



UNITED STATES CAPITOL POLICE OFFICE OF INSPECTOR GENERAL

Audit of USCP Off-Site Deployments

**Report Number OIG-2009-06
August 2009**

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UNITED STATES CAPITOL POLICE
WASHINGTON, DC 20003



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 audit, reviews, and investigative and special reports prepared by OIG periodically as part of its oversight responsibility with the respect to the United States Capitol Police 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. It is based on interviews with employees and officials of relevant agencies and institutions, direct observation, and a review of applicable documents.

The recommendations therein have been developed on the basis of the best knowledge available to the OIG, and have been discussed in draft with those responsible for implementation. It is my hope that these recommendations will result in more effective, efficient, and/or economical operations.

I express my appreciation to all of those who contributed to the preparation of this report.

Carl W. Hoecker

Carl W. Hoecker
Inspector General

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Abbreviations

Assistant Chief of Police	ACOP
Congressional Delegation	CODEL
Containment and Emergency Response Team	CERT
Dignitary Protection Division	DPD
Fiscal Year	FY
Government Accountability Office	GAO
Hazardous Materials Response Team	HMRT
Office of Inspector General	OIG
Office of Management and Budget	OMB
Office of General Counsel	OGC
Plan of Action	POA
Protective Services Bureau	PSB
United States Capitol Police	USCP or Department
United States Code	U.S.C.
United States Department of Justice	DOJ

Executive Summary

In accordance with our Fiscal Year (FY) 2009 annual plan, the Office of Inspector General (OIG) conducted an audit to determine (1) the applicable laws, United States Capitol Police (USCP or Department) directives governing operational and sworn deployments outside of the USCP geographical jurisdiction, (2) the internal decision making process to ensure deployments are in compliance with applicable regulations and laws, (3) if the Department has a process for determining whether deployments outside the jurisdiction for any purpose, especially for ceremonial purposes, are worth the cost, and (4) the affect of deployments on overtime costs. Our scope included deployments that occurred during the 27-month period of October 1, 2006 through December 31, 2008.

OIG found that the Department and its stakeholders do not have a shared interpretation as to the scope of deployments to be included in the Department's notifications for deployment off Capitol grounds. In most instances, the Department considers official travel off Capitol grounds a "direct nexus" to the USCP mission or one of the exceptions under the law and not a deployment; therefore, these activities are not reported under Title 2 United States Code (U.S.C) § 1978. Thus, based on this consideration of "direct nexus" the only off-site assignments for which the Department provides notification to Congress are primarily for ceremonial related events. OIG noted that "direct nexus" is a term that is used by the Department, and also not defined in legislation or Department directives.

Further, the Department does not have a written off-site deployment policy or guidance that reflects its current decision-making process, which would ensure compliance with applicable laws and repeatable business processes. As a result, the Department did not fully comply with the requirement to report costs anticipated to be incurred with respect to deployments. During the audit period, the Department's primary practice entailed reporting the number of officers utilized and purpose of the deployment but not anticipated or incurred costs. Additionally, the Department has not established a methodology for evaluating the worth of activities off its campus nor does it perform a cost/benefit analysis taking into consideration both cost and non-monetary factors. Thus, we were unable to evaluate the benefits derived from such activities or the affect on overtime, or the impact on the need for additional resources.

OIG recommends that the Department, in coordination with the Capitol Police Board and the Committees, establish policies and procedures clearly defining terms such as "direct nexus" to the mission, and the three exceptions under 2 U.S.C. § 1978; document its internal decision-making process; establish a process to collect and evaluate costs and benefits related to all off-site deployments regardless of the definition to ensure efficient and effective workforce management.

BACKGROUND

Legislative authority is stated in 2 U.S.C. § 1978, *Deployment Outside of Jurisdiction*. The specific geographical jurisdiction of the Department is identified in 2 U.S.C. § 1967, *Law Enforcement Authority*.

The Chief of Police authorizes deployments for ceremonial purposes and the Assistant Chief of Police (ACOP) is responsible for authorizing operations off Capitol grounds, which have a “direct nexus” to the mission such as protective services and intelligence gathering.

The following USCP General Orders provide additional operational guidance as it related to travel off Capitol grounds.



The Committees have remained concerned about the Department’s management of staff resources as it relates to the deployment of sworn officers. In September 2008, the U.S. House of Representatives Subcommittee on Legislative Branch Appropriations requested the Government Accountability Office (GAO) provide an opinion regarding the Department’s compliance with 2 U.S.C. § 1978, when it deployed personnel to Texas following Hurricane Ike. In a January 30, 2009 response, GAO found that the Department was within their statutory authority to exercise such a deployment, since they believed that the questioned deployment constituted an emergency and, therefore, met one of the three exceptions under the statute. However, they acknowledged that there was some uncertainty regarding USCP’s interpretation of 2 U.S.C. § 1978 and recommended that USCP establish policies and procedures as to what constitutes a deployment outside the area established by law for the jurisdiction of the Department.

The term “off campus activities” used in this report refers to sworn member(s) of the USCP on duty who travels beyond the outward facing boundaries of the USCP secondary jurisdiction, excluding: liaison, training, motorcade escort, exigent circumstances, an official investigation, “D-checks,” routine patrol, and continuation of operation.

OBJECTIVES, SCOPE, AND METHODOLOGY

On behalf of the OIG, Cotton & Company LLP performed an audit of the Department's off-site deployment policies to determine:

1. the applicable laws, Capitol Police Board (the Board) policy, and USCP directives governing operational and sworn deployments outside of its geographical jurisdiction,
2. the decision process to ensure deployments are in compliance with applicable regulations and laws,
3. if the Department has a process in place for determining whether deployments outside the jurisdiction for any purpose, especially for ceremonial purposes, are worth the cost, and
4. the affect of deployments on overtime/additional duty costs.

Our scope included deployments that occurred during the 27-month period of October 1, 2006 through December 31, 2008.

To accomplish our objectives, we interviewed key staff from the Dignitary Protection Division (DPD), Hazardous Materials Response Team, Special Events, the Commander of the Investigations Division, and the Assistant Chief of Police. We also reviewed deployment expense documentation to the extent available.

Further, we reviewed Department operational and program data; applicable Federal laws and Department directives; written policies; and interviewed sworn and civilian officials regarding policies and procedures relevant to deployments. In addition, to gain a better understanding of how the Department monitors compliance, we reviewed travel cost data and applicable reporting documents. Further, we obtained examples of threat assessments, plans of action (POA), and after action reports for off campus travel. For the 17 events the Department reported as deployments, we reconciled to related notification memos, travel reports, and time and attendance documents related to overtime and compensatory time. Specifically, we judgmentally selected 2 of 17 deployments reported to Congress to determine overtime and compensatory costs. Accordingly, we reviewed assigned officers' time and attendance reports for overtime and compensatory costs. Additionally, we reviewed Department reprogramming of funds for travel and overtime for the audit period.

We conducted fieldwork in Washington, D.C., from February through June 2009. We conducted this performance audit in accordance with *Government Auditing Standards* issued by the Comptroller General of the United States. These standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to 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 July 9, 2009, we conducted an exit conference with Department officials and incorporated comments as applicable.

RESULTS

Applicable laws outline the requirements for approval and notice of deployments and provide the USCP's jurisdiction to the geographical area of the Capitol campus, except for physical protection of members. However, the Department and stakeholders do not have a shared interpretation of what constitutes a deployment outside the Capitol campus for notification purposes. The Department also does not have written policies and procedures regarding its internal decision process related to deployments. As a result, the Department did not fully comply with the notice requirement of providing the anticipated costs to be incurred with a deployment. Furthermore, regardless of the definition of deployment, the Department does not have a formalized process in place to collect and evaluate the true costs of activities outside the Capitol campus or benefits derived, and its affect on overtime or additional resources.

Applicable Laws

2 U.S.C. § 1978 outlines the requirements for notice and approval for deployment outside of USCP's jurisdiction. The law states, that the Chief of Police may not deploy any officer outside of the areas established by law for the jurisdiction of USCP unless, (1) the Chief provides prior notification to the Committee on Appropriations of the House of Representative and the Senate of the costs anticipated to be incurred with respect to the deployment and (2) the Capitol Police Board gives prior approval to the deployment. The law also notes exceptions for the following services (1) responding to an imminent threat or emergency, (2) intelligence gathering, and (3) providing protective services. However, the law does not define emergency or intelligence gathering, which allows for differing interpretations. As a result, the Department and its stakeholders do not have a shared understanding as to activities to be included in the Department's notifications for deployment off of Capitol grounds.

In most instances, the Department considers official travel off Capitol grounds a "direct nexus" to its mission and not a deployment; therefore does not require these activities to be reported under 2 U.S.C. §1978. For example, USCP deployed two officers to El Paso, Texas, to interview a former officer alleged to have made threatening statements concerning the 2009 Presidential Inauguration. The Department considered this a "direct nexus" or an intelligence-gathering mission and did not report this activity as a deployment. Thus, based on this consideration of "direct nexus" the only off-site deployments for which USCP provides notification to Congress are primarily for ceremonial related events. OIG noted that "direct nexus" is a term that is used by the Department, and not defined in legislation or Department directives.

In a September 20, 2005 memorandum, the then Chief attempted to seek clarification as to scope of deployments to be included in the Department's notifications of deployment off Capitol grounds. The then Chief sought written approval from the Capitol Police Board to allow officers to conduct various activities off Capitol grounds without obtaining prior approval from the Board or providing notification to the Committees. Such activities included training, conferences, participation in employee funerals, court

appearances, competitions, criminal/administrative investigations, and routine business meetings. However, the memorandum was not fully adopted or implemented.

According to officials, in the “last few years, the committees have verbally communicated to the Department that local funeral attendance by the Ceremonial Unit, agency training, or participation in local events related to Police Week generally do not require formal notification to the Committees.” However, we noted that the Department reported Police Week activities in May 2008. It is unclear how these activities relate to the September 2005 memorandum or whether this informal agreement essentially supersedes the memorandum. Without a clear understanding and clarification of specific terms and activities that are excluded from formal notification, the Department cannot ensure compliance with the law.

Conclusions

Stakeholders and Department officials do not have a shared interpretation of the statute. Additionally, the Department has not defined key terms such as “direct nexus,” imminent threat and emergency, or intelligence gathering, which allows for very broad implementation and exceptions that can warrant off-site activities without notification. Thus, OIG is making the following recommendation.

Recommendation 1: We recommend that the United States Capitol Police, in coordination with the Capitol Police Board and Committees of jurisdiction, establish a policy clearly defining terms such as deployment, “direct nexus” to the mission, and the three exceptions under 2 U.S.C. § 1978 and establish a complete listing of off campus activities that do not require formal notification.

Decision Process

The Department does not have a written repeatable business process as to how it makes a determination as to when to deploy, regardless of whether they report the activity as a deployment to the Committees. The most significant step in any decision making process is describing why a decision is called for and identifying the most desired outcome(s) of the decision making process.

The current decision-making process, as determined from interviews and correspondence, begins with an informal communications to the ACOP from various sources to include Board, subordinates, and others. These notices or communications come in different forms, such as verbal, email, or open source (news, tips, intelligence gathering, etc.). The ACOP forwards any creditable requests to its Investigations Division Threat Section in the form of a “tasking” for assessment. If the threat levels are determined to be elevated, the ACOP evaluates the resources needed for the deployment. The Department then documents in a mission Plan of Action (POA) the staffing and equipment requirements,

deployment purpose, dates, and locations. Staffing is determined based on the needs of the assignment as documented in the threat assessment.

However, currently the Department does not track all requests made to the ACOP. Accordingly, there is no complete record of off-site requests or assignments that are subsequently denied. The Department only documents instances of authorized activities. An exception to this relates to requests for protective details by Members of Congress. In those instances, a threat assessment is completed and documentation is retained, even if the request is denied.

Conclusions

The decision-making process is not adequately documented. Piecemealed documentation exists; however, a unified documented policy that describes the decision-making process from start to finish, regardless of the deployment definition, would assist in workforce management and ensure compliance with the notification requirement. A written business process would also enrich interoperable communications to provide advanced customer service, reliability, and better operational effectiveness. Thus, OIG is making the following recommendation.

Recommendation 2: We recommend that the United States Capitol Police immediately document its decision-making process as it relates to off campus activities. This process should include a step-by-step narrative of each procedure and who performs the procedure, beginning with a request for protection, intelligence gathering, threat assessment, or other and ultimately ending with the decision. This written procedural guideline should clearly describe the roles and responsibilities of key personnel and reporting requirements of each situation. In complying with this and other recommendations in this report, the Department should consider “principle based” guidance which enables the Department to articulate how a potential off campus activity should be acted upon.

Compliance

Compliance with 2 USC § 1978 requires Capitol Police Board approval and Committee notification when the Department decides to deploy outside of USCP jurisdiction. The anticipated cost of the deployment is a required component of the notification. For the audit period, the Department provided notification of 17 deployments off the Capitol campus as shown in Appendix A. Specifically in its notifications, the Department provided a manpower count and a statement that those officers would not work beyond their normal tour of duty, but no cost information. There was no information regarding the potential for straight-time or overtime to be incurred by the personnel necessary to replace (backfill) the ceremonial officer at their normal post. The Department has not implemented a formalized process to collect and evaluate the true cost of such deployments. Accordingly, without procedures for identifying and capturing all relevant

costs the Department lacks the ability to determine anticipated costs necessary to fulfill its notification requirements.

Therefore, we obtained data from the USCP time and attendance system, [REDACTED] to determine the number of hours associated with ceremonial events during the period October 1, 2007 through December 31, 2008. As shown in Table 1, the Ceremonial Unit charged approximately 800 hours to overtime and compensatory time (Comp time). As [REDACTED] does not provide costs, using its data and an average rate of pay, we calculated that the Ceremonial Unit incurred about \$65,385 for activities during the 15-month period. Additionally, we calculated a cost of approximately \$65,000 for personnel replacement cost (backfill).

Table 1 - Analysis of Ceremonial Unit Hours

<i>Work Hours</i>	<i>Total</i>
Overtime	692.75
RegTime	674.50
CompTime ST	33.00
CompTime OT	67.75
Straight Time	95.50
RegTime + NightDiff	21.50

Source: USCP time and attendance system [REDACTED]
Ceremonial Unit code for the period October 1, 2007
through December 31, 2008.

The [REDACTED] data also showed that during the same 15-month period, sworn officers charged the Ceremonial Unit code to 24 events. We then reconciled the ceremonial events identified in [REDACTED] to the deployment notification memos. The Department reported 11 ceremonial deployments during this time. We confirmed that the other 13 events occurred on the Capitol campus. However, we noted several inconsistencies in what was reported on the notification memos, ACOP memos and in [REDACTED]. For example, November 1, 2008, U.S. Secret Service Wreath Laying Ceremony, the notification memo showed the number of officers as 2 with no costs, while [REDACTED] showed 3 officers charged time to the event with about 18.5 hours in combined overtime and compensatory time. Additionally, in some cases, we noted the names of officers identified in the ACOP memos were different from the names of officers charging time to the event/code in the time and attendance system. In another example, on June 26, 2008, the Edward R. Roybal Legacy Gala, the notification memo showed the number of officers as 7 with no costs, while [REDACTED] showed those officers charged a combined total of 82 hours for this event, of which 26 hours were overtime hours. We also noted that 6 of these 7 officers charged a total of 150 hours of overtime during this same pay period.

Conclusions

The Department did not comply with the full intent of 2 USC § 1978. In 16 of 17 deployments, the Department did not provide total anticipated cost information in its notifications to the Board and the Committees. Implementing procedures that would capture and provide useful information to the Department in management of its

workforce and monitoring the actual costs of such deployments would afford greater accountability and ensure compliance with applicable laws regarding Committee notifications. Thus OIG is making the following recommendation.

Recommendation 3: We recommend that the United States Capitol Police immediately implement procedures to capture and document estimated and actual costs in all off campus activities. Further, analysis of estimated to actual costs should be performed to ensure that anticipated costs provided to the Committees are reasonable estimates.

Cost and Benefit Affect of Off-Site Assignments

The Department also does not track the cost affect of activities off the Capitol campus, which it considers a “direct nexus” to the mission, and has no methodology for determining any resultant benefits. However, the Department does track travel costs associated with activities such as protective services and intelligence gathering, but it does not capture any benefits or the true costs of additional manpower or overtime. Specifically, the Protective Services Bureau (PSB) tracks travel costs for protective detail, intelligence gathering/threat assessment, and security briefings. PSB captures only travel costs for airfare, lodging, and per diem, but excludes manpower costs. As stated before, the POA lists the staffing and equipment needs, deployment mission, dates, and locations and a related after action plan provides the actual travel costs incurred.

During the audit period, PSB recorded 440 protective services detail assignments with travel costs of \$6,417,244 as shown in Table 2. Of the 440, there were 39 protective services for Congressional Delegations and 11 security assessments. The remaining protective services assignments travel costs totaled \$5,821,463. We did note that for some special events such as congressional retreats, the Department did assign a specific code in [REDACTED] to capture manpower hours. However, event codes were not consistently used for tracking hours related to specific deployments activities off the Capitol campus. Additionally, the Department did not translate manpower hours into personnel costs.

Table 2 - Off-Site Protective Services

Activity	Number	Travel Cost	Purpose
Protective Services	39	\$577,039	Congressional Delegations
Protective Services	390	\$5,821,463	Protective Details
Protective Services	11	\$18,742	Security Assessments
TOTAL	440	\$6,417,244	

Source: USCP Protective Services (travel database) for the period October 1, 2006 through December 31, 2008.

In addition to the detail assignments, PSB reported 9 intelligence gathering/threat assessment assignments with reported travel costs of \$22,883 and 27 security briefings with travel costs of \$29,913 as shown in Table 3. Additionally, the Department incurred travel costs of \$954,116 for the Democratic and Republican National Conventions.

Table 3 – Additional PSB Travel

<i>Activity</i>	<i>Number</i>	<i>Travel Cost</i>	<i>Location</i>
Intelligence Gathering	9	\$22,883	Minnesota, Missouri, West Virginia, Texas, Kansas, New Hampshire, California, and North Carolina
Security Briefings	27	\$29,913	West Virginia, Texas, Minnesota, Florida, Pennsylvania, Illinois, South Carolina, Arizona, Kentucky, Oregon, Nevada, Colorado, Maine, Washington, California, and Louisiana
Conventions	2	\$954,116	Colorado, and Minnesota
TOTAL		\$1,006,912	

Source: USCP Protective Services (travel database) for the period October 1, 2006 through December 31, 2008.

In as much as off campus activities are a definitional matter, they are also a resource management issue. The Department has an opportunity to enhance the management of its resources. The lack of capturing total costs for assignments off campus could potentially lead to a violation of the Anti-Deficiency Act. For example, during the FY 2007 financial audit, we noted that the Department had to reprogram funds to fully fund travel vouchers for PSB's protective detail after the end of the fiscal year. Shown in Table 4, are examples of funds reprogrammed during FY 2007, to cover PSB's travel program.

Table 4 - Reprogramming of Funds for DPD Travel

<i>Date</i>	<i>Amount</i>	<i>Justification</i>
10/12/07	\$63,988	To move funds from Office of Financial Management (OFM) to DPD travel. Accounting period 13 of FY 2007.
9/24/2007 9/27/2007	\$140,079	To cover the DPD travel program that have come in during the last few weeks and the anticipated ones for the remaining two days of the fiscal year.
9/07/2007 9/17/2007	\$30,919	To move funds into DPD travel program for a new leased vehicle.
7/03/2007 7/25/2007 8/06/2007	\$228,415	To reprogram additional funds for DPD based upon travel funds expended to date and projected travel for the remainder of the fiscal year.

Source: OIG generated from various OFM emails to Appropriations' staffers and reprogramming worksheets as of 9/30/07. FY 2007 Financial Statement Audit (OIG-2008-03).

Additionally, during FY 2007, the Department transferred \$541,724 and \$450,000 on September 24, 2007 and September 27, 2007, respectively, from the General Expense Fund to the Salaries Fund.

These reprogrammings and transfers occurred, in part, because the Department could not reasonably estimate the amount needed for travel or overtime as there are always unexpected or critical last minute needs. Nevertheless, developing standards for evaluating the worth of a project, and capturing all travel and manpower costs associated with off-site assignments could assist the Department in realizing efficiencies in managing its scarce resources and minimize budget reprogrammings.

In terms of benefits, the Department has no documented standard or mechanism to measure benefits derived from off campus activities. Consideration of benefits and worth of off campus activities has an intangible element that varies based on the reasons for the deployment. For instance, while a cost analysis can be (and should be) performed for ceremonial unit events, any valuation of resultant benefits would likely be measured in terms of goodwill, morale, public image perspectives, and recruiting potential. For other off campus activities, such as intelligence gathering, there is a cost/benefit analysis that should be performed at the outset in determining whether to incur personnel and travel cost for USCP officers or to request assistance from local law enforcement agencies. Ideally, this analysis would result in articulating situational facts against principle based Departmental guidance. Even in those circumstances there are intangible benefits to consider such as preventing and protecting the legislative branch of government and its members, which may outweigh the cost factors in determining whether to conduct such off campus activities. Clearly this will be challenge for the Department as it will be difficult to apply cost/benefit analyses to security measures.

Conclusions

As previously mentioned, the Department does not have procedures to track complete costs for all off campus activities. Likewise, the Department has not developed a standard to determine the worth or benefits of activities off the Capitol campus. Some of the benefits derived from these activities are intangible and certainly challenging to measure. In addition to the previous recommendation that speaks to cost, OIG is making the following recommendation relating to benefits derived.

Recommendation 4: We recommend that the United States Capitol Police develop written measures and standards for off campus activities. This effort should coincide with the Department's written off campus decision process recommended previously in this report. The Department should consider "principle based" guidance which enables the Department to articulate how a potential off campus activity benefits the Department.

APPENDICES

Deployment Notifications

	<i>Event Date</i>	<i>Unit</i>	<i>Number of Officers</i>	<i>Purpose</i>	<i>Board Approval</i>	<i>Committee Notification</i>	<i>Anticipated Cost Provided</i>
1.	11/13/2006	Ceremonial	7	U.S. Attorney's Office for DC Awards Ceremony	YES	YES	NO
2.	04/03/2007	Commander Investigations Division	Unknown	Execute Arrest Warrant for Wright Patman Congressional Federal Credit Union Theft	YES	YES	NO
3.	05/08/2007	Ceremonial	9	Police Week 12 th Annual Blue Mass	YES	YES	NO
4.	06/15/2007	Ceremonial	6	Presentation of Colors at 2007 National Hispanic Prayer Breakfast	YES	YES	NO
5.	06/22/2007	Ceremonial	12	Funeral Services for Howard County Police Officer Scott Wheeler	YES	YES	NO
6.	07/12/2007	K-9	1	The Humane Society of Charles County, Careers with Animals	YES	YES	YES
7.	11/01/2007	Ceremonial	7	Awards Ceremony for the U.S. Attorney's Office	YES	YES	NO
8.	03/07/2008	Ceremonial	7	U.S. Department of Justice Training Day Ceremony	YES	YES	NO
9.	03/13/2008	Ceremonial	5	U.S. Hispanic Chamber of Commerce Legislative Award Dinner	YES	YES	NO
10.	04/24/2008	Ceremonial	7	National Women's History Month Ceremony for U.S. Attorney's Office	YES	YES	NO
11.	05/14/2008	Ceremonial	6	International Graduate University 41st Anniversary Dinner Celebration	YES	YES	NO

Appendix A
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	<i>Event Date</i>	<i>Unit</i>	<i>Number of Officers</i>	<i>Purpose</i>	<i>Board Approval</i>	<i>Committee Notification</i>	<i>Anticipated Cost Provided</i>
12.	05/12/2008- 05/16/2008	Mixed Units	41	Police Week Activities - Candlelight Vigil, 14th Annual Blue Mass, National Honor Guard Competition, Survivors' Vigil, The Airport Runs, Arlington County Police Memorial Service	YES	YES	NO
13.	06/26/2008	Ceremonial	7	Edward R. Roybal Legacy Gala	YES	YES	NO
14.	09/25/2008	Ceremonial	7	National Organization of Murdered Children, Inc.	YES	YES	NO
15.	10/15/2008	Ceremonial	7	National Law Enforcement Officer's Memorial Fund's 17th Annual Wreath Laying Ceremony	YES	YES	NO
16.	11/1/2008	Ceremonial	2	U.S. Secret Service Wreath Laying Ceremony	YES	YES	NO
17.	11/13/2008	Ceremonial	7	U.S. Attorney's Office for DC Awards Ceremony	YES	YES	NO

Summary of Recommendations

Recommendation 1: We recommend that the United States Capitol Police, in coordination with the Capitol Police Board and Committees of jurisdiction, establish a policy clearly defining terms such as deployment, “direct nexus” to the mission, and the three exceptions under 2 U.S.C. § 1978 and establish a complete listing of off campus activities that do not require formal notification.

Recommendation 2: We recommend that the United States Capitol Police immediately document its decision-making process as it relates to off campus activities. This process should include a step-by-step narrative of each procedure and who performs the procedure, beginning with a request for protection, intelligence gathering, threat assessment, or other and ultimately ending with the decision. This written procedural guideline should clearly describe the roles and responsibilities of key personnel and reporting requirements of each situation. In complying with this and other recommendations in this report, the Department should consider “principle based” guidance which enables the Department to articulate how a potential off campus activity should be acted upon.

Recommendation 3: We recommend that the United States Capitol Police immediately implement procedures to capture and document estimated and actual costs in all off campus activities. Further, analysis of estimated to actual costs should be performed to ensure that anticipated costs provided to the Committees are reasonable estimates.

Recommendation 4: We recommend that the United States Capitol Police develop written measures and standards for off campus activities. This effort should coincide with the Department’s written off campus decision process recommended previously in this report. The Department should consider “principle based” guidance which enables the Department to articulate how a potential off campus activity benefits the Department.

DEPARTMENT COMMENTS



UNITED STATES CAPITOL POLICE

OFFICE OF THE CHIEF

1100 MONTGOMERY AVE.

WASHINGTON, DC 20540-1011

August 5, 2009

MEMORANDUM

TO: Mr. Carl W. Hoecker
Inspector General

FROM: Phillip D. Morse, Sr.
Chief of Police

SUBJECT: Response to Draft Report Audit of USCP Off-Site Deployments (Report No. OIG-2009-06)

The purpose of this memorandum is to provide the United States Capitol Police Department's responses to the Office of the Inspector General's (OIG's) *Draft Report Audit of USCP Off-Site Deployments* (Report No. OIG-2009-06).

After review of the audit findings and recommendations, the Department generally concurs with the recommendations in the draft report.

Recommendation 1: We recommend that the United States Capitol Police, in coordination with the Capitol Police Board and Committees of jurisdiction, establish a policy clearly defining terms such as deployment, "direct nexus" to the mission, and the three exceptions under 2 U.S.C. § 1978 and establish a complete listing of off campus activities that do not require formal notification.

USCP Response: We generally agree and will work with the Capitol Police Board and Committees to clearly define the parameters of a deployment off campus. In addition, deployments off campus that will not require formal notifications will be identified.

Recommendation 2: We recommend that the United States Capitol Police immediately document its decision-making process as it relates to off campus activities. This process should include a step-by-step narrative of each procedure and who performs the procedure, beginning with a request for protection, intelligence gathering, threat assessment, or other and ultimately ending with the decision. This written procedural guideline should clearly describe the rules and responsibilities of key personnel and reporting requirements of each situation. In complying with this and other recommendations in this report, the Department

should consider "principle based" guidance which enables the Department to articulate how a potential off campus activity should be acted upon.

USCP Response: We generally agree and will work to establish operating procedures for off campus deployments. The procedures will consist of identifying roles and responsibilities of all personnel involved in the request and approval process. As written above, this procedure will also include the parameters for determining if the request meets the initial policy for off campus deployments.

Recommendation 3: We recommend that the United States Capitol Police immediately implement procedures to capture and document estimated and actual costs in all off campus activities. Further, analysis of estimated to actual costs should be performed to ensure that anticipated costs provided to the Committees are reasonable estimates.

USCP Response: We generally agree and plan to include in our procedures a mechanism to document and capture estimated and actual costs for all off campus deployments. This mechanism will include procedures to analyze the actual costs after the deployments and compare these to our original estimates to ensure that our cost estimating procedures are producing reasonable estimates. In addition, we will include a procedure to ensure proper accounting in our Time and Attendance records for time spent at off campus deployment events, including overtime. Measures will be taken to accurately capture overtime that is anticipated while performing an off site deployment and this estimate will be properly identified in Committee and Board correspondence.

Recommendation 4: We recommend that the United States Capitol Police develop written measures and standards for off campus activities. This effort should coincide with the Department's written off campus decision process recommended previously in this report. The Department should consider "principle based" guidance which enables the Department to articulate how a potential off campus activity benefits the Department.

USCP Response: We generally agree and in conjunction with operating procedures developed as a result of recommendations 1-3, the initial request to participate in an off campus deployment will include along with a justification for the deployment a detailed summary describing the advantages of the deployment.

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

Very respectfully,

A handwritten signature in black ink, appearing to read "P. Morse, Sr.", with a stylized flourish at the end.

Phillip D. Morse, Sr.
Chief of Police

cc: Capitol Police Board
Chief Administrative Officer
Assistant Chief of Police
USCP Audit Liaison

