

STATEMENT OF INSPECTOR GENERAL MICHAEL A. BOLTON
UNITED STATES CAPITOL POLICE
OFFICE OF INSPECTOR GENERAL

Committee on Senate Rules and Administration
United States Senate
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Good morning, my name is Michael A. Bolton. I am the Inspector General for the United States Capitol Police (USCP or Department). I have been with the Inspector General's office since 2006. In January 2019, I was appointed as the Inspector General. Thank you for this opportunity to appear before you, the Committee on Senate Rules and Administration, to discuss our Review of Events in regards to USCP's Departmental Operation, Programs and Policies that were in affect during January 6, 2021.

I would like to extend my appreciation to the Committee for holding this hearing and the important work that this Committee continues to do to make the Capitol Complex safe and secure. I would also like to take the time to extend and recognize the outstanding efforts and work done by my staff in the Office of Inspector General, U.S. Capitol Police. Through their collective efforts and skills, we have produced eight Flash Reports outlining areas of improvement for the Department resulting in 103 recommendations. Our last and final Flash Report is a summary of the status of the recommendations we have made and Security improvements that the Department has made since January 6, 2021. Although the Department has addressed some of our recommendations and have made security improvements throughout the Capitol Complex, much work still needs to be addressed in relation to Training, Intelligence, cultural change and Operational Planning. On January 6, 2021, a physical security breach of U.S. Capitol Building occurred during a Joint Session of Congress to certify the Electoral College vote. My goal is to provide each of you with a better understanding of how the events of January 6, 2021 occurred in relation to the preparation and response of the Department. Other factors were involved and other entities are reviewing those aspects outside the USCP Department. I will discuss the non-law enforcement sensitive findings detailed in my eight

“Flash Reports.” Any law enforcement sensitive questions can be answered in a “closed door” setting.

Shortly after the events of January 6, I notified the Department, Board and the Committees that my office would be suspending all future projects listed in the OIG Annual Plan for 2021 to allow my entire staff to conduct a full review of these events. In order to accomplish this goal, both OIG Audit and Investigations, would combine their collective talents to achieve a complete review of the Department. In addition to my staff, I brought on two additional contractors with the expertise and knowledge to assist my Office. A retired Deputy Assistant Director for the United States Secret Service and a retired Senior Special Agent Chief of the Federal Bureau of Investigations.

Our reports are not designed nor intended to cast blame on any one individual or group. These reports are intended to be an independent objective review of the Department’s programs and operations to better protect the Capitol Complex, members, staff, visitors, and the rank and file officers, who have shown their commitment and bravery each day by keeping all safe. A collective effort must be undertaken, to ensure that each officer, when their shift is over, gets to go home to their families. As well as the safety of those who work and visit the first branch of government.

In accordance with our statutory authority Public Law (P.L.) 109-55, the USCP Office of Inspector General began a review of the operations and programs that were in place prior to and during the takeover of the U.S. Capitol on January 6, 2021. Our objective, for this review, is to determine if the Department (1) established adequate measures for ensuring the safety and security of Members of Congress, their Staff and the Capitol Complex, (2) established adequate internal controls and processes that complied with Department policies and procedures and, (3) complied with applicable laws and regulations. The scope included reviewing the controls, processes, and operations surrounding the security measures prior to the planned demonstrations and the response during the takeover of the Capitol building. Our recommendations are made by conducting interviews, document reviews, the combined knowledge and expertise of my staff

and following best practices throughout the Federal Government of those relevant agencies with similar functions of the Department.

We are currently finalizing our final flash report, which we anticipate issuing within the next few days. Since my last hearing before this Committee, we have issued three additional Flash Reports. Those reports included areas in the Department such as Command and Coordination Bureau, Hazardous Incident Response Division and Canine (K-9) Unit and finally Dignitary Protection Division and Human Capitol.

As our work shows throughout our Flash Reports, my office sees continuing areas in our findings that need to be addressed. Those areas are Intelligence, Training, Operational Planning, and cultural change. In regards to culture change, we see that the Department needs to move away from the thought process as a traditional Police Department and move to the posture as a Protective Agency.

Our fifth flash report is designed to communicate deficiencies with the Department's Command and Coordination Bureau (CCB). Additionally, to gain a perspective on Department-wide command and control challenges on January 6, 2021, we contacted 86 USCP officers and completed interviews with 36 of them who agreed to be interviewed. We also reviewed 49 after action reports USCP officers and employees completed.

The Department did not have adequately detailed and up-to-date Standard Operating Procedures (SOPs) in place for CCB or formally establish procedures defining roles and responsibilities for the Emergency Planning Section. Additionally, the Department did not monitor training in order to ensure incident management personnel received training, as guidance requires. Furthermore, the Department did not appropriately conduct or document monthly proficiency validations for Command Center employees appropriately respond to emergency identifier activations for officers on January 6, 2021, or appropriately complete its Command Center Daily Check Sheets, as guidance requires.

Based on interviews with USCP officers and review of after action reports, we identified Department-wide command and control deficiencies related to information sharing, chain of command directions, communication, preparedness, training, leadership development, emergency response procedures, and law enforcement coordination.

Our sixth flash report is designed to communicate deficiencies with the Department's Hazardous Incident Response Division (HIRD) and Canine Unit (K-9 or Unit). Deficiencies included a lack of adequate Department guidance for both HIRD and K-9.

HIRD contributed greatly toward the Department's mission on January 6, 2021, through rendering safe multiple hazardous devices and the sweep of the Capitol complex with partner agencies. However, coordination concerning events between HIRD and the Department's operational leadership was flawed, which resulted in misinformation among officers. Additionally, the Hazardous Materials Response Team (HMRT) lacked the necessary personnel and equipment to successfully complete its mission. The Department's lockdown procedures would be improved by adopting best practices with multiple threats involving hazardous devices. Lastly, the Department does not have adequate, updated guidance in place for its Advanced Law Enforcement Response Team (ALERT) and HIRD. The lack of adequate and up-to-date policies and procedures for HIRD and ALERT creates ambiguity and lack of accountability and coordination.

The Department did not always comply with guidance related to K-9 operations or training and did not always ensure K-9 policies and procedures were up to date. A lack of K-9 related training or operational experience required for officials and formal guidance for emergency procedures, as well as inadequate hazardous device response guidance could have hampered the efficiency of the K-9 Unit on January 6, 2021. Without appropriate compliance with, or up-to-date K-9 policies and procedures, the Department could not ensure all K-9 officers were properly trained and up to date on equipment and procedures necessary to perform their duties

Our seventh flash report is designed to communicate any deficiencies with the Department's Dignity Protection Division and Human Capital. DPD contributed toward the Department's mission through proper planning and successfully evacuating individuals under its protection during the events of January 6, 2021. However, DPD incurred authorization issues with staging evacuation vehicles on January 6, 2021. Additionally, DPD's training program lacked a dedicated training staff, facilities issues, and weapon system training integration. Lastly, DPD did not have a Plan of Action (POA) in place for January 6, 2021, experienced equipment issues with its issued ballistic vests, and was occasionally not in compliance with guidance.

USCP could not provide documentation supporting that it implemented Department-wide leave restrictions or cancellations, or that it issued Department-wide messages for recalls to duty. We identified deficiencies with the data for sworn Department employees as well as mutual aid training, coordination, and documentation. The lack of appropriately maintained employee information could have impeded the effectiveness of the Department's planning for responses to future events. The Department should define roles for responding agencies with pre-determined rally points, designate agency-specific roles based on agency expertise, and ensure employees potentially involved with incident management receive training to lead mutual aid resources. Additionally, the Department should immediately develop clear protocols to swear in responding agencies and retain appropriate records documenting such actions.

Our eighth and final flash report is a summary of the status of our 104 recommendations, any security improvement made by the Department since January 6, 2021. Although the Department has made several changes to include updating Policies and Procedures, additional Training for CDU units, and the hiring of a Subject Matter Expert in the planning and coordination of large events or high profile demonstrations, the Department still has more work to achieve the goal of making the Capitol Complex safe and secure. Out of the 200 security enhancements that the Department has provided to the OIG, only 61 of those items have supporting documentation to support that those enhancements have occurred. Some of the other Security enhancements the Department has instituted has been the additional Intelligence briefings provided to the rank and file, as well as to Department Leadership. The Department still lacks the overall Training infrastructure to meet the needs of the Department, the level of

Intelligence gathering and expertise needed, and an overall cultural change needed to move the Department into a Protective Agency as opposed to a traditional Police Department.

In conclusion, the Department is comprised of extraordinary men and women who are dedicated to protecting our democracy, putting their own lives in harm's way in order for Congress to exercise their Constitutional duties in a safe and open manner. It is our duty to honor those officers who have given their lives but also ensuring the safety of all those working and visiting the Capitol Complex by making hard changes within the Department. Some of these changes may include a complete restructuring of the Capitol Police away from a Police Department to being more align with a Protective Agency. This new structure may have a Director of the Capitol Hill Protective Agency in command of the overall security of the Capitol Complex with a Chief of Police in command of the day-to-day Police Operations. Such a command structure would ensure a level of accountability and transparency of the overall security of the Capitol Complex. Finally, I would like to thank not only this Committee, but also the Committee on House Administration for their continuing support of my office and the work you both have done in protecting Democracy so that events such as January 6, 2021, never happen again.

Thank you for the opportunity to appear before you today. I would be very happy to answer any questions the Committee may have at this time.