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UNITED STATES CAPITOL POLICE
OFFICE OF INSPECTOR GENERAL

Review of the Events Surrounding the January 6, 2021, Takeover of the U.S. Capitol

Flash Report: Containment Emergency Response Team and First Responders Unit

Investigative Number 2021-I-0003-D

June 2021

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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 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. Because this is a flash report, we did not discuss the draft findings 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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[redacted]

Abbreviations and Acronyms

Counter Assault Team	CAT
Containment Emergency Response Team	CERT
Civil Disturbance Unit	CDU
Dignitary Protection Division	DPD
Federal Law Enforcement Training Center	FLETC
First Responders Unit	FRU
Fiscal Year	FY
Metropolitan Police Department	MPD
Noise Flash Diversionary Device	NFDD
Office of Inspector General	OIG
Operational Services Bureau	OSB
Property Asset Management Division	PAMD
Protective Services Bureau	PSB
Special Operations Division	SOD
Standard Operating Procedure	SOP
Uniformed Services Bureau	USB
United States Capitol Police	USCP or Department

EXECUTIVE SUMMARY

On January 6, 2021, a physical breach of U.S. Capitol Building security occurred during a Joint Session of Congress to certify the Electoral College vote. [redacted]

In accordance with our statutory authority Public Law (P.L.) 109-55, the USCP Office of Inspector General (OIG) began a review of the events surrounding the takeover of the U.S. Capitol on January 6, 2021. Our objectives for this review were to determine if the Department (1) established adequate measures for ensuring the safety and security of the Capitol Complex as well as Members of Congress, (2) established adequate internal controls and processes for ensuring compliance with Department policies, and (3) complied with applicable policies and procedures as well as applicable laws and regulations. The scope included controls, processes, and operations surrounding the security measures prior to the planned demonstrations and response during the takeover of the Capitol building.

Based on ongoing work, this flash report is designed to communicate deficiencies with the Department's Containment Emergency Response Team (CERT) and First Responders Unit (FRU) operations. In Report Number 2021-I-0003-A, *Review of the Events Surrounding the January 6, 2021, Takeover of the U.S. Capitol, Flash Report: Operational Planning and Intelligence,* dated February 2021, OIG reported a lack of a comprehensive, Department-wide operational plan and inconsistencies in how the Department planned to use CERT on January 6, 2021. Our work revealed further deficiencies and inconsistencies with how the Department planned to use CERT on January 6, 2021. In Report Number 2021-I-0003-A, OIG recommended that in order to improve its operational planning capabilities, USCP should implement detailed guidance for operational planning.

The Department should increase oversight and define a mission for CERT that better supports its primary mission of security and protection of Congress. Realigning CERT from the Special Operations Division (SOD) to the Protective Service Bureau (PSB) would provide the Department more opportunities for using CERT in support of protection details, congressional delegations, air operations, and motorcades. Implementing recurring training between CERT and other USCP elements it may support and assuming a greater role in pursuing appropriate, mission driven training opportunities for CERT from its Federal partner agencies would assist the Department in developing competencies within CERT that are appropriate for improving the Department's ability to achieve its mission. The Department did not have adequate, updated Standard Operating Procedures (SOPs) in place for CERT, and the Department did not always

comply with guidance related to tactical command, communication device function checks, instructor certification, weapons qualifications, or equipment inventories.

The Department did not have adequate, updated SOPs in place for FRU operations. A lack of adequate and updated policies and procedures can create ambiguity and lack of accountability and coordination. As well, a lack of adequate policies and procedures can also inhibit readiness for FRU and loss of Department equipment. Additionally, completion of monthly remote locking devices drills and resources such as less lethal weapons, mountain bicycles, physical access, and training are needed for FRU to successfully complete its mission. [redacted]

This is the fourth in a series of flash reports OIG is producing as part of the ongoing review of the events surrounding the takeover of the U.S. Capitol on January 6, 2021. Therefore, we may still perform additional, in-depth work related to these areas during our review. We anticipate that our next flash report will focus on the Department's Command and Coordination Bureau.

BACKGROUND

The Department's Operational Services Bureau (OSB) is one of the three operational bureaus reporting to the Assistant Chief of Police for Uniformed Operations. USCP PoliceNet[1] states that the mission of OSB is to "provide specialized and emergency response to support the Department's operational needs. This is accomplished in the form of specialized training, enforcement, coordination, planning, equipment, and response policy development." Divisions within OSB are the Hazardous Incident Response Division and the Special Operations Division (SOD).

SOD provides police services on the Capitol Grounds and other areas through motorized, bicycle and foot patrols; canine operations; prisoner processing and transportation; drug and alcohol enforcement; crime scene search; and the Containment and Emergency Response Team (CERT).

According to USCP Directive [redacted], dated May 28, 2012, "the Department provides ready response for situations requiring special weapons and tactics by maintaining CERT." In 1978, USCP formed a group from its Civil Disturbance Unit from officers with experience in conducting special operations on the ground. The Department later created a unit that could handle specialized equipment and conduct tactical operations.

USCP formally established CERT in 1981. Originally a part-time unit, the Department selected officers from various Department units and trained them on special weapons and tactics. By 1985, the CERT structure consisted of three cells. After the 1998 shooting at the U.S. Capitol, the Department converted CERT to a full-time unit so it would be available to respond quickly to

[1] PoliceNet is the Department's intranet.

any threat to the Capitol campus. According to the January 6, 2021, *CERT Daily Manpower Report*, CERT had [redacted] employees—[redacted]. In addition, CERT had [redacted] officers scheduled on a [redacted]
The operational sergeant, administrative sergeant, and lieutenant were also present and [redacted] officers were on various types of leave or detailed outside the unit.

The Department's Civil Disturbance Unit (CDU) is an *ad hoc* unit within SOD. According to draft [redacted] dated February 2, 2021, CDU's mission is to "ensure the legislative functions of Congress are not disrupted by civil unrest or protest activity, while respecting the Civil Rights of all citizens."

The Department's Protective Services Bureau (PSB) is one of the two operational bureaus that report to the Assistant Chief of Police for Protective and Intelligence Operations. According to PoliceNet, PSB's mission is to "provide safety and security to the Capitol, Members of Congress, Officers of Congress, and their immediate family." PSB has a Dignitary Protection Division (DPD), Investigations Division, and Intelligence and Interagency Coordination Division. DPD's responsibilities include protecting leadership positions in the House of Representatives and Senate, protecting Members of the House of Representatives and Senate who received significant direct threats, providing protective escorts within the Capitol Complex for Heads of State and other visiting dignitaries, and planning and implementing security for in- and out-of-town congressional events such as retreats, funerals, and field hearings.

[redacted]

The Department's Uniformed Services Bureau (USB) is another of three Bureaus reporting to the Office of the Assistant Chief of Police for Uniformed Operations. According to PoliceNet, USB's mission is to protect Congress, its legislative processes, Members, employees, visitors, and facilities from crime, disruption and terrorism. USB protects and secures Congress so it can fulfill its constitutional responsibilities in a safe and open environment. USB also "provides non-enforcement police services while enhancing relations with the community and citizens through outreach and by providing professional Police Services."

USB is divided into the House Division, Capitol Division, Library Division, and Senate Division. The First Responders Unit (FRU) is a component within the Capitol Division. PoliceNet states that FRU is primarily responsible for the integrity of the perimeter around the Capitol buildings. FRU is the "first line of defense and is usually the unit that the public sees on television and newspaper coverage of the Capitol."

According to PoliceNet, FRU duties include:

- Screening and clearing vehicles for access to the East Front Plaza
- Force protection of the Capitol Building through deployment of high-powered rifles
- Mountain bike and foot patrol of Capitol Grounds
- Security of VIP arrivals and departures

[redacted]

OBJECTIVE, SCOPE, AND METHODOLOGY

In accordance with our statutory authority Public Law (P.L.) 109-55, the USCP Office of Inspector General (OIG) began a review of the events surrounding the takeover of the U.S. Capitol on January 6, 2021. Our objectives were to determine if the Department (1) established adequate measures for ensuring the safety and security of the U.S. Capitol Complex as well as Members of Congress, (2) established adequate internal controls and processes for ensuring compliance with Department policies, and (3) complied with applicable policies and procedures as well as applicable laws and regulations. The scope of this review included controls, processes, and operations surrounding security measures prior to the planned demonstrations and response during the takeover of the U.S. Capitol. Based on this ongoing work, we produced this flash report to communicate deficiencies with the Department's operational planning and intelligence for planned demonstrations on January 6, 2021.

Our work included interviews with Department officials. We also reviewed documentation related to CERT and FRU operations on or around January 6, 2021. We researched Department guidance related to CERT and FRU. Additionally, we reviewed audio and transcripts of radio traffic from the Department's main operations channels as well as CERT-specific channels from January 6, 2021. To research best practices, OIG consulted with a former Deputy Assistant Director for Special Intelligence and Information for the U.S. Secret Service and a former Federal Bureau of Investigation Unit Chief.

This flash report is based upon work conducted in Washington, D.C., from April through May 2021. 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. Had we performed additional procedures, other issues might have come to our attention that we would have reported. ~~This report is intended solely for the information and use of the Department, the Capitol Police Board, and the USCP Oversight Committees and should not be used by anyone other than the specified parties.~~

This is the fourth in a series of flash reports OIG is producing as part of our ongoing review of the events surrounding the takeover of the U.S. Capitol on January 6, 2021. Therefore, we may still perform additional, in-depth work related to these areas during our review. We anticipate that our next flash report will focus on the Department's Command and Coordination Bureau.

RESULTS

We produced this flash report to communicate deficiencies with CERT and FRU operations. Deficiencies included (a) the Department's planned use for CERT on January 6, 2021, (b) lack of a defined mission for CERT, (c) non-compliance with guidance related to CERT and FRU, (d) outdated or inadequate guidance related to CERT and FRU, and (e) inadequate training for CERT and FRU.

Containment Emergency Response Team

Our work revealed deficiencies and inconsistencies with how the Department planned to use CERT on January 6, 2021, and found that a lack of a defined mission for CERT may have prevented the Department from fully optimizing it on that day. We also identified training-related deficiencies including a lack of recurring training between CERT and other USCP elements it may support. Additionally, USCP lacked sufficient as well as up-to-date policies and procedures for CERT and did not always comply with existing guidance.

Lack of Operational Planning

In Report Number 2021-I-0003-A, *Review of the Events Surrounding the January 6, 2021, Takeover of the U.S. Capitol, Flash Report: Operational Planning and Intelligence,* dated February 2021, OIG reported the lack of a comprehensive, Department-wide operational plan and inconsistencies in how the Department planned to use CERT on January 6, 2021. OIG found OSB prepared a [redacted] for January 6, 2021 [redacted] dated January 5, 2021, that provides brief details on CERT but does not include detailed, operational plans for the unit. Our review of the [redacted] and interviews with Department officials revealed inconsistencies about how the Department planned to use CERT on January 6, 2021. [redacted] states CERT would deploy [redacted] Both Acting Chief of Police Yogananda

Pittman and Assistant Chief of Police for Uniformed Operations Chad Thomas stated that the Department planned to use CERT to extract non-compliant violators and disarm protesters if necessary. [redacted] does not provide how CERT officers would disarm or extract protesters. OSB officials stated in interviews that they were not familiar with any plans to have members of CERT arrest or disarm protesters.

Our work revealed additional deficiencies and inconsistencies with how the Department planned to use CERT on January 6, 2021. According to a CERT official, CERT deployment on January 6, 2021, seemed similar to any other Joint Session of Congress with no specific changes, special considerations, or contingencies. The CERT official also stated that the unit did not receive a comprehensive set of instructions for deployment of its officers on January 6, 2021, and believes that there was an attitude within the Department that "CERT will handle it" if a situation happened involving individuals wielding weapons. The official also believed that CERT isn't really involved in coordinated tactical responses or carefully planned deployments. As well, the official stated that they believed that CERT gets its assignments without understanding what other units or divisions are doing for the event. According to another CERT official, CERT did not identify any weapons on January 6, 2021, but if it had, CERT typically would have responded to a subject carrying a weapon in a threatening manner but not necessarily a subject just carrying a weapon on their person. However, the official could not recall any specific planning or direction addressing how CERT or any other units would address armed subjects once a weapon was identified.

CERT-specific planning documentation for January 6, 2021, that the Department provided consisted of only two items—the [redacted] and a schedule with posts and assignments. A CERT official stated that CERT operates in an autonomous manner while planning for major events and came up with its own plans for January 6, 2021. That official stated that CERT never received direction from Department leadership ordering it to deploy in a certain manner. Several CERT officials stated there was no coordination from command levels involving CERT's plans and that CERT had no involvement with the development of [redacted]

In Report Number 2021-I-0003-A, OIG reported the Department had made changes to its operational planning process since January 6, 2021. A Department official described the plans as a "drastically different format" from past planning documents and stated that the Department continued to accept feedback from entities to refine the product. However, a CERT official stated that CERT hasn't had any involvement with planning for events since January 6, 2021, and believed the Department would benefit from gathering input from CERT's command staff. Another CERT official stated they would like to see improvement with the communication and coordination between CERT and other division commanders, specifically on the abilities, knowledge, and practices of CERT functions, so that CERT can be fully optimized while providing appropriate assistance for other divisions.

In Report Number 2021-I-0003-A, OIG recommended that in order to improve its operational planning capabilities, the Department should implement detailed guidance for operational planning. The guidance should include policies and procedures that designate the entity or entities responsible for overseeing the operational planning and execution process, require documentation of supervisory review and approval, and standardize planning document formats. Guidance should also require that individual units develop plans and coordinate those plans with other units for a comprehensive, Department-wide effort. Additionally, the guidance should communicate when specific operational planning documents are required. For, example the Department could use a multi-tiered system based on the anticipated size and scope of an event as criteria for determining the required level of operational planning documentation it needs to prepare.

Lack of a Defined Mission



A lack of a defined mission for CERT may have prevented the Department from fully optimizing CERT on January 6, 2021. Review of audio from CERT radio channels on January 6, 2021, revealed that at one point during the day a CERT official within the Capitol stated that "unless someone gives us authorization to use less than lethal or smoke we are not doing anything here so we are serving no purpose in here." Another CERT official stated that "it seems like the Department only has a CERT team to check off a box for CALEA [Commission on Accreditation for Law Enforcement Agencies] standards, thinking that there has to be a tactical team, but doesn't give CERT much attention after that, that it is generally considered an afterthought from the Department." And yet another CERT official stated they believed that CERT's mission is simply to respond to and to neutralize an armed threat.

Although PoliceNet states only that CERT's mission is "to provide a security presence throughout the Capitol Complex by conducting random foot deployments, with special weapons, while Congress is in session". Protection of Members of Congress and ensuring the legislative functions of Congress are not disrupted by civil unrest are both key components of the

Department's primary mission. However, on January 6th the Department did not use CERT to support the evacuation of congressional leadership or Members of Congress and disagreement arose between CERT and SOD officials over how CERT could support CDU.

According to a CERT official, CERT did not respond to the evacuations of the leadership or Members of Congress because CERT was not asked. That official stated that if a request had been made, CERT would have sent a small group and generally agreed with OIG's previous recommendation that CERT should provide greater support to DPD, but noted CERT does not have the resources to do so and CERT infrequently trains with DPD.

A PSB official stated that CERT did not participate in leadership evacuations because once the decision was made in the Command Center to evacuate, there was no time to wait for CERT. According to the official, DPD was prepared for the events on January 6, 2021, with increased staffing, additional weapons, a Command Center presence, and prepositioned emergency assets in the event an evacuation was needed—which it was. The official added the discussions and decisions about the evacuation occurred in the Command Post, so when the decision was made to evacuate, "we moved independently." The official stated CERT did not have the resources to support DPD and focus on its other responsibilities such as responding to threats on the Hill.

Our review of audio and transcripts of radio traffic from the Department's main operations channels as well as CERT-specific channels from January 6, 2021, revealed calls for CERT to support CDU. An interview with a SOD official who OIG identified as requesting CERT assistance revealed a disagreement between officials about how CERT could support CDU. The SOD official stated they called for less than lethal support from CERT to assist in moving people out of the Rotunda. According to the SOD official, a CERT official responded in person to their location but without any other CERT personnel and stated that they did not want to deploy less than lethal because they didn't "want people falling down the steps" and did not provide other options. The SOD official stated they then called for a tactical team from another Federal agency to assist and that team responded and basically said give us a plan and we'll carry it out. The SOD official stated that before executing the provided plan, officers were able to push people out of the Rotunda by hand without the support of less than lethal. The SOD official stated their expectations of CERT or anyone else in the Department on January 6, 2021, would be to assist and help out where they could and that CERT "could have done more based on my observations."

The Department should increase oversight and define a mission for CERT that better supports its primary mission of security and protection of Congress. Realigning CERT from SOD to PSB would provide the Department more opportunities to use CERT for supporting protection details, congressional delegations, air operations, and motorcades. Our research into best practices revealed that the U.S. Secret Service Counter Assault Team (CAT) provides full-time, global tactical support to its Presidential Protective Division and that on order, CAT will also provide tactical support to designated protectees, protected venues, and National Special Security Events.

Training

[redacted]

CERT, SOD, and PSB officials all stated that CERT should train more often with other Department elements it may deploy to support such as DPD, CDU, FRU, and the Crisis Negotiation Team. Officials cited inadequate staffing and a lack of available training facilities as challenges to having CERT train with those elements.

Officials also stated that the Department's training facilities at the Federal Law Enforcement Training Center (FLETC) in Cheltenham, Maryland did not meet their training needs. A CERT official stated that CERT and CDU tactics differed and when CERT deploys less lethal munitions it is for different situations than when CDU deploys them. According to that official, CERT never trains with CDU and CERT would "wing it" during a deployment if CERT had to assist CDU because there isn't any coordination between them. There is not an understanding of unit tactics so they know what the other is doing during events based off training or consistent operations with the other. Additionally, the official could not recall CERT and DPD holding any joint training on evacuations and stated they had no idea what tactics DPD currently uses during Member evacuations. The official estimated CERT and DPD had only trained in tactics together a couple of times over the course of their career.

Various CERT officials stated that a lack of access to adequate training facilities was a recurring challenge for CERT and that developing contacts with partner agencies was essential for gaining training opportunities at the agency's facilities. The officials also stated that another challenge was that CERT never had an opportunity to train inside the Capitol. A CERT official stated that coordinating CERT training was one of their main responsibilities and that because of the challenge of scheduling training at the Department's facilities at FLETC Cheltenham and in the local District of Columbia area at free of charge sites, CERT had contracted with privately owned entities to train its personnel in firearm marksmanship and other tactics at facilities located outside of the local District of Columbia area.

Research into the privately owned entities revealed that one of the entities, [redacted] had questionable content on its website. During 2018 and 2019, the Department spent $90,075 for CERT to train with [redacted]. The home page of the company's website uses the motto or slogan, "For those who have hunted armed men training is never the same." While some of the content could have multiple meanings, their use at Department-provided training could lead employees to feel unsafe or uncomfortable. Furthermore, USCP participation at training [redacted] provided could also lead individuals to believe that USCP sanctions the use of such content. As a result, OIG issued Report Number OIG-2021-07, *Management Advisory Report: Containment Emergency Response Team Contractor*, dated May 26, 2021, to communicate this information to the Department and recommended that it review the appropriateness of utilizing [redacted] for further training. [redacted]

To ensure that CERT receives appropriate, mission driven training, the Department and its Training Services Bureau should assume a greater role in pursuing training opportunities for CERT from Federal partner agencies. Such a move would also allow CERT leadership to focus on CERT operations instead of training coordination. Implementing recurring training between CERT and other USCP elements it may support and assuming a greater role in pursuing appropriate, mission driven training opportunities for CERT from its Federal partner agencies would assist the Department in developing competencies within CERT that are appropriate for improving the Department's ability to achieve its mission.

Lack of and Outdated CERT Policies and Procedures

The Department lacked sufficient policies and procedures and also did not have updated policies and procedures related to CERT. SOP [redacted], dated July 9, 2018, identifies procedures for CERT to issue Noise Flash Diversionary Devices (NFDDs) directly to CERT employees. However, CERT no longer issues NFDDs directly to employees. As of May 28, 2021, the Property Asset Management Division (PAMD) issues NFDDs to employees.

Interviews with Department officials revealed that CERT conducts advances prior to supporting DPD protective details, congressional delegations, or events. CERT did not, however, have formal guidance that would communicate procedures for conducting and completing advances or other recurring responsibilities it may have when supporting DPD protective operations.

The Department did not have adequate, updated SOPs for CERT. The lack of adequate and updated policies and procedures for CERT could create ambiguity and a lack of accountability and coordination.

Tactical Command

On January 6, 2021, the Department did not have the CERT Commander present in its Command Center to coordinate with tactical teams from other agencies or maintain communication between deployed tactical assets and the chain of command. Review of CERT SOPs revealed that SOP [redacted], dated July 11, 2018, includes such requirements. SOP [redacted] states that its purpose "is to establish protocol for the Containment Emergency Response Team (CERT) members to follow during all tactical response operations" and defines a CERT tactical operation as "any high-risk situation that requires a carefully planned response." The SOP requires that the CERT Commander:

[redacted]

Interviews with Department officials and review of audio and transcripts of radio traffic from the Department's main operations channels as well as CERT-specific channels from January 6, 2021, revealed that the CERT Commander was deployed with CERT and was not in the Command Center before and during the physical breach of U.S. Capitol Building security. As a result, it appeared that CERT leadership was consumed with other tactical responsibilities impacting CERT's ability to communicate and coordinate with other entities. For example, it appeared that responding tactical teams from other agencies arrived at the Capitol and waited for direction from CERT that did not readily come. Also, as previously noted, CERT officials were not situationally aware of congressional leadership and Member evacuations.

To improve its ability to coordinate with tactical teams from other agencies and maintain communication between deployed tactical assets and the chain of command, the Department should ensure the CERT Commander is present within its Command Post during high-risk events to include during any Joint Sessions of Congress.

Communication Device Function Test Not Completed

The Department did not complete communication device function checks during the bi-annual equipment checks. SOP [redacted], dated July 9, 2018, states that CERT supervisors will: [redacted] The Department could not provide documentation demonstrating that they had performed any of the bi-annual equipment checks for Fiscal Years (FYs) 2018, 2019, and 2020.

The Department did not ensure that bi-annual equipment checks, including communication device function checks, were completed. The lack of communication device checks could have

impeded the transfer of important information up the chain of command from officers. Additionally, improperly functioning communication devices could have caused important direction from command to not reach officers.

Instructors Not Certified

As of January 6, 2021, [redacted] individuals were on the CERT roster. According to the Department, of the [redacted] individuals, 20 on the CERT roster were CERT instructors. SOP [redacted], dated May 21, 2018, states that the CERT supervisor will: "Assign instructors for each training day and ensure that only certified instructors are conducting training." However, the Department was unable to provide certificates demonstrating that most of the instructors were certified as instructors in their particular field of instruction.

Of the 20 CERT instructors, 18 are firearms instructors. However, the Department was unable to provide certificates demonstrating that 15 of the 18 instructors had ever taken a basic firearms instructor training course. Additionally, one of the three certificates that the Department provided was from 2013, and according to the Department, the certificates are good for a 4-year period. Furthermore, one of the instructors is a breaching instructor. The Department was unable to provide a certificate demonstrating that this individual was certified as a breaching instructor.

The Department did not ensure that only certified instructors were conducting training. A lack of properly certified instructors could impede the education and effectiveness of the officers.

CERT Weapons Qualifications Not Completed

CERT officers did not complete the required qualifications on their assigned weapons as required during 2018 through 2020. As of January 6, 2021, CERT had [redacted] officers required to qualify on their weapons in order to comply with policy. During 2018 through 2020, we found that:

- Handgun – Of the [redacted] CERT officers, [redacted] did not meet their quarterly qualifications.
- [redacted] – Of the [redacted] CERT officers, [redacted] did not meet their quarterly qualifications.
- Sniper – In 2018 and 2019, [redacted] of the [redacted] CERT officers did not meet their quarterly qualifications. In 2020, [redacted] CERT officers did not meet their quarterly qualifications.
- 40mm Single – Of the [redacted] CERT officers, [redacted] did not meet their bi-annual qualifications.
- [redacted] – in 2019, [redacted] CERT officers did not meet their bi-annual qualifications. In 2020, [redacted] CERT officers did not meet their bi-annual qualifications.

A Department official stated that as a result of COVID-19, during 2020, training and some qualifications were suspended. However, although CERT officers missed significantly more qualifications during 2020, there were still numerous exceptions in the 2018 through 2019 timeframe.

The Department did not ensure that all CERT officers maintained required qualifications on assigned weapons at the frequency required in the SOPs. Without weapons qualifications, the Department cannot be sure that CERT officers are properly trained and up to date on equipment and procedures necessary to perform their duties.

Monthly CERT Inventories Not Completed

The Department did not complete monthly equipment inventories for CERT officers as SOP [redacted] requires. Officers and inspecting officials are required to sign the form [redacted], [redacted] We selected 3 months for testing and found that for March 2020 the Department was unable to provide a [redacted] signed by the officer and inspecting official for [redacted] of the CERT officers. For June 2020, the Department was unable to provide a CP-1584 signed by the officer and inspecting official for [redacted] out of [redacted] of the CERT officers. For December 2020, the Department was unable to provide a [redacted] signed by the officer and inspecting official for [redacted] out of [redacted] of the CERT officers.

The Department did not ensure that supervisors conducted monthly equipment inventories for all PAMD-issued equipment for each CERT officer. Without monthly inventories, the Department could not ensure that CERT officers had, and were held accountable for, their necessary equipment. Such a condition could impede CERT officers' effectiveness, as they may not have had equipment essential for performing their duties. Additionally, it could have led to lost or misappropriated equipment.

Conclusion

In Report Number 2021-I-0003-A, OIG reported the lack of a comprehensive, Department-wide operational plan and inconsistencies in how the Department planned to use CERT on January 6, 2021. Our work revealed further deficiencies and inconsistencies with how the Department planned to use CERT on January 6, 2021. In Report Number 2021-I-0003-A, OIG recommended that in order to improve its operational planning capabilities, USCP should implement detailed guidance for operational planning.

The Department should increase oversight and define a mission for CERT that better supports its primary mission of security and protection of Congress. Realigning CERT from SOD to PSB would provide the Department more opportunities for using CERT in support of protection details, congressional delegations, air operations, and motorcades. Implementing recurring

training between CERT and other USCP elements it may support and assuming a greater role in pursuing appropriate, mission-driven training opportunities for CERT from its Federal partner agencies would assist the Department in developing competencies within CERT that are appropriate for improving the Department's ability to achieve its mission. The Department did not have adequate, up-to-date SOPs for CERT, and the Department did not always comply with guidance related to tactical command, communication device function checks, instructor certification, weapons qualifications, or equipment inventories. Thus, OIG makes the following recommendations.

Recommendation 1: We recommend the United States Capitol Police (USCP) realign its Containment and Emergency Response Team (CERT) from its Operational Services Bureau Special Operations Division to its Protective Services Bureau and define a mission for CERT that better supports USCP's primary mission of security and protection of Congress.

Recommendation 2: We recommend the United States Capitol Police pursue additional mission-driven training opportunities for its Containment and Emergency Response Team from its Federal partner agencies.

Recommendation 3: We recommend the United States Capitol Police (USCP) develop and implement recurring training between its Containment and Emergency Response Team (CERT) and other USCP elements such as the Dignitary Protection Division, Civil Disturbance Unit, First Responders Unit, Crisis Negotiation Team, and any other elements CERT may deploy to support.

Recommendation 4: We recommend that the United States Capitol Police update Standard Operating Procedure [redacted], dated July 9, 2018.

Recommendation 5: We recommend that the United States Capitol Police establish policies that outline its procedures for completing advances and other recurring responsibilities it may have when supporting Dignitary Protection Division protective operations.

Recommendation 6: We recommend the United States Capitol Police enforce compliance with Standard Operating Procedure [redacted] dated July 11, 2018, requirements to have a Containment and Emergency Response Team Commander present in the Command Post during high-risk events to include during any Joint Sessions of Congress.

Recommendation 7: We recommend that the United States Capitol Police ensure that the Containment Emergency Response Team Supervisors are held accountable for

completing the bi-annual equipment checks including communication device function checks.

Recommendation 8: We recommend that the United States Capitol Police determine the number of Containment Emergency Response Team (CERT) instructors needed relative to the size of the unit and ensure that only certified instructors are conducting CERT training. Additionally, the Department should consolidate all CERT training under the Training Services Bureau.

Recommendation 9: We recommend that the United States Capitol Police immediately enforce weapons qualification requirements for Containment Emergency Response Team officers on all assigned weapons as detailed in SOP [redacted], dated June 19, 2018.

Recommendation 10: We recommend that the United States Capitol Police ensure that Containment Emergency Response Team (CERT) Supervisors are held accountable for completing monthly equipment inventories for all Property and Asset Management Division issued equipment for each Containment Emergency Response Team officer.

First Responders Unit

USCP did not have adequate policies and procedures for FRU defining its overall operations. Additionally, FRU lacked resources and training for properly completing its mission.

Lack of FRU Policies and Procedures

The Department did not have adequate policies and procedures for all aspects of FRU. For example, FRU lacked clear policies relating to mountain bike training requirements. Although SOP [redacted] requires that employees attend and successfully complete a Department-sanctioned or recognized police mountain bike training program, that SOP does not specify the programs that meet the Department requirements.

The Department did not have adequate policies and procedures for securing ballistic helmets and vests strategically stored around the Capitol Complex. A total of 12 ballistic vests and 12 ballistic helmets were stolen by rioters on January 6, 2021. According to PoliceNet, FRU "is the first line of defense and is usually the Unit that the public sees on television and newspaper coverage of the Capitol." A Department official stated on January 6, 2021, that FRU was tasked with their regular duties and was not provided with any precautionary information. Some of FRU's ballistic vests and helmets were staged in storage cases next to standing posts. After FRU officers retreated as a result of the violent rioters, those ballistic vests and helmets were stolen. FRU does not have proper storage for their ballistic vests and helmets at certain FRU posts.

FRU lacked clear policies related to inspection logs for remote locking devices. Although SOP [redacted] requires that remote locking devices are inspected on a [redacted] by the Security Services Bureau to include battery replacement, that SOP does not require the process is documented. As such, the Department was unable to provide support that the remote locking devices had been inspected on a [redacted].

The Department lacked policies and procedures defining a requirement that FRU officers be certified with the use of the M4 rifle. As of May 2021, officers assigned to FRU were not required to be M4 certified. A Department official stated, however, that the M4 rifle is the unit's primary long gun and used by FRU officers at certain posts and staged at strategic locations. Additionally, the official stated that all FRU officers should be required to be M4 certified because of its use in daily FRU operations.

Lack of Proper Resources

GAO *Standards for Internal Control in the Federal Government; Documentation of Responsibilities through Policies*, GAO-14-704G, dated September 2014, state:

- Only when the right personnel for the job are on board and are provided the right training, tools, structure, incentives, and responsibilities is operational success possible.

FRU did not have the proper resources to complete its mission. During interviews with Department officials, concerns were expressed about FRU's equipment, training, and physical access management. Many of the concerns were highlighted during the events of January 6, 2021. Furthermore, a Department official stated that manpower is an issue because of the schedule of working 6 days a week, 12 hours a day and is affecting retention and morale.

Lack of Equipment

FRU officers were not equipped with adequate less lethal weapons such as the Pepper-Ball and Sting-Ball weapon systems. Department officials expressed concerns about FRU's less lethal capabilities. As of May 2021, FRU officers were equipped with the Department's standard *oleoresin capsicum* spray and collapsible baton as their less lethal options. According to an FRU official, the Department's standard less lethal weapons provided to FRU officers on January 6, 2021, was "inadequate." As previously stated, FRU officers are typically stationed on the outer perimeter of the Capitol where the general public makes first contact. A Department Official stated that "less lethal weapons are just as important as long guns" because of their ability to incapacitate a person or a group of people without directly escalating to lethal means. Those types of weapons would be effective assisting officers when confronting violent crowds similar to the ones encountered during the events of January 6, 2021, or mentally ill individuals. The official specifically commended the Washington, D.C., Metropolitan Police Department (MPD) officers who provided assistance to the USCP officers utilizing "heavier less than lethal

weapons" and suggested the FRU Officers be trained and provided with more effective less than lethal weapons.

FRU did not have an adequate number of bicycles in its unit. FRU relies on motorcycles, automobiles, and mountain bicycles to patrol their assigned area. A Department official stated mountain bikes are critical to patrolling their area of responsibility due to their low cost and ability to quickly respond to situations especially evident during January 6, 2021, when MPD's bicycle unit was able to rapidly respond to USCP's call for assistance. As of May 2021, FRU had 20 mountain bikes available for approximately [redacted] FRU officers.

Lack of Training

FRU lacked advanced medical and tactical training. On January 6, 2021, many officers were affected by chemical irritants dispatched from the crowd. Those officers did not have a proper decontamination site within reach and ended up using water bottles or bathroom sinks to decontaminate. A Department official stated that USCP relies on the District of Columbia Fire and Emergency Medical Services Department for medical assistance during events. The issue with utilizing the District of Columbia services is response time and the probability some requests for the District to pre-stage their medical personnel for events may be rejected. Furthermore, the Department official suggested that FRU members train and equip a number of its officers to the same standard as an Emergency Medical Technician. Implementing that suggestion would ensure FRU officers are provided with immediate access to emergency medical care and supplies in any future violent events.

[redacted] And because of the positioning of FRU posts, a high probability exists that those officers may be the first to encounter an active shooter situation. [redacted]

Accessibility Issues

The Department did not have adequate access to the Capitol's physical security infrastructure. [redacted]

[redacted]

Remote Locking Device Training and Drills

The Department did not complete remote locking devices drill on a monthly basis. We selected 6 months from FY 2018 through FY 2020 and requested documentation from the Department to support monthly drills. SOP [redacted], dated October 1, 2018, states [redacted] Coordinate with and include affected interior Capitol Division officers and officials in the drill." During COVID-19 restrictions, however, the Department suspended drills and two of the months selected were during that time. Of the remaining 4 months selected, the Department could not provide logs for 2 of the months.

In addition, the Department could not provide documentation demonstrating that all Capitol Division officers had taken the annual remote locking device training. SOP [redacted] states, "Annual remote locking device training is required for all officers and officials assigned to the Capitol Division. This training will be managed by FRU officials." According to the Department, remote locking device training is conducted during the monthly drills; however, the Department did not always maintain a listing of the officers who participate in these drills, and therefore, they were unable to demonstrate that all Capitol Division officers had taken the remote locking device training as required by SOP [redacted].

The Department did not ensure that remote locking drills were held on a monthly basis. The Department also did not ensure that annual remote locking device training was appropriately documented for each Capitol Division officer. Without regular drills and annual training, officers may not be aware of the correct procedures for engaging the remote locking devices.

Conclusion

The Department did not have adequate, updated SOPs in place for FRU. A lack of adequate and updated policies and procedures for FRU could create ambiguity and lack of accountability and coordination as well as inhibit the readiness of FRU as well as allow for the loss of Department equipment. Additionally, completion of monthly remote locking devices drills and resources such as less lethal weapons, mountain bicycles, physical access, and training are needed for FRU to successfully complete its mission. Thus, OIG makes the following recommendations.

Recommendation 11: We recommend that the United States Capitol Police update SOP [redacted], dated December 22, 2017, to identify which mountain bike programs meet the Department requirement for mountain bike training.

Recommendation 12: We recommend that the United States Capitol Police establish a Standard Operating Procedure that identifies the procedures for maintaining an inventory and proper storage of ballistic helmets and vests strategically placed around the Capitol Complex.

Recommendation 13: We recommend that the United States Capitol Police update SOP [redacted], dated October 1, 2018, to identify the procedure for documenting the performance of the [redacted] inspections of remote locking devices.

Recommendation 14: We recommend that the United Stated Capitol Police establish a Standard Operating Procedure that reflects a requirement that First Responder Unit officers be M4 certified.

Recommendation 15: We recommend that the United States Capitol Police explore options to secure ballistic helmets and vests at First Responder Unit posts.

Recommendation 16: We recommend that the Department train and provide First Responder Unit officers with additional less lethal weapon systems.

Recommendation 17: We recommend that the United States Capitol Police provide the First Responder Unit with additional bicycles.

Recommendation 18: We recommend that the United States Capitol Police provide First Responder Unit officers with advanced medical training similar to Emergency Medical Technicians.

Recommendation 19: We recommend that the Department's First Responder Unit train together as a unit concerning M4 long rifle tactics.

Recommendation 20: We recommend that the United States Capitol Police coordinate with personnel from the Architect of the Capitol to resolve physical access issues.

Recommendation 21: We recommend that the United States Capitol Police ensure that First Responders Unit management are held accountable for completing and documenting remote locking device drills.

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