIG became aware of issues regarding the contract for pre-employment psychological evaluations. OIG reported the issues in *Management Advisory Report: Pre-employment Psychological Evaluation Contract Issues*, Report Number OIG-2019-11, dated June 2019. OIG found 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 and the contractor's qualifications did not comply with the contract or best practices. In addition, OIG identified \$47,520 in improper payments of which \$1,740 were questioned costs. Further, 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 the contract was much higher at 46.4 percent. Additionally, the failure rate significantly changed from month to month, fluctuating from as low as 26 percent during one month to as high as 81 percent in another. That fluctuation affected the ability of USCP to fill recruit classes.

OIG recommended that USCP review the appropriateness of its contract for pre-employment psychological evaluations and determine whether additional controls would ensure compliance with the contract and recommended that the USCP take immediate action to collect unallowable costs of \$1,740. By September 2019, the Department had addressed the deficiencies by implementing a more robust contract monitoring program and recouped the \$1,740 in unallowable costs.

During this review, OIG received complaints related to the pre-employment psychological evaluation process, and OIG Investigations will conduct a further review of the matter.

In May 2023, the Department terminated its pre-employment psychological evaluations contract with the previous contractor and awarded it to a new contractor.

Results:

Overall, USCP had recruiting mechanisms in place that would address its recruiting needs including the use of RAs. USCP plans to use RAs for augmenting staffing and bringing in trained officers with years of experience. As a result of increased recruiting efforts, the Department is making strides toward becoming fully staffed.

Officer recruiting mechanisms and plans for addressing officer shortages

Figure 1: USCP Recruiting Event



Source: USCP.

USCP's mission is to protect Congress—its Members, employees, visitors, and facilities—so it can fulfill its constitutional and legislative responsibilities in a safe, secure, and open environment. The Department has faced severe officer shortages resulting from the breach of the Capitol on January 6, 2021, and through normal attrition. Additionally, in response to September 11, 2001, terrorist attacks, Congress granted additional officers to

USCP. Officers hired after those terrorist attacks are coming due for retirement, which is also adding to attrition of Department forces. To address officer shortages, USCP has been using a multi-faceted recruiting approach through YouTube, USAJOBS, and recruiting events, and increased pay over other law enforcement entities. As shown below in Table 2, recruiting numbers varied throughout FY 2019 and FY 2022. FY 2019 saw 10,247 applicants apply to the Department. For FY 2020, the number rose to 14,737 applicants but then dropped to 10,325 applications in FY 2021, and rose again to 11,591 during FY 2022.

Table 2: FY 2019 through May 2022 Applicants Hired

Recruiting Steps	Failed at Each Step			
	FY19	FY20	FY21	FY22
Total Applications	10,247	14,737	10,325	11,542
Failed Pre-Screening	-4,442	-4,099	-2,001	-4,366
Failed Adjudication	-4,445	-8,176	-5,014	-2,493
Failed POST	-86	-337	-479	-567
Failed PRT	-166	-75	-177	-124
Failed Polygraph	-76	-53	-91	-160
Failed Psychological	-216	-300	-480	-400
Failed Medical	-114	-47	-128	-186
Removed for Various Reason	-603	-1,597	-1,850	-2,963
Applicants Hired	99	53	105	283*

Source: OIG generated based on data provided by OBIC.

*47 applicants are still active and pending in the hiring process.

As of April 2023, only a small number of applicants will complete the USCP hiring process and become an officer. As presented in Table 2, in FY 2019 the Department hired 99 officers; in FY 2020 it

hired 53; in FY 2021 105 officers; and in FY 2022 it hired 283 officers.

According to the Department, USCP is successfully recruiting and training new police officers at a rate that will, in the next several months, put them above pre-pandemic and pre-January 6, 2021, staffing levels. The Department noted that such success comes at a time when most law enforcement agencies are struggling to bring in additional officers.

Figure 2: USCP Officer Graduation



Source: USCP.

USCP plans for the use of Reemployed Annuitants

Even with USCP's recruiting efforts the Department needs more officers to obtain optimum staffing levels. As of June 2023, USCP has been using security contractors at interior postings until more officers are hired. The drawback to using security contractors is that they are not trained police officers.

To help bring in more experienced officers USCP plans to use reemployed annuitant (RAs). In the Department's case, an RA is a former officer or special agent who is receiving, or meets the legal requirements, and has filed claim for annuity under either the Federal Government's Civil Service

Retirement System or Federal Employees Retirement System based on service. In most cases, an RA keeps their full annuity. As an officer, the annuitant's salary may be reduced by the amount of their annuity but as further enticement for recruiting, an agency has the option of requesting that the Office of Personnel Management (OPM) grant a dual compensation (salary offset) waiver so that the RA will not have their salary offset by the amount of their annuity.

OPM may grant salary offset waivers based on emergency hiring needs, severe recruiting difficulty, need to retain a particular individual, or based on unusual circumstances. According to the former CAO, OPM stated that the Department could provide a salary offset waiver for incoming RAs. The former CAO added that USCP plans to use RAs to augment the number of experienced officers in the Department.

RAs must have been a qualified officer with Federal Law Enforcement Training Accreditation training. USCP wants to get newly retired Federal officers that can be on post within 90 days of being hired. [REDACTED]

[REDACTED] As of January 2023, however, USCP has yet to hire any RAs.

Conclusion

USCP has used multiple recruiting mechanisms and plans to augment staffing levels through utilization of RAs. The Department should continue its current plans with recruiting officers and RAs.

APPENDICES

Objectives, Scope, and Methodology

In accordance with our Annual Performance Plan Fiscal Year 2022, OIG conducted a *Review of the Police Recruiting Mechanisms and Reemployed Annuitant (RA) Program*. Our objectives were to (1) determine USCP's current officer recruiting mechanisms and plans for addressing officer shortages and (2) examine USCP's use of reemployed annuitants. Our scope included controls, processes, and operations during FY 2019 through March 31, 2022. In some instances, we reviewed records subsequent to March 31, 2022, because it was the most recently available information at the time of our review.

To accomplish our objectives, we interviewed officials from OBIC and the Office of Administration, and reviewed documentation to gain an understanding of the process in the following areas:

- Recruiting Strategies at USCP
- USCP's proposed use of Reemployed Annuitants (RAs)
- Contractor support during the recruiting process
- OBIC procedures used during the recruitment phase

To determine compliance, we reviewed the following guidance, consisting of USCP Directives, Standard Operating Procedures (SOPs), interim guidance, and best practices:

- [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
- USCP Employment Suitability Standards, dated September 17, 2018
 - U.S. Government Accountability Office (GAO), *Standards for Internal Control in the Federal Government*, dated September 2014
 - 5 C.F.R. § 837, *Reemployment of Annuitants*, dated September 15, 1993
 - Office of Personnel Management, *Civil Service Retirement System (CSRS) and Federal Employees Retirement System (FERS) Handbook for Personnel and Payroll Offices*, dated April 1998

Objectives, Scope, and Methodology

The review scope was limited to recruiting and RAs so OIG only used the SOPs to determine if USCP was complying with USCP regulations related to recruiting so we did not perform significant testing.

OIG conducted this analysis in Washington, D.C., from March 2022 through March 2023. We did not conduct an audit, the objective of which would be the expression of an opinion on Department programs. Accordingly, we do not express such an opinion. OIG did not conduct this review 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. On July 26, 2023, we provided a draft copy of this report to Department officials for comment. OIG incorporated Department comments as applicable and attached their response to the report in its entirety as Appendix C.

Abbreviations and Acronyms

Chief Administrative Officer	CAO
Fiscal Year	FY
Office of Background Investigations and Credentialing	OBIC
Office of Inspector General	OIG
Peace Officer Background Investigation Tracking System	POBITS
Peace Officer Selection Test	POST
Personal History Statement	PHS
Physical Readiness Test	PRT
Reemployed Annuitant	RA
Standard Operating Procedures	SOP
United States Capitol Police	USCP or Department
Office of Personnel Management	OPM

Department Comments



UNITED STATES CAPITOL POLICE

OFFICE OF THE CHIEF
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July 27, 2023

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COP 231150

MEMORANDUM

TO: Ronald P. Russo
Inspector General

FROM: J. Thomas Manger
Chief of Police

SUBJECT: Response to Office of Inspector General draft report *Review of United States Capitol Police Recruiting Mechanisms and Reemployed Annuitant Program* (Report No. 2023-08)

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 *Review of United States Capitol Police Recruiting Mechanisms and Reemployed Annuitant Program* (Report No. 2023-08).

The Department would like to thank the Office of Inspector General for conducting this review on the Department's recruiting process and Reemployed Annuitant Program. I am pleased that the findings of this review confirm that the Department has adequate recruiting mechanisms in place for augmenting sworn staffing, to include the use of Reemployed Annuitants.

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 "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]

